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KEY=DEATH - DURHAM KYLEIGH

Against the Death Penalty Christian and Secular Arguments Against Capital Punishment

Herald Press (VA) Drawing on Old and New Testament resources as well as secular arguments, Gardner C. Hanks shows that the death penalty harms rather than helps any quest for a just, humane society. He demonstrates through research data that the death penalty is an ineffective crime-fighting tool.

Debating the Death Penalty Should America Have Capital Punishment? The Experts on Both

Sides Make Their Case

Oxford University Press Experts on both side of the issue speak out both for and against capital punishment and the rationale behind their individual beliefs.

Against the Death Penalty

Brookings Institution Press A landmark dissenting opinion arguing against the death penalty Does the death penalty violate the Constitution? In Against the Death Penalty, Justice Stephen G. Breyer argues that it does: that it is carried out unfairly and inconsistently, and thus violates the ban on "cruel and unusual punishments" specified by the Eighth Amendment to the Constitution. "Today's administration of the death penalty," Breyer writes, "involves three fundamental constitutional defects: (1) serious unreliability, (2) arbitrariness in application, and (3) unconscionably long delays that undermine the death penalty's penological purpose. Perhaps as a result, (4) most places within the United States have abandoned its use." This volume contains Breyer's dissent in the case of Glossip v. Gross, which involved an unsuccessful challenge to Oklahoma's use of a lethal-injection drug because it might cause severe pain. Justice Breyer's legal citations have been edited to make them understandable to a general audience, but the text retains the full force of his powerful argument that the time has come for the Supreme Court to revisit the constitutionality of the death penalty. Breyer was joined in his dissent from the bench by Justice Ruth Bader Ginsburg. Their passionate argument has been cited by many legal experts — including fellow Justice Antonin Scalia — as signaling an eventual Court ruling striking down the death penalty. A similar dissent in 1963 by Breyer's mentor, Justice Arthur J. Goldberg, helped set the stage for a later ruling, imposing what turned out to be a four-year moratorium on executions.

Against the Death Penalty

International Initiatives and Implications

Routledge This edited volume brings together leading scholars on the death penalty within international, regional and municipal law. It considers the intrinsic elements of both the promotion and demise of the punishment around the world, and provides analysis which contributes to the evolving abolitionist discourse. The contributors consider the current developments within the United Nations, the Council of Europe, the African Commission and the Commonwealth Caribbean, and engage with the emergence of regional norms promoting collective restriction and renunciation of the punishment. They investigate perspectives and questions for retentionist countries, focusing on the United States, China, Korea and Taiwan, and reveal the iniquities of contemporary capital judicial systems. Emphasis is placed on the issues of

transparency of municipal jurisdictions, the jurisprudence on the 'death row phenomenon' and the changing nature of public opinion. The volume surveys and critiques the arguments used to scrutinize the death penalty to then offer a detailed analysis of possible replacement sanctions.

The Case Against the Death Penalty Abolition

One Man's Battle Against the Death Penalty

UPNE The English translation of a behind-the-scenes account of the abolition of the death penalty in France

The Death Penalty For and Against

Rowman & Littlefield Publishers Two distinguished social and political philosophers take opposing positions in this highly engaging work. Louis P. Pojman justifies the practice of execution by appealing to the principle of retribution: we deserve to be rewarded and punished according to the virtue or viciousness of our actions. He asserts that the death penalty does deter some potential murderers and that we risk the lives of innocent people who might otherwise live if we refuse to execute those deserving that punishment. Jeffrey Reiman argues that although the death penalty is a just punishment for murder, we are not morally obliged to execute murderers. Since we lack conclusive evidence that executing murderers is an effective deterrent and because we can foster the advance of civilization by demonstrating our intolerance for cruelty in our unwillingness to kill those who kill others, Reiman concludes that it is good in principle to avoid the death penalty, and bad in practice to impose it.

