



# A PUNISHMENT IN SEARCH OF A CRIME

Americans Speak Out Against  
The Death Penalty

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**Ian Gray & Moira Stanley**  
For Amnesty International U.S.A.

# Punishment In Search Of A Crime Americans Speak Out Against The Death Sentence

**Scott Christianson**



## **Punishment In Search Of A Crime Americans Speak Out Against The Death Sentence:**

**Against Capital Punishment** Herbert H. Haines, 1999-08-19 While most western democracies have renounced the death penalty capital punishment enjoys vast and growing support in the United States A significant and vocal minority however continues to oppose it Against Capital Punishment is the first full account of anti death penalty activism in America during the years since the ten year moratorium on executions ended Building on in depth interviews with movement leaders and the records of key abolitionist organizations this work traces the struggle against the pro death penalty backlash that has steadily gained momentum since the 1970s It reviews the conservative turn in the courts which over the last two decades has forced death penalty opponents to rely less on the litigation strategies that once served them well It describes their efforts to mount a broad based educational and political assault on what they see as the most cruel racist ineffective and expensive manifestation of a criminal justice system gone wrong Despite the efforts of death penalty opponents executions in the United States are on the increase Against Capital Punishment diagnoses the reasons for the failure to mobilize widespread opposition to executions and assesses the prospects for opposition to capital punishment in the future of the United States

**The Death Penalty** Stuart BANNER, Stuart Banner, 2009-06-30 The death penalty arouses our passions as does few other issues Some view taking another person s life as just and reasonable punishment while others see it as an inhumane and barbaric act But the intensity of feeling that capital punishment provokes often obscures its long and varied history in this country Now for the first time we have a comprehensive history of the death penalty in the United States Law professor Stuart Banner tells the story of how over four centuries dramatic changes have taken place in the ways capital punishment has been administered and experienced In the seventeenth and eighteenth centuries the penalty was standard for a laundry list of crimes from adultery to murder from arson to stealing horses Hangings were public events staged before audiences numbering in the thousands attended by women and men young and old black and white alike Early on the gruesome spectacle had explicitly religious purposes an event replete with sermons confessions and last minute penitence to promote the salvation of both the condemned and the crowd Through the nineteenth century the execution became desacralized increasingly secular and private in response to changing mores In the twentieth and twenty first centuries ironically as it has become a quiet sanitary technological procedure the death penalty is as divisive as ever By recreating what it was like to be the condemned the executioner and the spectator Banner moves beyond the debates to give us an unprecedented understanding of capital punishment s many meanings As nearly four thousand inmates are now on death row and almost one hundred are currently being executed each year the furious debate is unlikely to diminish The Death Penalty is invaluable in understanding the American way of the ultimate punishment Table of Contents Abbreviations Introduction 1 Terror Blood and Repentance 2 Hanging Day 3 Degrees of Death 4 The Origins of Opposition 5 Northern Reform Southern Retention 6 Into the Jail Yard 7 Technological Cures 8 Decline 9 To the Supreme Court 10 Resurrection Epilogue Appendix Counting

Executions Notes Acknowledgments Index Reviews of this book Banner deftly balances history and politics crafting a book that will be valuable to anyone interested in knowing more about capital punishment no matter what his or her views are on the ethical issues surrounding the topic David Pitt Booklist Reviews of this book In this well researched and clear account Banner charts how and why this country went from having one of the world s mildest punitive systems to one of its harshest Publishers Weekly Reviews of this book Stuart Banner s book is fine and balanced and important His lucid history of this grim subject is scrupulously accurate It is refreshingly free of the tendentiousness and the sensationalism that this subject invites Richard A Posner New Republic Reviews of this book The contrast between the past and the present can now be seen with great clarity thanks to Stuart Banner and his comprehensive book The Death Penalty American historians have been slow to undertake anything like a full scale study of the subject Banner s book does much to fill the gaps His book is an important and comprehensive treatment of the topic Hugo Adam Bedau Boston Review Reviews of this book Despite the gruesome nature of the book s topic it is difficult to stop reading Banner s research is fascinating his writing style compelling Given the emotional nature of the subject few people known to me are wishy washy about whether the death penalty is moral or immoral Banner walks the line of neutrality skillfully without seeming evasive Steve Weinberg Legal Times Reviews of this book Stuart Banner s The Death Penalty is a tour de force remarkable for its neutrality as it traces the ways in which the death penalty has been applied and for what kinds of crimes from the Colonial era to the present Banner writes like a historian who believes perspective is best gained by dispassionately setting out what happened and letting everyone come to his or her own conclusions I think in this book that works wonderfully On a subject in which emotions run so high it seems awfully useful to have a dispassionate voice After all if Banner allowed his own feelings on the death penalty pro con or somewhere in the middle to be known the book easily could be dismissed as a diatribe He doesn t and it can t Judith Neuman Beck San Jose Mercury News Reviews of this book Law professor Banner offers a persuasive examination of the evolution of capital punishment from Colonial times onward He makes clear that the death penalty has possessed generally consistent support from the US populace although changes in the sensibilities of juries executioners legal theoreticians and judges have occurred Highly recommended R C Cottrell Choice Reviews of this book Stuart Banner aptly illustrates in The Death Penalty like the nation the death penalty has changed with the times Banner s account spotlights a number of interesting trends in American history Mostly evenhanded in the tour he provides through the history of the death penalty and its role in and reflection of American society he has managed to provide an accessible look at what is a profoundly controversial and complicated subject Steven Martinovich Ft Lauderdale Sun Sentinel Reviews of this book For centuries Stuart Banner tells us Americans had been proud to possess a criminal justice system that made less use of the death penalty than just about any other place on the globe including the countries of western Europe But no longer Now we possess one of the harshest criminal codes in the world The Death Penalty helps explain that turnaround but only in the course of a complicated story in

