Challenging Capital Punishment: Legal And Social Science Approaches Sage Criminal Justice System Annuals

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The true and gripping account of the nine-year struggle by a small band of lawyers to abolish the death penalty in the United States. Its new edition features a 2011 Foreword by death-penalty author Euan Mander of CUNY’s John Jay College of Criminal Justice. The mission, plotted out long over New York's Central Park in the early 1960s, seemed as impossible to go as the moon: abolish capital punishment in every state. The approach would fight on multiple fronts, with many strategies. The people were divided on the issue, as was the legal community. But the little band of abolitionists never wavered. They were interested in scholarly analysis and scientific scrutiny. They therefore bring together social scientists and legal scholars who assess the validity of objections to the death penalty.

Challenging Capital Punishment - Kenneth C. Haas - 1988-09
In Challenging Capital Punishment, Haas and Inciardi reveal the persistence of myth and misinformation in the death penalty debate. They suggest that the debate needs to be based on scholarly analysis and scientific scrutiny. They therefore bring together social scientists and legal scholars who assess the validity of objections to the death penalty.

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Cruel and Unusual

After years of controversy, the death penalty debate remains both urgent and unresolved—presenting legal, moral, ethical, and philosophical challenges. According to the editors of Challenging Capital Punishment, one of the most striking aspects of this debate is the persistent of myth and misinformation about capital punishment. Haas and Inciardi suggest that the debate needs to be based on the basis of scholarly analysis and scientific scrutiny. Accordingly, their volume brings together an impressive list of leading social scientists and legal scholars who assess the validity of objections to the death penalty.

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Cruel & Unusual - Michael Meltsner - 2011-07-23
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Cruel and Unusual - Michael Meltsner - 2011-07-23
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Comparative Capital Punishment - Carol S. Steiker - 2019
This is one of those people who despair that nothing changes, and dream that something can, is this a story of how it does...--Juan Crisitobal, 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 part of the cultural fabric, and a dark history of economic, social, and cultural influences on both retention and abolition of the death penalty and consider the distinctive possibilities and pathways to worldwide abolition.

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Let the Lord Sort Them - Maurice Chammah - 2021-01-26
NEW YORK TIMES EDICIES’ CHOICE “A deeply reported, fearlessly honest portrayal of the death penalty in Texas—and what it tells us about crime and punishment in America.”—Juan Crisitobal, 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 part of the cultural fabric, and a dark history of economic, social, and cultural influences on both retention and abolition of the death penalty and consider the distinctive possibilities and pathways to worldwide abolition.

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From 1651 until 1800, there was a virtual moratorium on executions for capital offenses in the United States. This was due primarily to protracted legal proceedings challenging the death penalty on constitutional grounds. After 1800, some states began to impose the death penalty again. By 1865, the constitutional status of the death penalty was not yet clear, with many states engaging in capital punishment without being formally authorized by the U.S. Congress. The Constitution, however, authorizes the Congress to determine the content of federal law, and states were eventually required to follow federal law.

Randallsgate has been a major issue in the United States, and it is one of the most controversial topics in criminal justice. It is an issue that has been debated and argued for centuries, especially in the context of capital punishment. In the United States, the death penalty is the ultimate punishment for certain crimes, and it is used by some states as a means of deterrence.

The death penalty has been used in the United States for over 200 years. It was first imposed in 1608, and it is still used today in some states. The most recent execution in the United States was in 2020, in Arkansas. The death penalty is opposed by many people, who argue that it is a cruel and unusual punishment and that it does not deter crime. In contrast, some people argue that the death penalty is necessary to protect society from dangerous criminals.

The history of the death penalty in the United States is a complex and controversial issue. It has been argued that the death penalty is a form of punishment that is cruel and unusual, and that it does not deter crime. Others argue that the death penalty is a necessary form of punishment.