Against Capital Punishment

Oxford University Press Against Capital Punishment develops an innovative argument against the death penalty that sidesteps questions about the morality of execution itself. Yost argues that the irrevocability of the death penalty calls for its abolition. In so doing, he explores the extent of legal institutions' responsibility to remedy their mistakes and solves the problems that sabotage other versions of procedural abolitionism

Against Capital Punishment

The Anti-Death Penalty Movement in America, 1972-1994

Oxford University Press Built on in-depth interviews with movement leaders and the records of key abolitionist organizations, this work traces the struggle against capital punishment in the United States since 1972. Haines reviews the legal battles that led to the short-lived suspension of the death penalty and examines the subsequent conservative turn in the courts that has forced death penalty opponents to rely less on litigation strategies and more on political action. Employing social movement theory, he diagnoses the causes of the anti-death penalty movement's inability to mobilize widespread opposition to executions, and he makes pointed recommendations for improving its effectiveness. For this edition Haines has included a new Afterword in which he summarizes developments in the movement since 1994.

Against the Death Penalty

Writings from the First Abolitionists—Giuseppe Pelli and Cesare Beccaria

Princeton University Press The first known abolitionist critique of the death penalty—here for the first time in English. In 1764, a Milanese aristocrat named Cesare Beccaria created a sensation when he published *On Crimes and Punishments*. At its centre is a rejection of the death penalty as excessive, unnecessary, and pointless. Beccaria is deservedly regarded as the founding father of modern criminal-law reform, yet he was not the first to argue for the abolition of the death penalty. *Against the Death Penalty* presents the first English translation of the Florentine aristocrat Giuseppe Pelli's critique of capital punishment, written three years before Beccaria's treatise, but lost for more than two centuries in the Pelli family archives. Peter Garnsey examines the contrasting arguments of the two abolitionists, who drew from different intellectual traditions. Pelli was a devout Catholic influenced by the writings of natural jurists such as Hugo Grotius, whereas Beccaria was inspired by the French Enlightenment philosophers. While Beccaria attacked the criminal justice system as a whole, Pelli focused on the death penalty, composing a critique of considerable depth and sophistication. Garnsey explores how Beccaria's alternative penalty of forced labour, and its conceptualisation as servitude, were

embraced in Britain and America, and delves into Pelli's voluminous diaries, shedding light on Pelli's intellectual development and painting a vivid portrait of an Enlightenment man of letters and of conscience. With translations of letters exchanged by the two abolitionists and selections from Beccaria's writings, Against the Death Penalty provides new insights into eighteenth-century debates about capital punishment and offers vital historical perspectives on one of the most pressing questions of our own time.

Right Here, Right Now

Life Stories from America's Death Row

Duke University Press Upon receiving his execution date, one of the thousands of men living on death row in the United States had an epiphany: "All there ever is, is this moment. You, me, all of us, right here, right now, this minute, that's love." Right Here, Right Now collects the powerful, first-person stories of dozens of men on death rows across the country. From childhood experiences living with poverty, hunger, and violence to mental illness and police misconduct to coming to terms with their executions, these men outline their struggle to maintain their connection to society and sustain the humanity that incarceration and its daily insults attempt to extinguish. By offering their hopes, dreams, aspirations, fears, failures, and wounds, the men challenge us to reconsider whether our current justice system offers actual justice or simply perpetuates the social injustices that obscure our shared humanity.

Religion and the Death Penalty

A Call for Reckoning

Wm. B. Eerdmans Publishing Series Foreword p. viii Foreword Jean Bethke Elshtain p. x Preface p. xiii Contributors p. xvi Religion and Capital Punishment: An Introduction Erik C. Owens and Eric P. Elshtain p. 1 | Faith Traditions and the Death Penalty 1. Catholic Teaching on the Death Penalty: Has It Changed? Avery Cardinal Dulles, S.J. p. 23 2. Can Capital Punishment Ever Be Justified in the Jewish Tradition? David Novak p. 31 3. The Death Penalty: A Protestant Perspective Gilbert Meilaender p. 48 4. Punishing Christians: A Pacifist Approach to the Issue of Capital Punishment Stanley Hauerwas p. 57 5. The Death Penalty, Mercy, and Islam: A Call for Retrospection Khaled Abou El Fadl p. 73 II Theological Reflections on the Death Penalty 6. Categorical Pardon: On the Argument for Abolishing Capital Punishment J. Budziszewski p. 109 7. Biblical Perspectives on the Death Penalty Michael L. Westmoreland-White and Glen H. Stassen p. 123 8. Christian Witness, Moral Anthropology, and the Death Penalty Richard W. Garnett p. 139 9. Human Nature, Limited Justice, and the Irony of Capital Punishment John D. Carlson p. 158 10.