which different factors emerge at different times to play often unforeseeable roles This is a superbly told history Paul Rosenberg Denver Post and Rocky Mountain News Reviews of this book Stuart Banner's lucid richly researched book brings us for the first time a comprehensive history of American capital punishment from colonial times to the present He describes the practices that characterized the institution at different periods elucidates their ritual purposes and social meanings and identifies the forces that led to their transformation The book's well ordered narrative is interspersed with individual case histories that give flesh and blood to the account David Garland Times Literary Supplement Reviews of this book An informative even handed chillingly fascinating account of why and how the U S government and many state governments decided to sponsor executions of criminals even though innocent defendants might die too Jane Henderson St Louis Post Dispatch Reviews of this book Stuart Banner's The Death Penalty is a splendidly objective achievement Delightfully written free of academic pretense liberally sprinkled with apt references from contemporary sources the book exhaustively explores the multifaceted evolution of America's penal practices Elsbeth Bothe Baltimore Sun The Death Penalty is certain to be the definitive account of the American experience with capital punishment from its beginnings in the seventeenth century to the execution of Timothy McVeigh in 2001 This is a first rate piece of scholarship well written deeply researched fascinating to read and full of insights and good common sense It is in my view one of the finest books to deal with this troubled and troubling subject Historical and legal scholarship owe a debt of gratitude to Stuart Banner Lawrence Friedman Stanford Law School A masterful book This is a long overdue account which fills a huge gap in our understanding of America's long and complex relationship to state killing With meticulous scholarship and lucid prose Banner has written a compelling account of the place of capital punishment in our society It sets the standard for all future scholarship on the history of the death penalty in America Austin Sarat author of When the State Kills Capital Punishment and the American Condition The Death Penalty a study we have badly needed is the first history of the nation's engagement as well as its disengagement with capital punishment from the country's earliest days to the present With a sure grasp of the constitutional issues Stuart Banner greatly advances a conversation at last underway about the rightness of putting people to death for having inflicted a death Banner's greatest and most useful feat is remaining dispassionate on a subject that he cares deeply about as do a growing number of his fellow Americans William S McFeely author of Proximity to Death The Death Penalty beautifully explains the changing paths traveled by supporters and opponents of capital punishment over the years It explores a subject of enormous symbolic importance to Americans today linking our views about the death penalty to our larger concerns about crime David Oshinsky author of Worse Than Slavery Parchman Farm and the Ordeal of Jim Crow Justice Banner's book is a superbly detailed and textured social history of a subject too often treated in legal abstractions It demonstrates how capital punishment has gnawed at the conscience and imagination of Americans and how it has challenged their efforts to define themselves culturally politically and racially Robert Weisberg Stanford Law School      Capital Punishment C. Cliff, 2003 The

issue of capital punishment is a continually debated issue because it calls into question the values and direction of society How is a civilisation supposed to handle lawbreakers Are some crimes so heinous and some people so dangerous that the death penalty is the only appropriate response The United States Constitution prohibits cruel and unusual punishment but opinions on whether that includes capital punishment are vehement on both sides Many states have some form of death penalty and public opinion seems to indicate support of it in principle However many firestorms have erupted recently over the application of the penalty including the topics of its use on minors and those with mental disabilities There are also questions raised about how much of a factor race plays in a capital sentence Internationally several countries have foresworn the death penalty with certain countries in Europe and the Americas refusing to extradite criminal suspects including suspected terrorists to the US if capital punishment is a possible sentence With such politically flammable and ethically challenging issues hanging over it capital punishment is a vitally important issue to understand To help facilitate that study this book assembles a carefully selected and substantial listing of literature focussing on the death penalty Anyone researching this area of criminal justice will find this book an important tool as it offers easy access to the most relevant works about capital punishment Following the bibliography further access is provided with author title and subject indexes

