

Hans Nelen and Jacques Claessen (eds.)

Beyond the Death Penalty

Reflections on Punishment



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Maastricht Centre for Human Rights

Beyond The Death Penalty Reflections On Punishment Maastricht Series In Human Rights

Council of Europe



Beyond The Death Penalty Reflections On Punishment Maastricht Series In Human Rights:

Beyond the Death Penalty Hans Nelen, Jacques A. A. C. Claessen, 2012 This book contains a selection of papers that were presented during the multidisciplinary conference Beyond the Death Penalty Reflections on Punishment organized by the Maastricht Center for Human Rights The event marked the 150th anniversary of the de facto abolition of the death penalty in the Netherlands The aim of the conference was to reflect on punishment from a variety of angles and to give some food for thought to the contemporary debate on crime and punishment As the title suggests the scope of this volume moves beyond the death penalty After a first cluster of chapters with a strong focus on capital punishment an intriguing mixture of topics in relation to punishment is presented including chapters on the populist context of contemporary crime control reconciliation and rehabilitation prison life and efficiency and effectiveness The book will match the interest of many academics including legal scholars criminologists penologists legal philosophers sociologists psychologists and historians Series Maastricht Series in Human Rights *The Death Penalty* Roger Hood, Carolyn Hoyle, 2015 The fifth edition of this highly praised study charts and explains the progress that continues to be made towards the goal of worldwide abolition of the death penalty The majority of nations have now abolished the death penalty and the number of executions has dropped in almost all countries where abolition has not yet taken place Emphasizing the impact of international human rights principles and evidence of abuse the authors examine how this has fueled challenges to the death penalty and they analyze and appraise the likely obstacles political and cultural to further abolition They discuss the cruel realities of the death penalty and the failure of international standards always to ensure fair trials and to avoid arbitrariness discrimination and conviction of the innocent all violations of the right to life They provide further evidence of the lack of a general deterrent effect shed new light on the influence and limits of public opinion and argue that substituting for the death penalty life imprisonment without parole raises many similar human rights concerns This edition provides a strong intellectual and evidential basis for regarding capital punishment as undeniably cruel inhuman and degrading Widely relied upon and fully updated to reflect the current state of affairs worldwide this is an invaluable resource for all those who study the death penalty and work towards its removal as an international goal <http://www.maklu.be/MakluEnGarant/BookDetails.aspx?id=9789046605547> ,2012

The Christian Science Monitor Index ,1991 *The Catholic Periodical and Literature Index* ,1992 **New Statesman Society** ,1991 **Towards the Abolition of the Death Penalty in Africa** Lilian Chenwi, 2007 **When the State No Longer Kills** Sangmin Bae, 2012-02-01 Despite public support for the death penalty a remarkable number of countries in different parts of the world have banned capital punishment in all its forms regardless of the nature of the crime or the criminal Arguing that international norms are often a critical source of ideas for change in state policy but that impact varies greatly Sangmin Bae offers a systemic explanation of how when and under what conditions a country complies with international norms She examines four countries that reached different stages of norm compliance with respect to the death

penalty Ukraine South Africa South Korea and the United States Focusing on the role of political leadership and domestic political institutions Bae clarifies the causal mechanisms that lead to state compliance or noncompliance with the norm

The Death Penalty Council of Europe,2004-01-01 Europe is today the only region in the world where the death penalty has been almost completely abolished In the Council of Europe s 45 member states including the European Union s 15 member states and its 13 candidate countries capital punishment is no longer applied The Council of Europe believes that the death penalty has no place in democratic societies under any circumstances This book reviews the long and sometimes tortuous path to abolition in Europe It also addresses the tangible problems which countries face once the death penalty has been abolished and related issues the situation of murder victims families and alternatives to capital punishment particularly the choice of a substitute sentence It also discusses abolition campaigns in Russia the United States and Japan **The**

