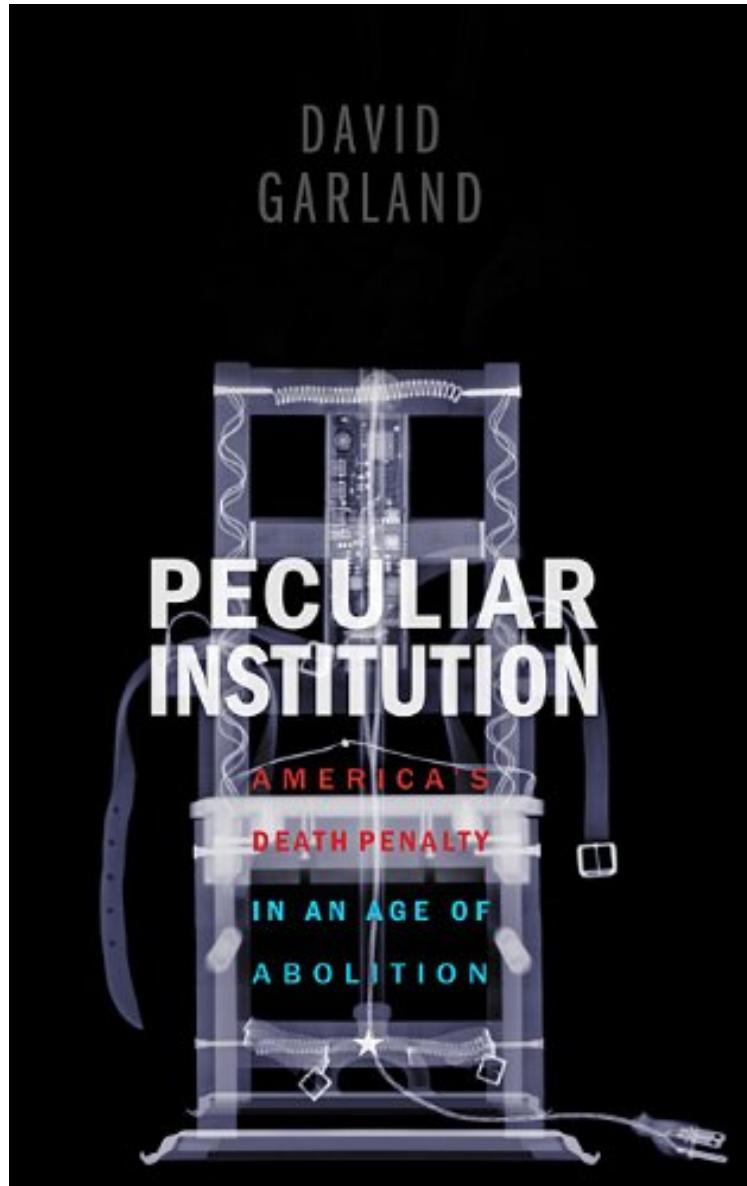


[Download free pdf] Peculiar Institution: America's Death Penalty in an Age of Abolition

# Peculiar Institution: America's Death Penalty in an Age of Abolition

*David Garland*

*audiobook / \*ebooks / Download PDF / ePub / DOC*



[Download](#)

[Read Online](#)

#536327 in Books Belknap Press 2012-10-22 2012-09-17Original language:EnglishPDF # 1 8.70 x 1.10 x 5.70l, 1.25 #File Name: 0674066103432 pages | File size: 20.Mb

**David Garland : Peculiar Institution: America's Death Penalty in an Age of Abolition** before purchasing it in order to gage whether or not it would be worth my time, and all praised Peculiar Institution: America's Death Penalty in an Age of Abolition:

30 of 33 people found the following review helpful. A very thoughtful analysisBy Lawrence M. HinmanI just chanced upon this book. Justice Stevens had an article in the New York Review of Books (December, 2010), which turned out

to be a review of this book, that was mentioned in the New York Times in an article on Justice Stevens and the death penalty. I'm about halfway through, and find Garland wrestling with one of the more difficult issues: why so many people in the United States are in favor of the death penalty. It's the kind of finely-textured analysis that I like, rich in detail while maintaining a clear overarching structure. I was surprised to see the review that criticized this book for ignoring issues about the rights of individual states. Garland seems clearly sensitive to this issue and his analysis is nuanced in regard to states, the death sentence, and executions. This is simply puzzling to me that someone would object on this level. It was this prior review that prompted me to write this--the first time I've written a review. Occasionally, I felt Garland was repetitive, announcing what he was going to do, telling the reader when he was doing it, and then summarizing by telling us he had done it. One minor quibble about the Kindle edition: I couldn't directly access the footnotes from the body of the text. I would have to bookmark my current location, go to the Table of Contents, read the notes, then go back to the menu to find my bookmark. In an age of hypertext, this seems like extraordinarily poor design. Given the high price of the book from HUP, this is particularly annoying. Incidentally, in the notes I would have liked to have seen some references to more recent empirical work on the race of victims in (a) charging crimes as capital offenses and (b) actual sentencing patterns. 0 of 0 people found the following review helpful. Five Stars By Fred M Tolliver no problems, exactly what I ordered 0 of 0 people found the following review helpful. Five Stars By Dr. Vitezcu Great!