Responsibility, Vengeance, and the Death Penalty Victor Anderson p. 195 III Personal Commitments and Public Responsibilities 11. The Death Penalty: What's All the Debate About? Frank Keating p. 213 12. Reflections on the Death Penalty and the Moratorium George H. Ryan p. 221 13. God's Justice and Ours: The Morality of Judicial Participation in the Death Penalty Antonin Scalia p. 231 14. Why I Oppose Capital Punishment Mario M. Cuomo p. 240 15. Capital Punishment: Is It Wise? Paul Simon p. 248 16. Facing the Jury: The Moral Trials of a Prosecutor in a Capital Case Beth Wilkinson p. 254 17. The Problem of Forgiveness: Reflections of a Public Defender and a Murder Victim's Family Member Jeanne Bishop p. 264 Afterword: Lifting New Voices against the Death Penalty: Religious Americans and the Debate on Capital Punishment E.J. Dionne Jr. p. 277 Index.

The Death Penalty

America's Experience with Capital Punishment

Oxford University Press This book addresses one of the most controversial issues in the criminal justice system today—the death penalty. Paternoster et al. present a balanced perspective that focuses on both the arguments for and against capital punishment. Coverage draws on legal, historical, philosophical, economic, sociological, and religious points of view. Topics include:

- * The history of the death penalty in the United States, from the 1600s to today
- * The changing nature of the death penalty—changes in the types of crimes that warranted the penalty, the procedures employed to put capital offenders on trial, and the methods used to impose death
- * Constitutional/legal issues surrounding the death penalty
- * The influence of race on the administration of the death penalty, both in the past and in the present
- * Justifications for and against the death penalty (retribution, cost, public safety, and religious arguments)
- * Questions about the execution of innocents, exonerated capital offenders, and flaws in the operation of the death penalty
- * Public opinion and the death penalty
- * The death penalty and international law and practice
- * The future of the death penalty in America

Congregation of the Condemned

Voices Against the Death Penalty

Editor Shirley Dicks's son Jeff was involved in a robbery attempt that resulted in the death of a storekeeper. A bungled defense led to his conviction for murder; he has been on death row since 1979. Dicks has become bitterly aware that justice in America is dealt out not blindly, but selectively. "People have been sentenced to death not because they have been found to be uncontrollably violent but because they were hopelessly poor. . . .They are the losers in an arbitrary lottery. You won't

find a wealthy person on death row. A system like this does not enhance respect for human life; it cheapens and degrades it." Congregation of the Condemned features writings by inmates, members of victims' families, legal and medical experts, religious and political figures, actors, and journalists, as well as opinions from such organizations as the ACLU and the NAACP. Contributors include Senator Edward Kennedy, Mike Farrell, Mario Cuomo, Hugo Bedau, Tom Wicker, Peter Gabriel, Watt Espy, Coretta Scott King, and many others.

Death Penalty: A Cruel and Inhuman Punishment

Ediciones de la Universidad de Castilla La Mancha Death penalty: A cruel and inhuman punishment is an academic contribution by Academics for abolition aimed at fostering the debate launched by the United Nations General Assembly in its resolution 62/149 on 18 December 2007, calling for a worldwide moratorium on executions by 2015, and continued by the upcoming review process of the UN's Millennium Development Goals (MDG). It is mainly a compilation of papers written by the speakers at the Seminar "Against cruel and inhuman punishment and death penalty", which took place at the Real Academia de Bellas Artes de San Fernando, in Madrid, on 9 June 2013, on the eve of the 5th World Congress against the death penalty. The book deals with current issues of the process towards abolition as the lack of evidence about the deterrence effect of death penalty and its consideration as a cruel and inhuman punishment. Together with the editors, the contribution includes studies, among others, of H.J. Albrecht, Gabrio Forti, Roger Hood, Salim Himnat and Sergio García Ramírez. The Academic International Network against the Death Penalty (REPECAP) dedicates this book to the International Commission against the Death Penalty (ICDP) chaired by Federico Mayor Zaragoza.

