



CR-SAT 98215 9-27-85

Capital Punishment Project Sociology Department University of Florida

• -

Margaret Vandiver Michael L. Radelet

BIBLIOGRAPHY Fall, 1984

This bibliography is compiled and revised by the Capital Punishment Project at the University of Florida. It is not intended to be an exhaustive listing of works on the subject of capital punishment, but rather gives selected readings by subject headings. There are four general subject divisions in the bibliography. The first is "Historical and General Information," and lists works which provide background information. The second section is "Issues in the Application of the Death Penalty." This section gives important studies and essays on various issues such as racial bias, deterrence, innocence, conditions of confinement, etc. The third section, "Legal Issues," is not intended as a research aid for attorneys, but rather gives lead cases which would be of interest to general readers. The final section, "Moral Issues," lists publications arguing for and against capital punishment on moral and religious grounds.

INDEX

I. HISTORICAL AND GENERAL INFORMATION

- Worldwide À.
- B. England
- C. America
- D. Florida

II. ISSUES IN THE APPLICATION OF THE DEATH PENALTY

- A. Racism
 - 1. The Historical Background and Cultural Setting of Racism
 - 2. Lynchings

.

- 3. Studies Finding Discrimination in the Imposition of Capital Punishment
- B. Deterrence
 - 1. Studies Finding No Superior Deterrent Effect of the Death penalty
 - 2. Studies Finding a Superior Deterrent Effect cf the Death Penalty
 - 3. Criticisms of Studies Finding a Superior Deterrent Effect

C. Clemency 2. Issues in Granting Clemency

- D. Death Row Confinement 1. Statements by the Condemned
- F. Jury Composition
- G. Geographical Disparity
- H. Public Opinion
- I. Comparable Excessiveness
- K. Social Science and the Death Penalty
- Chaplains, and Others Involved
- M. Consensual Executions
- N. Methods of Execution
- Dangerousness
- III. LEGAL ISSUES
- A. United States
- B. Florida 1. Historical and General Information
- IV. MORAL ISSUES

```
PAGE 2
```

:**`**

4. Deterrence Studies with Ambivalent Results 5. Studies Testing the Brutalization Hypothesis 6. General Discussions of Deterrence 7. Reviews of Deterrence Research

1. The History of Clemency in Capital Cases

2. Studies of Condemned Prisoners

E. Unjust Convictions and Innocents Condemned

J. Economic Aspects of Capital Punishment

L. Effects of Capital Punishment on Families, Wardens,

0. Recidivism Among Murderers and Predictions of

P. Psychological Testing and the Execution of the Insane

1. Historical and General Information 2. Principal Issues (15 categories)

2. Principal Issues (6 categories)

A. Religion and Capital Punishment B. The Morality of the Death Penalty .• ·

I. HISTORICAL AND GENERAL INFORMATION

A. WORLDWIDE

- Amnesty International (1979) The Death Penalty. London: Amnesty International Fublications.
- Angel, Camilo Villegas (1965) La Pena de Muerte. Cartegena: Colombia.
- Bockle, H. and J. Pohiers (1979) The Death Penalty and Torture. N.Y.: The Seabury Press.
- Joyce, James Avery (1962) Capital Punishment: A World View. New York: Grove Press.
- Lopez-Rey, Manuel (1980) "General overview of capital punishment as a legal sanction." Federal Probation (March):18-23.
- McGehee, Edward (ed.), The Death Penalty: A Literary and Historical Approach. Boston:Heath.
- Panick, D. (1982) Judicial Review of the Death Penalty. White Plains, N.Y.: Sheridan.

B. ENGLAND

- Atholl, Justin (1954) Shadow of the Gallows, London: John Long, Ltd.
- Christoph, James (1962) Capital Punishment and British Politics. Chicago: University of Chicago Press.
- Cooper, David (1974) The Lesson of the Scaffold. Athens, CH: Ohio University Press.
- Hibbert, Christopher (1963). The Roots of Evil. Boston: Little, Brown and Co.
- Koestler, Arthur (1957) Reflections on Hanging. New York: Macmillan and Co.
- McCafferty, James (1972). Capital Punishment. Chicago: Aldine Atherton.
- Radzinowicz, Sir Leon (1948) & History of English Criminal Law: The Movement for Beform, 1750-1833. New York: Macmillan and Co.
- Rcmilly, Sir Samuel (1810) Observations on the Criminal Law of England. London: M'Creery (Reprinted in facsimile in Classics of English Legal History in the Mcdern Era,

Berkowitz and Thorne, eds.). PAGE 4 in Great Britain. London: Stevens and Scns, Ltd. America, 1864-1982. Boston: Northeastern University Press. Chair," New York: NAACP Legal Defense and Educational

ŗ٨

Scott, George (1950) The History of Capital Punishment. London: Philadelphia: The Committee of Philanthropic Labor of Philadelphia Yearly Meeting of Friends. Criminal Justice Abstracts (June, July, September).