Death Penalty Roger Hood,Carolyn Hoyle,2015-01-08 The fifth edition of this highly praised study charts and explains the progress that continues to be made towards the goal of worldwide abolition of the death penalty The majority of nations have now abolished the death penalty and the number of executions has dropped in almost all countries where abolition has not yet taken place Emphasising the impact of international human rights principles and evidence of abuse the authors examine how this has fuelled challenges to the death penalty and they analyse and appraise the likely obstacles political and cultural to further abolition They discuss the cruel realities of the death penalty and the failure of international standards always to ensure fair trials and to avoid arbitrariness discrimination and conviction of the innocent all violations of the right to life They provide further evidence of the lack of a general deterrent effect shed new light on the influence and limits of public opinion and argue that substituting for the death penalty life imprisonment without parole raises many similar human rights concerns This edition provides a strong intellectual and evidential basis for regarding capital punishment as undeniably cruel inhuman and degrading Widely relied upon and fully updated to reflect the current state of affairs worldwide this is an invaluable resource for all those who study the death penalty and work towards its removal as an international goal **The Abolition**

of the Death Penalty in International Law William Schabas,2002-09-05 This is the 2002 third edition of William A Schabas s highly praised study of the abolition of the death penalty in international law Extensively revised to take account of developments in the field since publication of the second edition in 1997 the book details the progress of the international community away from the use of capital punishment discussing in detail the abolition of the death penalty within the United Nations human rights system international humanitarian law European human rights law and Inter American human rights law New chapters in the third edition address capital punishment in African human rights law and in international criminal law An extensive list of appendices contains many of the essential documents for the study of capital punishment in international law The Abolition of the Death Penalty in International Law is introduced with a Foreword by Judge Gilbert Guillaume President of the International Court of Justice *Beyond Reason* Human Rights Watch (Organization),2001

The Abolition of the Death Penalty in International Law William A. Schabas, 1993-05-01 The first step towards the creation of an international human rights norm abolishing the death penalty was taken in 1948 with the recognition of the right to life in Article 3 of the Universal Declaration of Human Rights This book traces the emergence progressive evolution of this international legal norm through an examination of the relevant conventions of both regional universal application as well as the specific humanitarian agreements The author analyses the preparatory works of the relevant international conventions resolutions the periodic reports on the subject submitted to the United Nations Human Rights Committee the European Commission Court of Human Rights the American Commission Court of Human Rights The work explores the different limitations that international law has placed on the imposition of the death penalty restricting its scope to serious crimes the prohibition of its application in the case of pregnant women juveniles the elderly the insane The author also examines the procedural safeguards required by international law when capital punishment is being considered The eventual emergence of a customary norm completely abolishing the death penalty is also discussed

The Cultural Lives of Capital Punishment Austin Sarat, Christian Boulanger, 2005-05-27 How does the way we think and feel about the world around us affect the existence and administration of the death penalty What role does capital punishment play in defining our political and cultural identity After centuries during which capital punishment was a normal and self evident part of criminal punishment it has now taken on a life of its own in various arenas far beyond the limits of the penal sphere In this volume the authors argue that in order to understand the death penalty we need to know more about the cultural lives past and present of the state s ultimate sanction They undertake this cultural voyage comparatively examining the dynamics of the death penalty in Mexico the United States Poland Kyrgyzstan India Israel Palestine Japan China Singapore and South Korea arguing that we need to look beyond the United States to see how capital punishment lives or dies in the rest of the world how images of state killing are produced and consumed elsewhere and how they are reflected back and forth in the emerging international judicial and political discourse on the penalty of death and its abolition Contributors Sangmin Bae Christian Boulanger Julia Eckert Agata Fijalkowski Evi Grling Virgil K Y Ho David T Johnson Botagoz Kassymbekova Shai Lavi J rgen Martschukat Alfred Oehlers Judith Randle Judith Mendelsohn Rood Austin Sarat Patrick Timmons Nicole Tarulevicz Louise Tyler