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Jordan Steiker argue that the fate of the American death penalty is likely to be sealed by this failed judicial through federal constitutional law. While execution chambers remain active in several states, Carol Steiker and
Courting Death profile of the current female death row population. This historical analysis examines the social, political and implications of justice gone error for the ways we think about law? Are there ways of reevaluating legal mismatches that are particularly useful or illuminating? These instructive essays both address the questions and point the way toward further discussion. When Law Fails was published in 1998, few were prepared to accept that our legal and political systems are not as error-resistant to numbers-based arguments and reluctant to admit that the justice system had executed hundreds of people whose cases were not solidly proven.

The 4th edition of this authoritative study of the death penalty, now written jointly with Carolyn Hoyle, brings up-to-date developments in the movement to abolish the death penalty worldwide. It draws on Roger Hood's experience as consultant to the United Nations for the Secretary General's five-yearly surveys of capital punishment and on the latest information from non-governmental organizations and the academic literature. Not only have many more countries abolished capital punishment but, even amongst those that retain it, the majority have been carrying out fewer executions. Legal challenges to the mandatory capital punishment have been successful, as has the pressure to abolish the death penalty for those who commit a capital crime when under the age of 18. This edition has more to say about the prospects that China will restrict and control the number of executions, that the death penalty is not supported by a majority of the peoples of the world, that the death penalty remains illegal under international law, and that the death penalty is not supported by a majority of the peoples of the world, that the death penalty remains illegal under international law, and that the death penalty is not required for the gravest crimes.

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Fighting the Death Penalty - Eugene G. Waman - 2014-04-01

Michigan is the only state in the country that has a death penalty prohibition in its constitution—Eugene G. Waman. In this clear and compelling narrative, Waman connects the death penalty to modern issues. Waman argues that the death penalty is an irrational and inferior means of correction. He is fundamentally opposed to the death penalty and its use in society. Waman bases his arguments against the death penalty on the premise that it is impossible and unjust to execute an innocent person.

Challenging capital punishment: legal and social science approaches to the retributive justice system extract

Moving Away from the Death Penalty - Ivan Šimonović - 2014

This distinguished constitutional theorist takes a hard look at current criminal law and the Supreme Court's most recent decisions, in which it has delimited and undermined the legal and constitutional defenses of capital punishment. Moving Away from the Death Penalty sets the record straight and provides a detailed and challenging example of how the argument against capital punishment may be successfully made.

Capital Punishment - C. Chiu - 2003

The death penalty is a centrally debated issue because it raises questions related to the values and the nature of human life. Some people believe that capital punishment is necessary to deter crime and to keep society safe. Others argue that the death penalty is cruel and inhumane and that it is not effective in reducing crime. This book explores the various arguments for and against capital punishment and provides a nuanced understanding of the issue.

Deterrence and the Death Penalty - National Research Council - 2012-05-26

Moving Away from the Death Penalty - Ivan Šimonović - 2014

This open access book provides a comparative perspective on capital punishment in Japan and the United States. This book offers a comprehensive look at the death penalty in Japan and the United States, examining the historical, legal, and social contexts of capital punishment in these two countries. It provides insights into the debate on the death penalty and the role of international human rights law in shaping the discussion.

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The Culture of Capital Punishment in Japan - David T. Johnson - 2019-11-18

This open access book provides a comparative perspective on capital punishment in Japan and the United States. It offers an excellent examination of the incarceration crisis in the US and its relationship to the death penalty and continues to carry out executions on a regular basis. There are some similarities between the two systems of capital punishment but there are also many striking differences. These include differences in capital jurisprudence, execution method, the nature and extent of secrecy surrounding death penalty deliberations and executions, institutional capacities to prevent and discover wrongful convictions, orientations to lay participation and to victim participation, and orientations to "democracy" and governance. Johnson also explores several fundamental issues about the ultimate criminal penalty, such as the proper role of citizens in governing a system of punishment and the relevance of the feelings of victims and survivors.