Teeters, Negley (1967) Hang by the Neck. Springfield, IL: Charles

Templewood, Viscount (1951) The Shadow of the Gallows. London: Social Evolution. N.Y.: Columbia University Press.

Tuttle, Elizabeth (1961) The Crusade against Capital Punishment C. AMERICA to Capital Punishment, 1787-1975. New York: Burt Franklin.

Bedau, Hugo Adam, ed. (1964) The Death Penalty in America: ---- (1967) The Death Penalty in America: An Anthology, rev. -----(1981) The Death Penalty in America. Oxford: Oxford

Bowers, William J. (1974) Executions in America. Lexington, MA: Bowers, William (1984) Legal Homicide: Death as Punishment in

Bruck, David (1981) "The four men Strom Thurmond sent to the Bye, R.T. (1919) Capital Punishment in the United States. Dike, Sarah (1981) "Capital Funishment in the United States"

Espy, Watt (1970) "The death penalty in America: what the record shows." Christianity and Crisis (23 June):191-195. Gorecki, Jan (1983) Capital Punishment: Criminal Law and Isenberg, I., ed. (1977) The Death Penalty. New York: H.W. Mackey, Phillip (1976) Voices Against Death: American Opposition

National Prisoner Statistics (yearly) Carital Punishment. Washington, D.C.: Justice Department.

- Sellin, Thorsten (1980) The Penalty of Death. Beverly Hills: Sage.
- Wolf, B.H. (1973) Pileup on Death Row. New York: Doubleday.

D. FLORIDA

- Governor's Committee (1972) "Governor's Committee to Study Capital Punishment." State of Florida.
- Huie, William Bradford (1964) Ruby McCollum: Woman in Suwannee Jail. New York: Signet Books.
- Hutter, Ernie (1963) The Chillingsworth Murder Case. Derby, CT: Monarch Books.
- Rehwinkle, Charles (1982) "Capital Offenses in Florida, 1822-1982." Unpublished manuscript.
- Sherrill, Robert (1983) "Death row on trial." New York Times Magazine (Nov. 13).
- Special Commission (1965) "Special Commission for the Study of the Abolition of the Death Penalty in Carital Cases in Florida." State of Florida.

II. ISSUES IN THE APPLICATION OF THE DEATH PENALTY

A. RACISM

1. The Historical Background and Cultural Setting of Racism

- Allport, Gordon (1958) The Nature of Prejudice. Garden City, NY:Doubleday and Co.
- Bacchus, James (1973) "Shackles in the sunshine" Crlando Sentinel Star Sunday Magazine (June 16):5-F - 12-F.

Baldwin, James (1972) No Name in the Street. New York:Dial Press.

Carper, Neel Gordon (1964) "The convict-lease system in Florida, 1866-1923." Unpublished PhD dissertation, Florida State University.

Cash, Wilbur (1941) The Mind of the South. New York: Alfred A. Knopf.

Approach. Boston: D. C. Heath.

Garden City, NY: Doubleday.

New York: Alfred A. Knopf.

New York: Random House.

The University Presses of Florida.

Publications, Number 6).

2. Lynchings

622-625.

PAGE 6

- Huie, William Bradford (1964) "The South Kills Another Negro." Pr. 85-91 in Edward McGehee and William Hildebrand (eds.), The Death Penalty: A Literary and Historical
- Dcllard, John (1949) Caste and Class in a Southern Town.
- Franklin, John Hope (1974) From Slavery to Freedom, 4th ed.
- Myrdal, Gunnar (1944) An American Dilemma: the Negrc Problem and Modern Democracy. New York: Harper and Erothers.
- Silberman, Charles (1978) Criminal Violence, Criminal Justice.
- Powdermaker, Hortense (1939) After Freedom: A Cultural Study in the Deep South. New York: The Viking Press.
- Shcfner, Jerrell H. (1974) Nor Is It Over Yet. Gainesville:
- Tannenbaus, Frank (1924) The Darker Phases of the South. New York and London: G.P. Putnam and Sons.
- Wilson, Theodore (1965) The Black Codes of the South. Alabama: University of Alabama Press (Southern Historical
- Chadbourne, James (1933) Lynching and the Law. Chapel Hill: University of North Carclina Press.
- Cutler, J.E. (1907) "Capital punishment and lynching." Annals of the American Academy of Political and Social Science 29:
- Hall, Jacqueline Dowd (1979) Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynching. New York:Columbia University Press.
- McGovern, James (1982) Anatomy of a Lynching: The Killing of Claude Neal. Baton Rouge: Louisiana State University Press.
- National Association for the Advancement of Colored People (1969) Thirty Years of Lynching in the United States 1889-1918. New York: Arno Press and the New York Times (in series The American Negro: His History and Literature).