The Death Penalty

ABDO Explores the controversy surrounding capital punishment, discussing how it works; arguments for and against it; the role of religion in the debate; and special considerations involved with its use.

Don't Kill in Our Names

Families of Murder Victims Speak Out Against the Death Penalty

Rutgers University Press Presents the stories of ten members of a national anti-death penalty group, Murder Victims' Families for Reconciliation, describing what led them to choose forgiveness for the killers of their loved ones instead of revenge.

Grace and Justice on Death Row

The Race against Time and Texas to Free an Innocent Man

Skyhorse + ORM The chilling Washington Post bestseller of an innocent death row inmate—with a foreword by Sister Helen Prejean, author of *Dead Man Walking*. *Grace and Justice on Death Row* tells the story of Alfred Dewayne Brown, a man who spent over twelve years in prison (ten of them on Texas' infamous Death Row) for a high-profile crime he did not commit, and his lawyer, Brian Stolarz, who dedicated his career and life to secure his liberty. The book chronicles Brown's extraordinary journey to freedom against very long odds, overcoming unscrupulous prosecutors, corrupt police, inadequate defense counsel, and a broken criminal justice system. *Grace and Justice on Death Row* also addresses many issues facing the criminal justice system and capital punishment—race, class, adequate defense counsel, intellectual disability—and proposes reforms. “*Grace and Justice on Death Row* isn't just about how our broken system almost broke another decent man. More than that, it's a moving story of a unique brotherhood that's formed when a corporate lawyer with his faith bitterly tested literally saves another man's life.” —Craig Melvin, MSNBC news anchor and Today show national correspondent “Brian Stolarz's nuanced account of how he proved the innocence of a man on Death Row provided crucial insight into the terrible injustices of the American death penalty process. But at its core, this is a tale of one man's unwavering faith in another human being” —The Washington Post

The Death Penalty in America

Current Controversies

Oxford University Press Collected essays analyze and evaluate the practice of capital punishment, and present arguments for and against it

The Ethics of Capital Punishment

A Philosophical Investigation of Evil and Its Consequences

Oxford University Press (UK) Debate has long been waged over the morality of capital punishment, with standard arguments in its favour being marshalled against familiar arguments that oppose the practice. In *The Ethics of Capital Punishment*,

Matthew Kramer takes a fresh look at the philosophical arguments on which the legitimacy of the death penalty stands or falls, and he develops a novel justification of that penalty for a limited range of cases. The book pursues both a project of critical debunking of the familiar rationales for capital punishment and a project of partial vindication. The critical part presents some accessible and engaging critiques of major arguments that have been offered in support of the death penalty. These chapters, suitable for use in teaching courses on capital punishment, valuably take issue with positions at the heart of contemporary debates over the morality of such punishment. The book then presents an original justification for executing truly terrible criminals, a justification that is free-standing rather than an aspect or offshoot of a general theory of punishment. Its purgative rationale, which has not heretofore been propounded in any current philosophical and practical debates over the death penalty, derives from a philosophical reconception of the nature of evil and the nature of defilement. As the book contributes to philosophical discussions of those phenomena, it also contributes importantly to general normative ethics with sustained reflections on the differences between consequentialist approaches to punishment and deontological approaches. Above all, the volume contributes to the philosophy of criminal law with a fresh rationale for the use of the death penalty and with probing assessments of all the major theories of punishment that have been broached by jurists and philosophers for centuries. Although the book is a work of philosophy by a professional philosopher, it is readily accessible to readers who have not studied philosophy. It will stir both philosophers and anyone engaged with the death penalty to reconsider whether the institution of capital punishment can be an appropriate response to extreme evil.