The International Library of Essays on Capital Punishment, Volume 1 - Peter Hodgkinson - 2016-12-05

This volume provides up-to-date and nuanced analysis across a wide spectrum of capital punishment issues. The essays move beyond the conventional legal approach and propose fresh perspectives, including a unique critique of the abolition sector. Written by a range of leading experts with diverse geographical, methodological and conceptual approaches, the essays in this volume challenge received wisdom and embrace a holistic understanding of capital punishment based on practical experience and empirical data. This collection is indispensable reading for anyone seeking a comprehensive and detailed understanding of the complexity of the death penalty discourse.

Imprisoned by the Past - Jeffrey L. Kirkmeier - 2015

In 1987, the United States Supreme Court decided a case that could have ended the death penalty in the United States. Imprisoned by the Past: Warren McCleskey and the American Death Penalty examines the long history of the American death penalty and its connection to the case of Warren McCleskey, revealing how that case marked a turning point for the history of the death penalty. In this book, Jeffrey L. Kirkmeier explores one of the most important Supreme Court cases in history, a case that raised important questions about race and punishment, and ultimately changed the way we understand capital punishment. McCleskey's case resulted in one of the most important Supreme Court decisions in U.S. history, where the Court confronted evidence of racial discrimination in the administration of capital punishment. The case currently marks the last time that the Supreme Court had a major role in the death penalty debate in the country. Going back nearly four centuries, this book connects McCleskey's life and crimes to the issues that have haunted the American death penalty debate since the first executions by early settlers through the modern twenty-first century death penalty. Imprisoned by the Past ties together three unique American stories. First, the book considers the changing American death penalty across centuries where drastic changes have occurred in the last fifty years. Second, the book discusses the role that race played in that history. And third, the book tells the story of Warren McCleskey and how his孤立ed legal case brought together the other two narratives.

Transnational Human Rights Litigation - Andrew Norris - 2019-10-02

This book analyzes the role of strategic human rights litigation in the dissemination and migration of transnational constitutional norms and provides a detailed analysis of how transnational human rights advocates and their local partners have used international and foreign law to promote abolition of the death penalty and decriminalization of homosexuality. The "sharing" of human rights jurisprudence among judges across legal systems is currently spreading emerging norms among domestic courts and contributing to the evolution of international law. While prior studies have focused on international and foreign citations in judicial decisions, this global migration of constitutional norms is driven not by judges but by legal advocates themselves, who cite and apply international and foreign law in their pleadings in pursuit of a specific human rights agenda. Local and transnational legal advocates form partnerships and networks that transmit legal strategy and comparative doctrine, taking advantage of similarities in postcolonial legal and constitutional frameworks. Using examples such as the abolition of the death penalty and decriminalization of same-sex relations, this book traces the transnational networks of human rights lawyers and advocacy groups who engage in constitutional litigation before domestic and supranational tribunals in order to embed international human rights norms in local contexts. In turn, domestic human rights litigation influences the evolution of international law to reflect state practice in a mutually reinforcing process. Accordingly, international and foreign legal citations offer transnational human rights advocates powerful tools for legal reform.

Most Deserving of Death? - Kenneth Williams - 2016-04-15

The role of capital punishment in America has been criticized by those for and against the death penalty, by the judiciary, academicians, 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 new international law in their pleadings in pursuit of a specific human rights agenda. Local and transnational legal advocates form partnerships and networks that transmit legal strategy and comparative doctrine, taking advantage of similarities in postcolonial legal and constitutional frameworks. Using examples such as the abolition of the death penalty and decriminalization of same-sex relations, this book traces the transnational networks of human rights lawyers and advocacy groups who engage in constitutional litigation before domestic and supranational tribunals in order to embed international human rights norms in local contexts. In turn, domestic human rights litigation influences the evolution of international law to reflect state practice in a mutually reinforcing process. Accordingly, international and foreign legal citations offer transnational human rights advocates powerful tools for legal reform.

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