63

- Raper, Arthur (1933) The Tragedy of Lynching, Chapel Hill: The University of North Carclina Press.
- Wells-Barnett, Ida (1969) On Lynchings. New York: Arno Press and the New York Times.
- White, Walter (1969) Rope and Faggot: A Biography of Judge Lynch. New York: Arno Press and the New York Times.
- 3. Studies Testing Discrimination in the Imposition and Use of Capital Punishment
- Arkin, Steve (1980) "Discrimination and arbitrariness in capital punishment: an analysis of post-Furman murder cases in Dade County, Florida, 1973-1976." Stanford Law Review 33:75-101.
- Baldus, David, George Woodworth, and Charles Pulaski (1983) "Discrimination and Arbitrariness in Georgia's Capital Charging and Sentencing System: A Preliminary Report." Unpublished manuscript.
- Bedau, Hugo Adam (1964) "Death sentences in New Jersey." Rutgers Law Review 19:1-55.
- ----- (1965) "Capital punishment in Cregon, 1903-1964," Oregon Law Review 45:1-39.
- Bensing, Robert and Oliver Schroeder (1960) Homicide in an Urban Community. Springfield, IL: Charles C. Thomas.
- Bowers, William and Glenn Pierce (1980) "Arbitrariness and discrimination under post-Furman capital statutes." Crime and Delinquency 26:563-635.
- Bowers, William J. (1983) "The pervasiveness of arbitrariness and discrimination under post-Furman capital statutes." Journal of Criminal Law and Criminclegy 74:1067.
- Bowers, William (1974) Executions in America. Lexington, MA: Lexington Books.
- Bridge, Franklin and Jeanne Mosure (1961) Capital Punishment. Staff Research Report #26. Columbus: Ohio Legislature Service Committee.
- Carter, Robert and A. LaMont Smith (1969) "The death penalty in California: a statistical and composite portrait." Crime and Delinquency 15:62-76.
- Florida Civil Liberties Unicn (1964) Rape: selective electrocution based on race." Miami: Florida Civil Liberties Union.

7:16-22.

Garfinkle, Harold (1949) "Research ncte cn inter- and intraracial homicides." Social Forces 27:369-81.

- Manuscript.

Johnson, Elmer (1957) "Selective forces in capital punishment." Social Forces 36:165-169.

Jchnson, Guy (1941) "The negro and crime." The Annals of the American Academy of Political and Social Science 217:93-104.

- Publishers.
- 1431.
- 783-805.

Mangum, Charles (1940) The Legal Status of the Negrc. Chapel Hill: The University of North Carolina Press.

NOTE (1972) "Capital punishment in Virginia." Virginia Law Review 58:97-142.

22:43-73.

PAGE 8

Foley, Linda and Richard Powell (1982) "The discretion of prosecutors, judges, and juries in capital cases." Criminal Justice Review

Gross, Samuel and Robert Mauro (1983) "Patterns of death: an analysis of racial disparities in capital sentencing and homicide victimization." Unpublished

Jacoby, Joseph and Raymond Paternoster (1982) "Sentencing disparity and jury packing: further challenges to the death penalty." Journal of Criminal Iaw and Criminology 73:379-387.

Johnson, Oakley (1970) "Is the punishment of rape equally administered to negroes and whites in the state of Louisiana?" Pp. 216-218 in We Charge Genocide, William Fatterson, ed. New York: International

Judson, Charles, James Pandell, Jack Gwens, James McIntosh and Dale Matschullat (1969) "A study of the penalty jury in first degree murder cases." Stanford Law Review 21: 1297-

Kleck, Gary (1981) "Racial discrimination in criminal sentencing: a critical evaluation of the evidence with additional evidence on the death penalty." American Sociological Review 46:

Koeninger, Robert (1969) "Capital punishment in Texas, 1924-1968." Crime and Delinguency 15:132-41.

Lewis, Peter (1979) "Killing the killers: a post-Furman profile of Florida's condemned." Crime and Delinguency 25:200-218.

Partington, Donald (1965) "The incidence of the death penalty for rape in Virginia." Washington and Lee Law Review