Let the Lord Sort Them

The Rise and Fall of the Death Penalty

Crown NEW YORK TIMES EDITORS' CHOICE • A deeply reported, searingly honest portrait of the death penalty in Texas—and what it tells us about crime and punishment in America “If you’re one of those people who despair that nothing changes, and dream that something can, this is a story of how it does.”—Anand Giridharadas, *The New York Times* Book Review WINNER OF THE J. ANTHONY LUKAS AWARD In 1972, the United States Supreme Court made a surprising ruling: the country’s death penalty system violated the Constitution. The backlash was swift, especially in Texas, where executions were considered part of the cultural fabric, and a dark history of lynching was masked by gauzy visions of a tough-on-crime frontier. When executions resumed, Texas quickly became the nationwide leader in carrying out the punishment. Then, amid a larger wave of criminal justice reform, came the death penalty’s decline, a trend so durable that even in Texas the punishment appears again close to extinction. In *Let the Lord Sort Them*, Maurice Chammah charts the rise and fall of capital punishment through the eyes of those it touched.

We meet Elsa Alcala, the orphaned daughter of a Mexican American family who found her calling as a prosecutor in the nation's death penalty capital, before becoming a judge on the state's highest court. We meet Danalynn Recer, a lawyer who became obsessively devoted to unearthing the life stories of men who committed terrible crimes, and fought for mercy in courtrooms across the state. We meet death row prisoners—many of them once-famous figures like Henry Lee Lucas, Gary Graham, and Karla Faye Tucker—along with their families and the families of their victims. And we meet the executioners, who struggle openly with what society has asked them to do. In tracing these interconnected lives against the rise of mass incarceration in Texas and the country as a whole, Chammah explores what the persistence of the death penalty tells us about forgiveness and retribution, fairness and justice, history and myth. Written with intimacy and grace, *Let the Lord Sort Them* is the definitive portrait of a particularly American institution.

Deterrence and the Death Penalty

National Academies Press Many studies during the past few decades have sought to determine whether the death penalty has any deterrent effect on homicide rates. Researchers have reached widely varying, even contradictory, conclusions. Some studies have concluded that the threat of capital punishment deters murders, saving large numbers of lives; other studies have concluded that executions actually increase homicides; still others, that executions have no effect on murder rates. Commentary among researchers, advocates, and policymakers on the scientific validity of the findings has sometimes been acrimonious. Against this backdrop, the National Research Council report *Deterrence and the Death Penalty* assesses whether the available evidence provides a scientific basis for answering questions of if and how the death penalty affects homicide rates. This new report from the Committee on Law and Justice concludes that research to date on the effect of capital punishment on homicide rates is not useful in determining whether the death penalty increases, decreases, or has no effect on these rates. The key question is whether capital punishment is less or more effective as a deterrent than alternative punishments, such as a life sentence without the possibility of parole. Yet none of the research that has been done accounted for the possible effect of noncapital punishments on homicide rates. The report recommends new avenues of research that may provide broader insight into any deterrent effects from both capital and noncapital punishments.

13 Ways of Looking at the Death Penalty

Seven Stories Press Nation states and communities throughout the world have reached certain decisions about capital punishment: It is the destruction of human life. It is ineffective as a deterrent for crime. It is an instrument the state uses to contain or eliminate its political adversaries. It is a tool of “justice” that disproportionality affects religious, social, and racial minorities. It is a sanction that

cannot be fixed if unjustly applied. Yet the United States—along with countries notorious for human rights abuse—remains an advocate for the death penalty. In these thirteen pieces, Mario Marazziti exposes the profound inhumanity and irrationality of the death penalty in this country, and urges us to join virtually every other industrialized democracy in rendering capital punishment an abandoned practice belonging to a crueler time in human history. A polemical book, yes, yet one that brings together a wide range of stories to compel the heart as well the mind.