The Last Gasp Scott Christianson, 2010-07-12 The Last Gasp takes us to the dark side of human history in the first full chronicle of the gas chamber in the United States In page turning detail award winning writer Scott Christianson tells a dreadful story that is full of surprising and provocative new findings First constructed in Nevada in 1924 the gas chamber a method of killing sealed off and removed from the sight and hearing of witnesses was originally touted as a humane method of execution Delving into science war industry medicine law and politics Christianson overturns this mythology for good He exposes the sinister links between corporations looking for profit the military and the first uses of the gas chamber after World War I He explores little known connections between the gas chamber and the eugenics movement Perhaps most controversially he has unearthed new evidence about American and German collaboration in the production and lethal use of hydrogen cyanide and about Hitler s adoption of gas chamber technology developed in the United States More than a book about the death penalty this compelling history ultimately reveals much about America s values and power structures in the twentieth century

The Death Penalty in America Hugo Adam Bedau, 1998-05-28 A J Richards *Demands of the Dead* Katy Ryan, 2012-04-15 This collection by death row prisoners playwrights poets activists and literary scholars provides literary perspectives on the subject of the death penalty

The Death Penalty James J. Megivern, 1997 A comprehensive history of the death penalty in the West that provides more material on capital punishment in Western Christian history than is available in any other work in English

**The 325: Canada's Criminal Code (w/ Other Acts) - a Case Compilation** , A case compilation of the 325 most cited CC Extradition Act and Charter cases that I compiled to facilitate a one file download Assumes a person doesn t want to take the time to immerse themselves in case stream and nuances of the topic in CANLII

org where I obtained the cases and did the digesting of same myself to put it all together for you      When the State Kills Austin Sarat, 2018-06-05 Is capital punishment just Does it deter people from murder What is the risk that we will execute innocent people These are the usual questions at the heart of the increasingly heated debate about capital punishment in America In this bold and impassioned book Austin Sarat seeks to change the terms of that debate Capital punishment must be stopped Sarat argues because it undermines our democratic society Sarat unflinchingly exposes us to the realities of state killing He examines its foundations in ideas about revenge and retribution He takes us inside the courtroom of a capital trial interviews jurors and lawyers who make decisions about life and death and assesses the arguments swirling around Timothy McVeigh and his trial for the bombing in Oklahoma City Aided by a series of unsettling color photographs he traces Americans evolving quest for new methods of execution and explores the place of capital punishment in popular culture by examining such films as *Dead Man Walking* *The Last Dance* and *The Green Mile* Sarat argues that state executions once used by monarchs as symbolic displays of power gained acceptance among Americans as a sign of the people's sovereignty Yet today when the state kills it does so in a bureaucratic procedure hidden from view and for which no one in particular takes responsibility He uncovers the forces that sustain America's killing culture including overheated political rhetoric racial prejudice and the desire for a world without moral ambiguity Capital punishment Sarat shows ultimately leaves Americans more divided hostile indifferent to life's complexities and much further from solving the nation's ills In short it leaves us with an impoverished democracy The book's powerful and sobering conclusions point to a new abolitionist politics in which capital punishment should be banned not only on ethical grounds but also for what it does to Americans and what we cherish      A Courageous Fool Todd C. Peppers, Margaret A. Anderson, 2021-04-30 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      **Pain, Death, and the Law** Austin Sarat, 2009-09-11 This collection of essays examines the relationship between pain death and the law and addresses the question of how the law constructs pain and death as jurisprudential facts The empirical focus of these essays enables the reader to delve into both the history and the theoretical complexities of the pain death law relationship The combination of the theoretical and the empirical broadens the contribution this volume will undoubtedly make to debates in which the right to live or die is the core issue at hand This volume will be an important read for policy makers and legal practitioners and a

valuable text for courses in law the social sciences and the humanities Austin Sarat is William Nelson Cromwell Professor of Jurisprudence and Political Science Amherst College