 $\mathcal{L}_{\mathcal{I}}$

- Paternoster, Raymond (1983) "Race of victim and location of crime: the decision to seek the death penalty in South Carolina." Journal of Criminal Law and Criminology 74:754.
- Radelet, Michael (1981) "Racial characteristics and the imposition of the death penalty." American Sociological Review 46:918-27.
- Radelet, Michael L. and Glenn L. Fierce (1984) "Race and prosecutorial discretion in homicide cases," Unpublished Manuscript.
- Radelet, Michael L. and Margaret Vandiver (1983) "The Florida Supreme Court and death penalty appeals." Journal of Criminal Law and Criminology 74:913.
- Reidel, Marc (1976) "Discrimination in the imposition of the death penalty: a comparison of the characteristics of offenders sentenced pre-Furman and post-Furman." Temple Law Quarterly 49:261-286.
- Vandiver, Margaret (1983) "Race, Clemency, and Executions in Florida, 1924-1966," Unpublished Masters Thesis, School of Criminology, Florida State University.
- Williams, Franklin (1960) "The death penalty and the Negro." The Crisis 67:501-12.
- Wolf, Edwin (1965) "Abstract of analysis of jury sentencing in capital cases: New Jersey: 1937-64." Rutgers Law Review 19: 56-64.
- Wolfgang, Marvin , Arlene Kelly, and Hans Nolde (1962) "Comparison of the executed and commuted among admissions to death row." Journal of Criminal Law, Criminology and Police Science 53: 301-311.
- Wolfgang, Marvin and Marc Biedel (1973) "Race, judicial discretion, and the death penalty." The Annals of the American Academy of Political and Social Science 407:119-133.
- Wolfgang, Marvin (1974) "Racial discrimination in the death sentence for rape" in Executions in America, William Bowers, ed., Lexington, MA: Lexington Books.
- Wolfgang, Marvin and Marc Riedel (1975) "Rape, race and the death penalty in Georgia." American Journal of Crthopsychiatry 45: 658-668.
- Zeisel, Hans (1981) "Race bias in the administration of the death penalty: the Florida experience." Harvard Law Review 95: 456-468.

B. DETERRENCE

cenalty

and the death penalty a cross-national test of a deterrence hypothesis." Journal of Criminal Law and Criminology 74:991. Criminal Law and Criminology 65:416-421. American Journal of Orthopsychiatry 45:669-688. additional evidence." Crime and Delinquency 22:31-39, to murder." Law and Human Behavior 1:239-260. a time series analysis." Journal of Contemporary Law 5: 1 - 20. murder in California." Southern California Law Beview 52:743-764. murder in Ohio: a time series analysis." Cleveland State Law Review 28:51-81. Oregon." Willamette Law Review 16:67-85. penalty in North Carolina." North Carolina Central Law Journal 10:29-52. deterrent effect of the death penalty." Sociology and Social Research 64:183-207. a neglected question in deterrence research." Social Forces 58: 1308-1333. reprinted in Bedau, ed., The Death Penalty in America, 1964 and 1967.

1. Studies finding no superior deterrent effect of the death Archer, Dane, Rosemary Gartner, and Marc Beittel (1983) "Homicide Bailey, William (1974) "Murder and the death penalty." Journal of ----- (1975) "Murder and capital runishment: some further evidence." ----(1976) "Use of the death penalty vs. outrage at murder: some -----(1977) "Imprisonment v. the death penalty as a deterrent -----(1978) "Deterrence and the death penal ty for murder in Utah: ----(1979) "The deterrent effect of the death penalty for -----(1979) "The deterrent effect of the death penalty for -----(1979) "Deterrence and the death penalty for murder in ----(1979) "An analysis of the deterrent effect of the death -----(1980) "A multivariate cross-sectional analysis of the

---- (1980) "Deterrence and the celerity of the death penalty:

Campion, Donald (1955) "The state police and the death penalty."

PAGE 10

 Σ^{Λ}

PAGE 11

.

- Cardarelli, A.P. (1968) "An analysis of police killed by criminal action, 1961-1963." Journal of Criminal Law, Criminology, and Police Science 59:447-453.
- Forst, Brian (1983) "Capital punishment and deterrence: conflicting evidence?" Journal of Criminal Law and Criminology 74:927.

.

- Kleck, Gary (1979) "Capital punishment, gun ownership, and homicide." American Journal of Sociology 84:882-910.
- McFarland, Sam G. (1983) "Is capital punishment a short-term deterrent to homicide? a study of the effects of four recent executions." Journal of Criminal Law and Criminology 74:1014.
- Samuelson, Glenn (1969) "Why was capital punishment restored in Delaware." Journal of Criminal Law and Criminology 60: 148-151.
- Savitz, Leonard (1958) "A study in capital punishment." Journal of Criminal Law and Criminology 49: 338-341.
- Schuessler, Karl (1952) "The deterrent influence of the death penalty." Annals of Political Science 284:54-62.
- Sellin, Thorsten (1967) "Homicides in retentionist and aboliticnist states." Pp 135-138 in Capital Punishment, Thorsten Sellin, ed., New York: Harper and Row.
- ----- (1967) "The death penalty and police safety." Pp 138-154 in Capital Punishment, Thorsten Sellin, ed., New York: Harper and Row.
- Wolfson, Wendy (1982) "The deterrent effect of the death penalty upon prison murer." Pp. 159-73 in The Death Penalty in America, 3rd. ed., Hugo Eedau, ed. New York: Oxford University Press.
- 2. Studies Finding a Superior Deterrent Effect of the death penalty
- Bhrlich, Isaac (1975) "Deterrence: evidence and inference." Yale Law Journal 85:209-226.
- ----- (1975) "The deterrent effect of capital runishment: a question of life or death." American Economic Review: 65: 397-417.
- ----- (1977) "Capital punishment and deterrence: some further thoughts and additional evidence." Journal of Political

