



Mercy On Trial

What It Means
to Stop an Execution

AUSTIN SARAT



Mercy On Trial What It Means To Stop An Execution

Jianjun Gao



Mercy On Trial What It Means To Stop An Execution:

Mercy on Trial Austin Sarat, 2009-02-09 On January 11 2003 Illinois Governor George Ryan a Republican on record as saying that some crimes are so horrendous that society has a right to demand the ultimate penalty commuted the capital sentences of all 167 prisoners on his state's death row Critics demonized Ryan For opponents of capital punishment however Ryan became an instant hero whose decision was seen as a signal moment in the new abolitionist politics to end killing by the state In this compelling and timely work Austin Sarat provides the first book length work on executive clemency He turns our focus from questions of guilt and innocence to the very meaning of mercy Starting from Ryan's controversial decision *Mercy on Trial* uses the lens of executive clemency in capital cases to discuss the fraught condition of mercy in American political life Most pointedly Sarat argues that mercy itself is on trial Although it has always had a problematic position as a form of lawful lawlessness it has come under much more intense popular pressure and criticism in recent decades This has yielded a radical decline in the use of the power of chief executives to stop executions From the history of capital clemency in the twentieth century to surrounding legal controversies and philosophical debates about when if ever mercy should be extended Sarat examines the issue comprehensively In the end he acknowledges the risks associated with mercy but he argues those risks are worth taking

Invitation to an Execution Gordon Morris Bakken, 2010-11-16 Until the early twentieth century printed invitations to executions issued by lawmen were a vital part of the ritual of death concluding a criminal proceeding in the United States In this study Gordon Morris Bakken invites readers to an understanding of the death penalty in America with a collection of essays that trace the history and politics of this highly charged moral legal and cultural issue Bakken has solicited essays from historians political scientists and lawyers to ensure a broad treatment of the evolution of American cultural attitudes about crime and capital punishment Part one of this extensive analysis focuses on politics legal history multicultural issues and the international aspects of the death penalty Part two offers a regional analysis with essays that put death penalty issues into a geographic and cultural context Part three focuses on specific states with emphasis on the need to understand capital punishment in terms of state law development particularly because states determine on whom the death penalty will be imposed Part four examines the various means of death from hanging to lethal injection in state law case studies And finally part five focuses on the portrayal of capital punishment in popular culture

Imperial Gallows Stacey Hynd, 2023-11-02 Not just a method of crime control or individual punishment in Britain's African territories the death penalty was an integral aspect of colonial networks of power and violence *Imperial Gallows* analyses capital trials from Kenya Nyasaland and the Gold Coast to explore the social tensions that fueled murder among colonised populations and how colonial legal cultures and landscapes of political authority shaped sentencing and mercy It demonstrates how ideas of race ethnicity gender and civilization could both spare and condemn Africans convicted of murder in colonial courts and also how Africans could either appropriate or resist such colonial legal discourses in their trials and petitions In this book Stacey Hynd

follows the whole process of capital punishment from the identification of a murder victim to trial and conviction through the process of mercy and sentencing onto death row and execution The scandals that erupted over the death penalty from botched executions and moral panics over ritual murder to the hanging of anti colonial rebels for terrorist and emergency offences provide significant insights into the shifting moral and political economies of colonial violence This monograph contextualises the death penalty within the wider penal systems and coercive networks of British colonial Africa to highlight the shifting targets of the imperial gallows against rebels robbers or domestic murderers Imperial Gallows demonstrates that while hangings were key elements of colonial iconography in British Africa symbolically loaded events that demonstrated imperial power and authority they also reveal the limits of that power **Wretched Sisters** Mary Welek Atwell,2007

Reflects how the criminal justice system defines crimes committed by women in a particular gendered context Atwell offers an analysis of the legal and popular cultural circumstances that determine why a small number of women are sentenced to death and provides an account of how eleven came to be subjected to the ultimate punishment From publisher description