A Courageous Fool

Marie Deans and Her Struggle against the Death Penalty

Vanderbilt University Press There have been many heroes and victims in the battle to abolish the death penalty, and Marie Deans fits into both of those categories. A South Carolina native who yearned to be a fiction writer, Marie was thrust by a combination of circumstances—including the murder of her beloved mother-in-law—into a world much stranger than fiction, a world in which minorities and the poor were selected to be sacrificed to what Supreme Court Justice Harry Blackmun called the "machinery of death." Marie found herself fighting to bring justice to the legal process and to bring humanity not only to prisoners on death row but to the guards and wardens as well. During Marie's time as a death penalty opponent in South Carolina and Virginia, she experienced the highs of helping exonerate the innocent and the lows of standing death watch in the death house with thirty-four condemned men.

Dead Wrong

A Death Row Lawyer Speaks Out Against Capital Punishment

Univ of Wisconsin Press The account of a Florida death row lawyer's decision to withdraw from the American capital punishment system.

Death Penalty in a Nutshell

West Academic Covering both the substantive law and the procedural law of the death penalty, this title begins with the arguments for and against the death penalty and an explanation of its basic constitutional challenges and limitations. Major sections cover capital crimes and defenses, as well as trial level and post-trial procedural issues. Special topics such as race and gender bias and executing the innocent are included, as well as a section on international and foreign law issues.

This Nutshell serves both as supplemental reading for students in death penalty courses and as a concise, narrative explanation of death penalty law.

This Life We Take

A Case Against the Death Penalty Against Capital Punishment

Oxford University Press The specter of procedural injustice motivates many popular and scholarly objections to capital punishment. So-called proceduralist arguments against the death penalty are attractive to death penalty abolitionists because they sidestep the controversies that bedevil moral critiques of execution. Proceduralists do not shoulder the burden of demonstrating that heinous murderers deserve a punishment less than death. However, proceduralist arguments often pay insufficient attention to the importance of punishment; many imply the highly contentious claim that no type of criminal sanction is legitimate. In *Against Capital Punishment*, Benjamin S. Yost revitalizes the core of proceduralism both by examining the connection between procedural injustice and the impermissibility of capital punishment and by offering a comprehensive argument of his own which confronts proceduralism's most significant shortcomings. Yost is the first author to develop and defend the irrevocability argument against capital punishment, demonstrating that the irremediability of execution renders capital punishment impermissible. His contention is not that the act of execution is immoral, but rather that the possibility of irrevocable mistakes precludes the just administration of the death penalty. Shoring up proceduralist arguments for the abolition of the death penalty, *Against Capital Punishment* carries with it implications not only for the continued use of the death penalty in the criminal justice system, but also for the structure and integrity of the system as a whole.

The Death Penalty, Volume II

University of Chicago Press "In this newest installment in Chicagos series of Jacques Derridas seminars, the renowned philosopher attempts one of his most ambitious goals: the first truly philosophical argument against the death penalty. While much has been written against the death penalty, Derrida contends that Western philosophy is massively, if not always overtly, complicit with a logic in which a sovereign state has the right to take a life. Haunted by this notion, he turns to the key places where such logic has been established - and to the place it has been most effectively challenged: literature. With his signature genius and patient yet dazzling readings of an impressive breadth of texts, Derrida examines everything from the Bible to Plato to Camus to Jean Genet, with special attention to Kant and postWorld War II juridical texts, to draw the landscape of death penalty discourses. Keeping clearly in view the death rows and execution chambers of the United States, he shows how arguments surrounding cruel and unusual punishment depend on what

he calls an 'anesthetical logic, ' which has also driven the development of death penalty technology from the French guillotine to lethal injection. Confronting a demand for philosophical rigor, he pursues provocative analyses of the shortcomings of abolitionist discourse. Above all, he argues that the death penalty and its attendant technologies are products of a desire to put an end to one of the most fundamental qualities of our finite existence: the radical uncertainty of when we will die. Arriving at a critical juncture in history - especially in the United States, one of the last Christian-inspired democracies to resist abolition - *The Death Penalty is both a timely response to an important ethical debate and a timeless addition to Derridas esteemed body of work*"--Unedited summary from book jacket.