PAGE 12 Economy 85: 741-788. cross sectional analysis." Journal of Behavioral Economics 6:87-101. a summary of results." The American Economic Review 68: 422-427. homicide? Some time series evidence." Journal of Behavioral Economics 6:361-395. of Thorsten Sellin and Isaac Ehrlich on the deterrent effect of carital punishment." Yale Law Journal 85: 170-186. deterrence in Isaac Ehrlich's research on carital punishment." Yale Iaw Journal 85: 187-203. deterrent to violent crime: cross section evidence." Journal of Behavioral Economics 6: 67-86. a cross state analysis of the 1960's." Hinnesota Law Review 61: 743-767. deterrence: an evaluation of Yunker's model." Journal of Behavioral Economics 6:225. on capital punishment and deterrence." Journal of Behavioral Economics 6:279-310. of econcmists in assessing capital punishment." Journal of Behavioral Economics 6: 243-268. deterrent effect of carital gunishment: a question of identification." Policy Analysis, Fall:489-527. cross sectional approach." Journal of Criminal Law and Criminology 70:235-254.

 Σ^{*}

Wolpin, K.A. (1978) "Capital punishment and homicide in England: Yunker, James (1977) "Is the death penalty a deterrent to Baldus, David and James Cole (1975) "A comparison of the work

Cloninger, Dale (1977) "Deterrence and the death penalty: a 3. Criticisms of Studies Finding a Superior Deterrent Effect Bowers, William and Glenn Pierce (1975) "The illusion of Boyles, W.J. and L.R. McPheters (1977) "Capital punishment as a Forst, Brian (1977) "The deterrent effect of capital punishment: Fox, James (1977) "The identification and estimation of Gibbs, J.P. (1977) "A critique of the scientific literature Glaser, D. (1977) "The realities of homicide versus the assumptions Hoenack, Stephan, Robert Kurdle and David Squist (1978) "The Knorr, Stephen (1979) "Deterrence and the death penalty: a temporal McGahey, Richard (1980) "Dr. Ehrlich's magic bullet: economic theory,

econometrics, and the death penalty." Crime and Delinquency 26: 485-502. Passell, Peter (1975) "The deterrent effect of the death penalty: a statistical test." Stanford Law Review 28: 61-80. Passell, Peter and John Taylor (1977) "The deterrent effect of capital runishment: another view." American Economic Review 67: 445-451. Sesnowitz, M. and D. McKee (1977) "On the deterrent effect of capital runishment." Journal of Behavioral Economics 6: 217-224. 4. Deterrence Studies with Ambivalent Results Graves, William (1956) WA doctor looks at capital punishment." Journal of the Loma Linda University School of Medicine 10: 137-141. Phillips, David (1980) "The deterrent effect of capital punishment: new evidence on an old controversy." American Journal of Socialogy 86: 139-148. 5. Studies Testing the Brutalization Hypothesis Bailey, William C. (1983) "Disaggregation in deterrence and death penalty research: the case of murder in Chicage." Journal of Criminal Law and Criminclegy 74:827. Bowers, William and Glenn Pierce (1980) "Leterrence and brutalization: what is the effect of executions?" Crime and Delinquency 26: 453-484. King, David (1978) "The brutalization effect: execution publicity and the incidence of homicide in South Carolina." Social Forces 57: 671-682. 6. General Discussions of Deterrence Espy, Watt (1980) "Capital punishment and deterrence: what the statistics cannot show." Crime and Delinquency 26:537-544. Friedman, L.S. (1979) "The use of multiple regression analysis to test for a deterrent effect of capital punishment: prospects and problems," Pp. 61-87 in Criminology Review Yearbook, Messinger and Bittner, eds., Beverly Hills: Sage.

Van den Haag, Ernest (1969) "On deterrence and the death penalty." Journal of Criminal Law, Criminology and Police Science 60:141-147.

7. Reviews of deterrence research

Bedau, Hugo (1970) "Deterrence and the death renalty: a reconsideration." Journal of Criminal Law and Criminology 61:539-548.

Beyleveld, D, (1980) A Bibliography on General Deterrence Research. Westmead, England: Saxon House.

Holmes, William (1982) "Critical overview of deterrence studies." Unpublished paper presented at the American Criminology Society Meetings, Toronto, Canada.

Klein, Lawrence, Brian Forst, and Victor Filatov (1978) "The deterrent effect of capital runishment: an assessment of the estimates." Reprinted from Deterrence and Incapacitation. Washington: National Academy of Sciences.

Report. London: H.M.S.O.

Waldo, Gordon (1981) "The death penalty and deterrence: a review of recent research." Pp 169-178 in The Mad, the Bad and the Different, Brak-Glanz and Huff, eds., Lexington, MA: Lexington Books.

Zeisel, Hans (1977) "The deterrent effect of the death penalty: facts vs. faith." Pp. 317-343 in The Supreme Court Review Chicago: University of Chicago Press.