The Politics of the Death Penalty in Countries in Transition Madoka Futamura, Nadia Bernaz, 2013-08-15 The increase in the number of countries that have abolished the death penalty since the end of the Second World War shows a steady trend towards worldwide abolition of capital punishment This book focuses on the political and legal issues raised by the death penalty in countries in transition understood as countries that have transitioned or are transitioning from conflict to peace or from authoritarianism to democracy In such countries the politics that surround retaining or abolishing the death penalty are embedded in complex state building processes In this context Madoka Futamura and Nadia Bernaz bring together the work of leading researchers of international law human rights transitional justice and international politics in

order to explore the social political and legal factors that shape decisions on the death penalty whether this leads to its abolition reinstatement or perpetuation Covering a diverse range of transitional processes in Asia Africa Latin America Europe and the Middle East The Politics of the Death Penalty in Countries in Transition offers a broad evaluation of countries whose death penalty policies have rarely been studied The book would be useful to human rights researchers and international lawyers in demonstrating how transition and transformation provide the catalyst for several of interrelated developments of which one is the reduction and elimination of capital punishment Capital Punishment: New Perspectives Peter Hodgkinson,2016-04-08 This collection asks questions about the received wisdom of the debate about capital punishment Woven through the book questions are asked of and remedies proposed for a raft of issues identified as having been overlooked in the traditional discourse It provides a long overdue review of the disparate groups and strategies that lay claim to abolitionism The authors argue that capital litigators should use their skills challenging the abuses not just of process but of the conditions in which the condemned await their fate namely prison conditions education leisure visits medical services etc In the aftermath of successful constitutional challenges it is the beneficiaries arguably those who are considered successes having been saved from the death penalty and now serving living death penalties of one sort or another who are suffering the cruel and inhumane alternative Part I of the book offers a selection of diverse nuanced examinations of death penalty phenomena scrutinizing complexities frequently omitted from the narrative of academics and activists It offers a challenging and comprehensive analysis of issues critical to the abolition debate Part II offers examinations of countries usually absent from academic analysis to provide an understanding of the status of the debate locally with opportunities for wider application **Capital Punishment** Lill Scherdin,2016-04-08 As most jurisdictions move away from the death penalty some remain strongly committed to it while others hold on to it but use it sparingly This volume seeks to understand why by examining the death penalty s relationship to state governance in the past and present It also examines how international transnational and national forces intersect in order to understand the possibilities of future death penalty abolition The chapters cover the USA the only western democracy that still uses the death penalty and Asia the site of some 90 per cent of all executions Also included are discussions of the death penalty in Islam and its practice in selected Muslim majority countries There is also a comparative chapter departing from the response to the mass killings in Norway in 2011 Leading experts in law criminology and human rights combine theory and empirical research to further our understanding of the relationships between ways of governance the role of leadership and the death penalty practices This book questions whether the death penalty in and of itself is a hazard to a sustainable development of criminal justice It is an invaluable resource for all those researching and campaigning for the global abolition of capital punishment **The Barbaric Punishment** Hans Göran Franck,2021-09-13 In this volume Swedish human rights activist and political figure Hans G ran Franck examines the administration of the death penalty from a historical perspective The author s opinions are based on his lifelong work and

devotion to abolishing the barbaric punishment Building upon previously unpublished material and considerable detail drawn from Franck's personal experiences it focuses on both the progressive developments within European countries and institutions over several decades and the frustratingly retrograde situation that prevails in the United States The author dedicated this book to those facing a sentence of death During the course of his work the author traveled to numerous countries and met many condemned men and women Publication of this important volume which comes a few years after Hans G ran Franck's untimely passing coincides with a major development to which he contributed the adoption of Protocol No 13 to the European Convention on Human Rights which abolishes capital punishment in both wartime and peacetime William A Schabas a law professor who specializes in the subject of capital punishment has ensured that the manuscript is up to date and contributed the introductory chapter

Ending the Death Penalty A. Hammel, 2010-06-16 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

Confronting Capital Punishment in Asia Roger Hood, 2013-11 This volume explores the continued use of capital punishment in Asia and the reasons behind its retention Various contributions offer insights into the politics practice and public opinion of Asian capital punishment

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