Ending the Death Penalty

The European Experience in Global Perspective

Springer *Examining the successful movements to abolish capital punishment in the UK, France, and Germany, this book examines the similarities in the social structure and political strategies of abolition movements in all three countries. An in-depth comparative analysis with other countries assesses chances of success of abolition elsewhere.*

Killing as Punishment

Reflections on the Death Penalty in America

UPNE *This book represents a unified, interdisciplinary inquiry into several of the major empirical and normative issues raised by the death penalty. The essays have been revised and updated to survey the current state of the death penalty against the background of the past half-century, and are divided along two major axes : one detailing a range of facts raised by the controversy over capital punishment, the other presenting a critical evaluation of the subject from a constitutional and ethical point of view. The author addresses topics that include strong public support for the death penalty, wrongful convictions in capital cases, the disappearance of executive clemency, constitutional arguments surrounding the Eighth Amendment, and procedural reforms presently under consideration that move toward abolition.*

Death Penalty

Fair Solution Or Moral Failure?

Twenty-First Century Books Discusses the history of execution, the process from sentencing to execution, moral issues involved in the death penalty, arguments for and against it, and the shrinking number of countries with it.

A Punishment in Search of a Crime

Americans Speak Out Against the Death Penalty

People from all walks of life speak out against the barbarism of government control over a person's death, as well as the inconsistent pardoning of some criminals

The Death Penalty, Volume I

University of Chicago Press In this newest installment in Chicago's series of Jacques Derrida's seminars, the renowned philosopher attempts one of his most ambitious goals: the first truly philosophical argument against the death penalty. While much has been written against the death penalty, Derrida contends that Western philosophy is massively, if not always overtly, complicit with a logic in which a sovereign state has the right to take a life. Haunted by this notion, he turns to the key places where such logic has been established—and to the place it has been most effectively challenged: literature. With his signature genius and patient yet dazzling readings of an impressive breadth of texts, Derrida examines everything from the Bible to Plato to Camus to Jean Genet, with special attention to Kant and post-World War II juridical texts, to draw the landscape of death penalty discourses. Keeping clearly in view the death rows and execution chambers of the United States, he shows how arguments surrounding cruel and unusual punishment depend on what he calls an "anesthetical logic," which has also driven the development of death penalty technology from the French guillotine to lethal injection. Confronting a demand for philosophical rigor, he pursues provocative analyses of the shortcomings of abolitionist discourse. Above all, he argues that the death penalty and its attendant technologies are products of a desire to put an end to one of the most fundamental qualities of our finite existence: the radical uncertainty of when we will die. Arriving at a critical juncture in history—especially in the United States, one of the last Christian-inspired democracies to resist abolition—The Death Penalty is both a timely response to an important ethical debate and a timeless addition to Derrida's esteemed body of work.

Most Deserving of Death?

An Analysis of the Supreme Court's Death Penalty Jurisprudence

Routledge The role of capital punishment in America has been criticised by those for and against the death penalty, by the judiciary, academics, the media and by prison personnel. This book demonstrates that it is the inconsistent and often incoherent jurisprudence of the United States Supreme Court which accounts for a system so lacking in public confidence. Using case studies, Kenneth Williams examines issues such as jury selection, ineffective assistance of counsel, the role of race and claims of innocence which affect the Court's decisions and how these decisions are played out in the lower courts, often an inmate's last recourse before execution. Discussing international treaties and their lack of impact on capital punishment in America, this book has international appeal and makes an important contribution to legal scholarship. It also provides a unique understanding of the dynamics of an alarmingly problematic system and will be valuable to those interested in human rights and criminal justice.