C. CLEMENCY

1. The History of Clemency in Carital Cases

Abramowitz, Elkan and David Paget (1964) "Executive clemency in capital cases." New York University Law Review 39: 136-180.

Belli, Melvin (1975) "The story of pardons." Case and Comment 80:26-38.

Braithwaite, J.W. (1965) "Executive clemency in California: a case study in interpretation of criminal responsibility." Issues in Criminology 1:77.

History 7:51-62.

Setta, Leslie (1977) "The pardoning power - a world survey."

United Kingdom (1953) Royal Commission on Capital Punishment.

Grupp, Stanley (1963) "Some historical aspects of the pardon in England." The American Journal of Legal

 $\zeta_{i} = \chi_{i}$

Journal of Criminal Law and Criminology 68:83. 2. Issues in Granting Clemency Elack, Charles (1979) "Governors' dilemma." New Republic 180: 12-13. DiSalle, Michael (1964) "Comments on capital punishment and clemency." Ohio State Law Journal 25:71-77. ---- (1965) The Power of Life or Death. New York: Random House. Note (1981) "A matter of life and death: due protection in capital clemency proceedings." Yale Law Journal 90: 889-911. Rockefeller, Winthrop (1971) "Executive clemency and the death penalty." Catholic University Law Beview 21: 94-102. D. DEATH ROW CONFINEMENT 1. Statements by the Condemned Chessman, Caryl (1954) Cell 2455, Death Row. Englewcod Cliffs, N.J.: Prentice-Hall, Inc. Brasfield, Philip (1979) "Life on death row." Fellowship of Reconciliation (Dec.). Brasfield, P. and J.M. Elliot (1982) Deathman Pass Me By: Two Years on Death Row. San Bernardino, Ca.: Bcrgo Press. Koestler, Arthur (1966) Dialogue with Death. London: Macmillan. McCray, James (1982). Letter published in Matchbox. New York: Annesty International (Nov). (1984) "Death watch." St. Petersburg Times, Section D (May 27). Ritter, Wayne (1979) "Waiting to die in Alabama," Southern Coalition Report. Sullivan, Robert (1980) "Waiting to die." Rolling Stone 312 (March). 2. Studies of Condemned Prisoners Bailey, R. (1962) "Facing death: a new life perhaps too late." Life 53 (July), p. 28.

to extreme stress: impending death by execution." The American Journal of Psychiatry 119:393-396. Harper and Row. 84-92. to lengthy death row confinement." American Journal of Psychiatry 129: 167-171. Macmillan. Boston: Beacon Press. Elsevier. Glide Publications. Pilgrim Press. Crime and Delinquency 15:94. History 87: 51-66. capital punishment." Pp. 434-452 in The Death Penalty in America, Hugo Bedau, ed. New York: Doubleday. in Potentially Capital Cases." Unpublished Manuscript. New York: Da Capo Press. Boston: Little Brown.

Bluestone, Harvey and Carl McGabee (1962) "Reaction Davis, C. (1980) Waiting For It. New York: Friedman, Robert (1980) "Death row" Esquire (April): Gallemore, Johnnie and James Panton (1972) "Inmate responses

Gettinger, Stephen (1979) Sentenced to Die. New York: Jackson, Bruce and Diane Christian (1980) Death Row. Jchnson, Robert (1981) Condemned to Die. New York: Levine, Stephen (1972) Death Row, San Francisco: Magee, Doug (1980) Slow Coming Dark. New York: Murton, T. (1969) "Treatment of condemned prisoners." E. UNJUST CONVICTIONS AND INNOCENTS CONDEMNED

Turnbull, Colin (1978) "Death by decree." Natural Bedau, Hugo (1967) "Murder, errors of justice, and ____, and Michael L. Radelet (1984) "Miscarriages of Justice Borchard, Edwin (1970) Convicting the Innocent. Ehrmann, Herbert (1969) The Case That Will Not Die. Frank, J. and B. Frank (1957) Not Guilty.

PAGE 16

54

New York: Doubleday.

- Gardner, E.S. (1952) The Court of Last Resort. New York: W. Sloane Associates.
- ----- (1970) "Helping the innocent." U.C.L.A. Law Review 17:535-541.
- Kunstler, William (1961) Beyond a Reasonable Doubt? Westport, CT: Greenwood Press.
- Lassers, W.J. (1973) Scapegoat Justice: Lloyd Miller and the Failure of the American Legal System. Indianapolis: Indiana University Press.
- Lickson, Jeffery (1974) David Charles: The Story of the Quincy Pive. Tallahassee: The Ecckingbird Press.
- MacNamara, D. (1969) "Convicting the innocent" Crime and Delinguency 15: 57-61.
- Miller, Gene (1975) Invitation to a Lynching. Garden City, NY: Doubleday and Co.
- Pollack, O. (1952) "The errors of justice." Annals of the American Academy of Political and Social Science 284: 115-123.
- Radin, E.D. (1964) The Innocents. New York: Morrow.
- Scaduto, A. (1976) Scapegoat: The Lonesome Death of Bruno Richard Hauptmann. New York: Putnam,
- Schmitz, Anthony (1982) "Beyond reasonable doubt." Atlanta Weekly (May 30): 6-17.