**Capital Punishment** Peter Hodgkinson, Andrew Rutherford, 1996  
An analysis of the use of the death penalty across the world together with the underlying arguments This book ranks as the original in depth treatment by the Director of Studies at the Centre for Capital Punishment Studies University of Westminster and another leading academic plus leading commentators from around the world including the USA North America s Michael L Radlett William A Shabas and Hugo Adam Bedau

**The Fall of the Prison** Lee Griffith, 1999-01-25 Even as America s prison system is expanding at an unprecedented rate Lee Griffith makes a startling proposal in this book abolish prisons To make his case Griffith thoroughly examines prisons from the perspectives of sociology theology history and biblical exegesis Bolstered with extensive documentation as well as lively anecdotal evidence this compelling radical book is bound to stir up serious discussion

The Relativity of Deviance John Curra, 2019-10-21 This unique text uses historical and contemporary examples to demonstrate how deviance is socially constructed depending on time place and situation

*Proof of Guilt* Kathleen A. Cairns, 2020-04-01 Barbara Graham might have been a diabolical dame in a hard boiled detective story beautiful sexy and deadly Charged alongside two male friends in the murder of an elderly widow during a botched robbery attempt Bloody Babs became the third woman executed in California after a 1953 trial that played out before standing room only crowds captured the imaginations of journalists filmmakers and death penalty opponents Why Kathleen A Cairns asks of all the capital cases in the twentieth century did Graham s have such political resonance and staying power Leaving aside the question of guilt or innocence debated to this day Cairns examines how Graham s case became a touchstone in the ongoing debate over capital punishment While prosecutors positioned the accused woman as a femme fatale the media came to offer a counternarrative for Graham s life highlighting her abusive and lonely beginnings Cairns shows how Graham s case became crucial to the abolitionists of the time who used instances of questionable guilt to raise awareness of the arbitrary and capricious nature of death penalty prosecutions Critical in keeping capital punishment in the forefront of public consciousness until abolitionists homed in on a winning strategy Graham s case illustrates the power of individual stories to shape wider perceptions and ultimately public policies

**Beyond Retribution** Christopher D. Marshall, 2001 Recently a growing number of Christians have actively promoted the concept of restorative justice and attempted to develop programs for dealing with crime based on restorative principles But is this approach truly consistent with the teaching of Scripture To date very little has been done to test this claim Beyond Retribution fills a gap by plumbing the New Testament on the topics of crime justice and punishment Christopher Marshall first explores the problems involved in applying ethical teachings from the New Testament to mainstream society He then surveys the extent to which the New Testament addresses criminal justice issues looking in particular at the concept of the justice of God in the teachings of Paul and Jesus He also examines the topic of punishment reviewing the debate in social thinking over the ethics and purpose of punishment including capital



punishment and he advocates a new concept of restorative punishment The result of this engaging work is a biblically based challenge to imitate the way of Christ in dealing with both victims and offenders Publisher **Human Rights in the World Community** Richard Pierre Claude, Burns H. Weston, 2006-10-04 This unique textbook seeks to promote students critical and analytical skills and to provide a teacher friendly resource featuring in depth scholarly introductions to each chapter multiple questions for discussion and reflection and an extensive bibliography and annotated filmography Exile and Embrace Anthony Santoro, 2013-07-09 Examining the religious debates and dimensions of the death penalty in America Criminal Injustice Elihu Rosenblatt, 1996 At a time when activists elected officials and concerned individuals should be countering these trends with demands for jobs education and serious alternatives to imprisonment there is relative silence Criminal Injustice which explores the connections between imprisonment racism class domination misogyny and homophobia offers us invaluable information and compelling arguments for placing prison issues on the agenda of every progressive organization Angela Y Davis This remarkable anthology exposes and uncovers the economic and political realities behind the imprisonment of astounding numbers of the working class working poor and people of color **Capital Punishment** Michael Kronenwetter, 2001-12-07 This revised edition of a perennial bestseller with more than 50 percent new material is a much needed overview of a hotly debated topic Capital Punishment focuses on the use of the death penalty in the United States its international status and how foreign developments affect the country It includes a history a discussion of the controversies surrounding the death penalty updated biographical sketches and statistics Key documents include the U S Supreme Court decision affirming capital punishment a key dissent Charles Dickens 19th century view of the guillotine and various papal and European Union decrees It also includes a chronology organizations websites with further information and an annotated bibliography In this updated survey a thorough overview of capital punishment author Michael Kronenwetter reveals interesting facts for example under Roman law death was the penalty for publishing insulting songs and disturbing the city s peace

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