A Descending Spiral

Exposing the Death Penalty in 12 Essays

The New Press Powerful, wry essays offering modern takes on a primitive practice, from one of our most widely read death penalty abolitionists As Ruth Bader Ginsburg has noted, people who are well represented at trial rarely get the death penalty. But as Marc Bookman shows in a dozen brilliant essays, the problems with capital punishment run far deeper than just bad representation. Exploring prosecutorial misconduct, racist judges and jurors, drunken lawyering, and executing the innocent and the mentally ill, these essays demonstrate that precious few people on trial for their lives get the fair trial the Constitution demands. Today, death penalty cases continue to capture the hearts, minds, and eblasts of progressives of all stripes—including the rich and famous (see Kim Kardashian's advocacy)—but few people with firsthand knowledge of America's "injustice system" have the literary chops to bring death penalty stories to life. Enter Marc Bookman. With a voice that is both literary and journalistic, the veteran capital defense lawyer and seven-time Best American Essays "notable" author exposes the dark absurdities and fatal inanities that undermine the logic of the death penalty wherever it still exists. In essays that cover seemingly "ordinary" capital cases over the last thirty years, Bookman shows how violent crime brings out our worst human instincts—revenge, fear, retribution,

and prejudice. Combining these emotions with the criminal legal system's weaknesses—purposely ineffective, arbitrary, or widely infected with racism and misogyny—is a recipe for injustice. Bookman has been charming and educating readers in the pages of *The Atlantic*, *Mother Jones*, and *Slate* for years. His wit and wisdom are now collected and preserved in *A Descending Spiral*.

Executing Grace

How the Death Penalty Killed Jesus and Why It's Killing Us

HarperCollins In this reasoned exploration of justice, retribution, and redemption, the champion of the new monastic movement, popular speaker, and author of the bestselling *The Irresistible Revolution* offers a powerful and persuasive appeal for the abolition of the death penalty. The Bible says an eye for an eye. But is the state's taking of a life true—or even practical—punishment for convicted prisoners? In this thought-provoking work, Shane Claiborne explores the issue of the death penalty and the contrast between punitive justice and restorative justice, questioning our notions of fairness, revenge, and absolution. Using an historical lens to frame his argument, Claiborne draws on testimonials and examples from Scripture to show how the death penalty is not the ideal of justice that many believe. Not only is a life lost, so too, is the possibility of mercy and grace. In *Executing Grace*, he reminds us of the divine power of forgiveness, and evokes the fundamental truth of the Gospel—that no one, even a criminal, is beyond redemption.

Against the Gallows

Antebellum American Writers and the Movement to Abolish Capital Punishment

University of Iowa Press In *Against the Gallows*, Paul Christian Jones explores the intriguing cooperation of America's writers—including major figures such as Walt Whitman, John Greenleaf Whittier, E. D. E. N. Southworth, and Herman Melville—with reformers, politicians, clergymen, and periodical editors who attempted to end the practice of capital punishment in the United States during the 1840s and 1850s. In an age of passionate reform efforts, the antigallows movement enjoyed broad popularity, waging its campaign in legislatures, pulpits, newspapers, and literary journals. Although it failed in its ultimate goal of ending hangings across the United States, the movement did achieve various improvements in the practices of the

justice system, including reducing the number of capital crimes, eliminating public executions in most northern states, and abolishing capital punishment completely in three states. Although a few historians have studied the antebellum movement against capital punishment, until now very little attention has been paid to the role of America's writers in these efforts. Jones's study recovers the relationship between the nation's literary figures and the movement against the death penalty, illustrating that the editors of literary journals actively encouraged and published antigallows writing, that popular crime novelists created a sympathy toward criminals that led readers to question the state's justifications for capital punishment, that poets crafted verse that advocated strongly for Christian sympathy for criminals that coincided with an antipathy to the death penalty, and that female sentimental writers fashioned melodramatic narratives that illustrated the injustice of the hanging and reimagined the justice system itself as a sympathetic subject capable of incorporating compassion into its workings and seeing reform rather than revenge as its ends.

The Death Penalty

A Debate

Springer Discusses the legal and moral arguments for and against the use of capital punishment in the United States

Against Capital Punishment

Oxford University Press Against Capital Punishment develops an innovative argument against the death penalty that sidesteps questions about the morality of execution itself. Yost argues that the irrevocability of the death penalty calls for its abolition. In so doing, he explores the extent of legal institutions' responsibility to remedy their mistakes and solves the problems that sabotage other versions of procedural abolitionism