Executive Clemency Daniel Pascoe,Andrew Novak,2020-07-30 Nearly every country in the world has a mechanism for executive clemency which though residual in most legal systems serves as a vital due process safeguard and as an outlet for leniency in punishment While the origins of clemency lie in the historical prerogative powers of once absolute rulers modern clemency laws and practices have evolved to be enormously varied This volume brings comparative and empirical analysis to bear on executive clemency building a sociological and political context around systematically collected data on clemency laws grants and decision making Some jurisdictions have elaborate constitutional and legal structures for pardoning or commuting a sentence while virtually never doing so while others have little formal process and yet grant clemency frequently Using examples from Asia Europe Latin America the Caribbean and the USA this comparative analysis of the law and the practice of clemency sheds light on a frequently misunderstood executive power This book builds on existing academic scholarship and expands the limited geographical scope of prior research which has tended to focus on North America the UK and Australia It relays the latest state of knowledge on the topic and employs case studies doctrinal legal analysis historical research and statements by clemency decision making authorities in explaining why clemency varies so considerably across global legal and political systems In addition it includes contributions encompassing international law transitional justice and innocence and wrongful convictions as well as on jurisdictions that are historically under researched The book will be of value to practitioners academics and students interested in the fields of human rights criminal law comparative criminal justice and international relations **Is the Death Penalty Dying?** Austin Sarat,2008-01-18 Drawing together an array of distinguished scholars from political science criminology sociology and law this volume examines the death penalty in the US The Legal Warriors Attorney Joseph Patrick Meissner, J.D.,2013-09 Who are The Legal Warriors in this book Some might think these are lawyers But that is wrong The real Legal Warriors in this book are the poor

individuals and families who daily struggle to gain their rights The real Legal Warriors are their community groups fighting for justice and improvements in society These fighters include families struggling to save their homes from foreclosure They are the neighborhood organizations combatting the industrial polluters who poison our water and air They are the soldiers who skirmish to keep their gas and lights on They are newcomers who come to our region to seek a fresh start in life These are only some of the legal warriors that I have been privileged to serve in my fifty years of legal work To all of them I say thank you for sharing your battles with me This book is dedicated to you I pray and hope that the Good Lord blesses you and your communities with many well deserved legal victories in all of your struggles

Comparative Capital Punishment Carol S. Steiker, Jordan M. Steiker, *Comparative Capital Punishment* offers a set of in depth critical and comparative contributions addressing death practices around the world Despite the dramatic decline of the death penalty in the last half of the twentieth century capital punishment remains in force in a substantial number of countries around the globe This research handbook explores both the forces behind the stunning recent rejection of the death penalty as well as the changing shape of capital practices where it is retained The expert contributors address the social political economic and cultural influences on both retention and abolition of the death penalty and consider the distinctive possibilities and pathways to worldwide abolition

Poets, Prophets, and Texts in Play Ehud Ben Zvi, Claudia V. Camp, David M. Gunn, Aaron W. Hughes, 2015-06-18 In this volume a list of esteemed scholars engage with the literary readings of prophetic and poetic texts in the Hebrew Bible that revolve around sensitivity to the complexity of language the fragility of meaning and the interplay of texts These themes are discussed using a variety of hermeneutical strategies In Part 1 Poets and Poetry some essays address the nature of poetic language itself while others play with themes of love beauty and nature in specific poetic texts The essays in Part 2 Prophets and Prophecy consider prophets and prophecy from a number of interpretive directions moving from internal literary analysis to the reception of these texts and their imagery in a range of ancient and modern contexts Those in Part 3 on the other hand Texts in Play take more recent works from Shakespeare to Tove Jansson s Moomin books for children as their point of departure developing conversations between texts across the centuries that enrich the readings of both the ancient and modern pieces of literature

Encyclopedia of American Civil Liberties Paul Finkelman, 2021-02-25 Originally published in 2006 the Encyclopedia of American Civil Liberties is a comprehensive 3 volume set covering a broad range of topics in the subject of American Civil Liberties The book covers the topic from numerous different areas including freedom of speech press religion assembly and petition The Encyclopedia also addresses areas such as the Constitution the Bill of Rights slavery censorship crime and war The book s multidisciplinary approach will make it an ideal library reference resource for lawyers scholars and students

No Winners Here Tonight Andrew Welsh-Huggins, 2009 Few subjects are as intensely debated in the United States as the death penalty Some form of capital punishment has existed in America for hundreds of years yet the justification for carrying out the ultimate sentence is a continuing source of controversy No