F. JURY COMPOSITION

- Alker, Harward, Carl Hosticka and Michael Mitchell (1976) "Jury selection as a biased social process." Law and Society Review (Fall):9-41.
- Boehm, Virginia (1968) "Mr. Prejudice, Miss Sympathy and the authoritarian personality: an application of psychological measuring techniques to the problem of jury bias." Wisconsin Law Review: 734-800.
- Bronson, Edward (1970) "On the conviction proneness and representativeness of the death gualified jury: a study of Colorado venirement." University of Colorado Law Review 42: 1-32.

Burkhout, Robert and E. Baker (1977) "Juror attitudes and the death penalty." Social Acticn and the Law 3: 80-81.

Goldberg, Fay (1970) "Toward expansion of Withersroon: capital scruples, jury bias, and the use of psychological data to raise presumptions in the law." Harvard Civil Rights Civil Liberties Review 5: 53-69.

Gross, Samuel (1984) "Determining the neutrality of death-qualified juries: Judicial appraisal of empirical data." Law and Human Echavior 8:7-31.

Haney, Craig (1980) "Juries and the death penalty: readdressing the Witherspoon guestion." Crime and Delinquency 26: 512-527.

(1984) "On the selection of capital juries: the biasing effects of the death-qualification process." Law and Human Behavior 8:121-33.

Jacoby, Joseph and Raymond Paternoster (1982) "Sentencing disparity and jury packing: further challenges to the death penalty." Journal of Criminal Law and Criminology 73: 379-387.

Jurow, George (1971) "New data on the effects of a death qualified jury on the quilt determination process." Harvard Law Review: 567-611.

Thempson, William et al. (1984) "Death penalty attitudes and conviction proneness: the translation of attitudes into verdicts." Law and Human Behavior 8:95-115.

White, Welsh (1973) "The constitutional invalidity cf convictions imposed by death-qualified juries." Cornell Law Review: 1176-1220.

Winick, Bruce (1982) "Prosecutorial peremptory challenge practices in capital cases: an empirical study and constitutional analysis." Michigan Law Review 81:1.

Zeisel, Hans (1968) Some Data on Juror Attitudes Toward Capital Punishment. Chicago: Center for Studies of Criminal Justice.

G. GEOGRAPHICAL DISPARITY

PAGE 18

Bedau, Hugo (1976) "Felony murder rape and the mandatory death penalty: a study in discretionary justice."

Suffolk University Law Review 10: 493-520.

- Carnoy, F.J. and A.L. Fuller (1969) "A study of plea bargaining in murder cases in Massachusetts." Suffolk University Law Review 3: 292-307.
- Ehrmann, Herbert (1952) "The death penalty and the administration of justice." The Annals of the American Academy of Political and Social Science 284: 73-84.

H. PUBLIC OPINION

- Ellsworth, Phoebe and L. Ross (1976) "Public crinion and judicial decision making: an example from research on capital punishment." Pp. 152-171 in Bedau and Pierce 1976.
- Erskine, H. (1970) "The colls: capital punishment." Public Opinion Quarterly 34:290-307.
- Rankin, J.H. (1979) "Changing attitudes toward carital punishment." Social Forces 58: 194-211.
- Sarat, A. and N. Vidmar (1976) "Public crinicn, the death penalty, and the Eighth Asendsent: testing the Marshall Hypothesis." Wisconsin Law Review 171-206.
- Smith, T.W. (1975) "A trend analysis of attitudes toward capital punishment, 1936-1974. Pp. 257-318 in Studies of Social Change since 1948, vol. II, J.A. Davis, ed. Chicago: University of Chicago,
- Themas, Charles and S. Foster (1975) "A sociological perspective on public support for capital funishment." American Journal of Orthopsychiatry 45: 641-657.
- Thomas, Charles and R. Howard (1977) "Public attitudes toward capital punishment: a comparative analysis." Journal of Behavioral Economics 6:189-216.
- Tyler, T.R. and R. Weber (1982) "Support for the death penalty: instrumental response to crime, or symbolic Attitude?" Law and Society Review 17(Nov):21,
- Vidmar, N. (1974) "Retributive and utilitarian motives and other correlates of Canadian attitudes toward the death penalty." Canadian Psychologist 15: 337-356.
- Vidmar, N. and Pheobe Ellsworth (1974) "Public crinion and the death penalty." Stanford Law Review 26: 1245-1270.

I. COMPARABLE EXCESSIVENESS

- Stanford Law Review 33: 75-101.
- 227-252.

J. ECONOMIC ASPECTS OF CAPITAL PUNISHBENT

- 70: 281-298.
- Criminal Law Bulletin 14:69-80.
- State." Albany: NYSPDA.
- K. SOCIAL SCIENCE AND THE DEATH FENALTY
- 1343-1414.
- of Law and Psychiatry 1:283-308.