The U.S. death penalty is a peculiar institution, and a uniquely American one. Despite its comprehensive abolition elsewhere in the Western world, capital punishment continues in dozens of American states--a fact that is frequently discussed but rarely understood. The same puzzlement surrounds the peculiar form that American capital punishment now takes, with its uneven application, its seemingly endless delays, and the uncertainty of its ever being carried out in individual cases, none of which seem conducive to effective crime control or criminal justice. In a brilliantly provocative study, David Garland explains this tenacity and shows how death penalty practice has come to bear the distinctive hallmarks of America's political institutions and cultural conflicts. America's radical federalism and local democracy, as well as its legacy of violence and racism, account for our divergence from the rest of the West. Whereas the elites of other nations were able to impose nationwide abolition from above despite public objections, American elites are unable--and unwilling--to end a punishment that has the support of local majorities and a storied place in popular culture. In the course of hundreds of decisions, federal courts sought to rationalize and civilize an institution that too often resembled a lynching, producing layers of legal process but also delays and reversals. Yet the Supreme Court insists that the issue is to be decided by local political actors and public opinion. So the death penalty continues to respond to popular will, enhancing the power of criminal justice professionals, providing drama for the media, and bringing pleasure to a public audience who consumes its chilling tales. Garland brings a new clarity to our understanding of this peculiar institution--and a new challenge to supporters and opponents alike.

Peculiar Institution tells a fascinating and important story that illuminates why the death penalty is so problematic and yet so well suited to American practices. (Austin Sarat, author of *When the State Kills: Capital Punishment and the American Condition*) Peculiar Institution provides the best explanation I have ever read as to why the United States, alone among western democracies, retains the death penalty, and why we have the odd system we do, in which a very small percentage of the people sentenced to death are actually executed. (Stuart Banner, author of *American Property*) This is indispensable reading for students of criminal justice, race, and American culture, for lawyers and judges in the pathways of death, and for all who want to understand why our country can neither put capital punishment to any good use nor put an end to it. (Anthony G. Amsterdam, University Professor and Professor of Law, New York University) Why does the United States, alone among Western democracies, still have the death penalty? It's not a new question, but David Garland provides fresh answers from a multilayered analysis... The title hints at the most provocative part of Garland's answer. In American history, the "peculiar institution" is slavery. Anyone who thinks its vestiges were wiped out by the Emancipation Proclamation or civil rights laws should read this book and think again. (Kenneth J. Cooper *Boston Globe* 2010-10-22) Some of [Garland's] eminently readable prose reminds me of Alexis de Tocqueville's nineteenth-century narrative about his visit to America; it has the objective, thought-provoking quality of an astute observer rather than that of an interested participant in American politics... In his view, an important reason Americans retain capital punishment is their fascination with death. While neither the glamour nor the gore that used to attend public executions remains today, he observes, capital cases still generate extensive commentary about victims' deaths and potential deaths of defendants. Great works of literature, like best-selling paperbacks, attract readers by discussing killings and revenge. Garland suggests that the popularity of the mystery story is part of the culture that keeps capital punishment alive... While he has studiously avoided stating conclusions about the morality, wisdom, or constitutionality of capital punishment, Garland's empirical analysis speaks to all three... I commend Peculiar Institution to participants in the political process. (John Paul Stevens *New York Times* 2010-12-23) [A] magisterial account of the origins, the development, and the transformation of capital punishment. (Marie Gottschalk *New Republic* online 2011-03-16) [Garland] makes a convincing case that lynching is a key thread that shapes the

American death penalty. Execution-night rallies, news stories that emphasize victims' families and a legal system that lets county officials and local juries set the wheels of death in motion all contain echoes of the mob. (Rachel Proctor May Texas Observer 2011-05-12)[Garland] aims to deepen our understanding of why we still have a death penalty when nations toward whom we feel most kindred do not. In the tradition of de Toqueville, Dickens, Chesterton and Gunnar Myrdal, Garland, who hails from the Scottish Lowlands, casts the discerning eye of the outsider on us. And to compelling result. (Kevin Doyle America 2011-08-15)In Peculiar Institution, David Garland brings a distinctive approach to explaining why the United States stands alone in retaining capital punishment...Instead of asking why America bucked the Western trend towards abolition, Garland sets out to discover what made abolition possible for other countries. By putting the rise and (gradual) fall of capital punishment in a broad historical and comparative perspective, he is able to develop a subtle account of the changing forms and functions of capital punishment over time and of its relationship to the formation of states...Garland's readable book is a major contribution to our understanding not only of capital punishment in America, but also of the relationship between punishment, state and society. His insistence on the applicability of a general thesis to this peculiar case, and his careful illustration of the interaction between cultural and structural variables are particularly impressive; as is his deft handling of the analogies and disanalogies between capital punishment and lynching (an image which has featured prominently in protests at [Troy] Davis's execution). Peculiar Institution opens up a large agenda for comparative research both within and beyond the United States, helping us to understand why--however widespread the criticism of Davis's execution, and however substantial the doubts about his guilt--capital punishment in America is likely to survive. (Nicola Lacey Times Literary Supplement 2011-10-05)How is it that the USA alone among Western societies clings to such barbarity? David Garland's Peculiar Institution--the evocation of the stain of slavery is quite deliberate--provides a deeply thoughtful and original explanation of this phenomenon. Subtle and provocative, it deserves a wide audience. (Andrew Scull Times Literary Supplement 2011-12-02)A magnificently thorough and even-handed book on the death penalty in modern America. (Bradley Winterton Taipei Times 2012-07-17)About the AuthorDavid Garland is Arthur T. Vanderbilt Professor of Law and Professor of Sociology at New York University.