Winners Here Tonight explores the history of the death penalty and the question of its fairness through the experience of a single state Ohio which despite its moderate midwestern values has long had one of the country's most active death chambers In 1958 just four states accounted for half of the forty eight executions carried out nationwide each with six California Georgia Ohio and Texas By the first decade of the new century Ohio was second only to Texas in the number of people put to death each year No Winners Here Tonight looks at this trend and determines that capital punishment has been carried out in an uneven fashion from its earliest days with outcomes based not on blind justice but on the color of a person's skin the whim of a local prosecutor or the biases of the jury pool in the county in which a crime was committed Andrew Welsh Huggins's work is the only comprehensive study of the history of the death penalty in Ohio His analysis concludes that the current law crafted by lawmakers to punish the worst of the state's killers doesn't come close to its intended purpose and instead varies widely in its implementation Welsh Huggins takes on this controversial topic evenhandedly and with respect for the humanity of the accused and the victim alike This exploration of the law of capital punishment and its application will appeal to students of criminal justice as well as those with an interest in law and public policy

Merciful Judgments and Contemporary Society Austin Sarat, 2011-10-31 **Merciful Judgments and Contemporary Society** Legal Problems Legal Possibilities explores the tension between law's need for and dependence on merciful judgments and suspicions that regularly accompany them Rather than focusing primarily on definitional questions or the longstanding debate about the moral worth and importance of mercy this book focuses on mercy as a part of and problem for law This book is a product of the University of Alabama School of Law symposia series on Law Knowledge and Imagination It explores the ways law is known and imagined in a diverse array of disciplines including political science history cultural studies philosophy and science In addition books produced through the Alabama symposia explore various conjunctions of law knowledge and imagination as they play out in debates about theory and policy and speak to venerable questions as well as contemporary issues

Encyclopedia of Criminal Justice Ethics Bruce A. Arrigo, 2014-07-17 Federal state county and municipal police forces all have their own codes of conduct yet the ethics of being a police officer remain perplexing and are often difficult to apply in dynamic situations The police misconduct statistics are staggering and indicate that excessive use of force comprises almost a quarter of misconduct cases with sexual harassment fraud theft and false arrest being the next most prevalent factors The ethical issues and dilemmas in criminal justice also reach deep into the legal professions the structure and administration of justice in society and the personal characteristics of those in the criminal justice professions The *Encyclopedia of Criminal Justice Ethics* includes A to Z entries by experts in the field that explore the scope of ethical decision making and behaviors within the spheres of criminal justice systems including policing corrections courts forensic science and policy analysis and research This two volume set is available in both print and electronic formats Features Entries are authored and signed by experts in the field and conclude with references and further readings as well as cross

references to related entries that guide readers to the next steps in their research journeys A Reader's Guide groups related entries by broad topic areas and themes making it easy for readers to quickly identify related entries A Chronology highlights the development of the field and places material into historical context a Glossary defines key terms from the fields of law and ethics and a Resource Guide provides lists of classic books academic journals websites and associations focused on criminal justice ethics Reports and statistics from such sources as the FBI the United Nations and the International Criminal Court are included in an appendix In the electronic version the Reader's Guide index and cross references combine to provide effective search and browse capabilities The Encyclopedia of Criminal Justice Ethics provides a general non technical yet comprehensive resource for students who wish to understand the complexities of criminal justice ethics Key Themes History of Criminal Justice Ethics General Criminal Justice Ethics Police Ethics Legal Ethics Correctional Ethics Criminal Justice Cases and Controversies Technology Crime and Ethics Ethics and Critical Criminology *Judicial Politics in the United States* Mark C. Miller, 2018-09-03 Judicial Politics in the United States examines the role of courts as policymaking institutions and their interactions with the other branches of government and other political actors in the U S political system Not only does this book cover the nuts and bolts of the functions structures and processes of our courts and legal system it goes beyond other judicial process books by exploring how the courts interact with executives legislatures and state and federal bureaucracies It also includes a chapter devoted to the courts interactions with interest groups the media and general public opinion and a chapter that looks at how American courts and judges interact with other judiciaries around the world Judicial Politics in the United States balances coverage of judicial processes with discussions of the courts interactions with our larger political universe making it an essential text for students of judicial politics **Michigan Law Review** ,2014
Current Law Index ,2007 **Death Justice** Kenneth Wayne Miller, David Niven, 2009 Death Justice argues that one fallacy that passes for truth is the widely held notion that Justices Rehnquist Scalia and Thomas apply a fixed standard to death penalty cases Thanks in part to the trio the U S stands far apart from its allies and quite close to its enemies with regard to the death penalty *American Book Publishing Record* ,2005 **Choice** ,2006 **Federal Sentencing Reporter** ,2007

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