PAGE 20

Arkin, Steve (1980) "Discrimination and arbitrariness in capital runishment: an analysis of post-Furman murder cases in Dade County, Florida, 1973-1976."

Baldus, D., C. Pulaski, G. Woodworth and F. Kyle (1980) "Identifying comparatively excessive sentences of death: a quantitative approach." Stanford Law Beview 33: 1-74.

Zimring, P., J. Eigen and S. O'Malley (1976) "Punishing homicide in Philadelphia: perspectives on the death penalty," University of Chicago Law Review 43:

Adelstein, R.P. (1979) "Informational paradox and the pricing of crime: capital sentencing standards in economic perspective." Journal of Criminal Law and Criminology

McKee, D.L. and M.L. Sesnowitz (1976) "Welfare econcmic aspects of capital punishment." American Journal of Eccnomics and Sociology 35:41-47.

Nakell, Barry (1978) "The cost of the death penalty."

New York State Defenders Association (1982) "Capital losses: the price of the death penalty for New York

Daniels, S. (1979) "Social science and death renalty cases." Law and Policy Quarterly (July): 336-372.

Dix, George (1977) "Administration of the Texas death penalty statutes: constitutional infirmities related to the prediction of dangerousness." Texas Law Review 55:

63

----- (1978) "Participation by mental health professionals in capital murder sentencing." International Journal PAGE 21

Little, Brown. Dorin, D.D. (1982) "Two different worlds." Journal of Criminal Law and Criminology 72: 1667-1698. Strafer, G. Richard (1983) "Volunteering for execution: competency, voluntariness, and propriety of third White, Welsh (1974) "The role of the social sciences in party intervention." Journal of Criminal Law and determining the constitutionality of capital punish-Criminology 74:860. ment," Duquesne Law Review 13: 279-301. Wolfgang, Marvin (1978) "The death penalty: social philo-N. METHODS OF EXECUTION sophy and social science research." Criminal Law Bulletin 14:18-33. Gardner, M. (1978) "Executions and indignities - an Eighth Amendment assessment of methods of inflicting capital L. EFFECTS OF CAPITAL PUNISHMENT ON FAMILIES, WARDENS, punishment." Ohio State Law Journal 39:96-130. LAWYERS, CHAPLAINS AND OTHERS INVOLVED O. RECIDIVISM AMONG MURDERERS AND PREDICTIONS OF DANGEROUSNESS Berry, J. (H.S. Ward, ed.) (1892) My Experiences as an Executioner. Detroit: Gale Research Co. Dix, George (1977) "Death penalty, 'dangerousness,' Duffy, C. and A. Hirshberg (1962) 88 Men and 2 Women. psychiatric testimony, and professional ethics." American Journal of Criminal Law 5:151. N.Y.: Doubleday. _____ (1977) "Administration of the Texas death penalty Finkle, David (1982) "Thwarting the chair." The Floridian (Nov. 7): 8-17. statutes: constitutional infirmities related to the prediction of dangerousness." Texas Law Review 55: Eshelman, Byron (1962) Death Row Chaplain. Englewood Cliffs: 1343-1414. Prentice-Ball. Heilbrun, A. L. Heilbrun and K. Heilbrun (1978) "Impulsive Elliot, R. (1940) Agent of Death: The Memcirs cf an and premeditated homicide: an analysis of subsequent Executioner. New York: Dutton. parole risk of the murderer." Journal of Criminal Law and Criminology 69: 108-114. Lawes, Lewis (1924) Man's Judgment of Death. New York: Monahan, J (1978) "The prediction of violent criminal behavior: Putnam, a methodclogical critique and prospectus." Pp. 244-269 in Deterrence and Incapacitation, Blumstein, ed. Washington: Pierrepoint, Albert (1974) Executioner: Pierrepoint. Sevenoaks, Kent: Hodder and Stoughton. National Academy of Sciences. Radelet, Michael L., Margaret Vandiver, and Felix Stanton, J. (1969) "Murderers on parole." Crime and Delinguency Berardo (1983) "Families, prisons, and men with 15:149-155. death sentences." Journal of Family Issues 4:593-612. Waldo, Gordon (1970) "The criminality level of incarcerated nurderers and non-nurderers." Journal of Criminal Law, Criminology, and Police Science 61:60. Reid, Don (1973) Eyewitness. Houston: Cordovan Press. M. CONSENSUAL EXECUTIONS P. PSYCHIATRIC TESTIMONY AND EXECUTION OF THE INSANE Johnson, K. (1981) "Death row right to die: suicide or ultimate Dix, George (1978) "Participation by mental health professionals in capital murder sentencing." decision?" Southern California Law Review 54: 575-International Journal of Law and Psychiatry 1:283-308. 631. Mailer, N. (1979) The Executioner's Song. Boston: Drinan, R.P. (1952) "The state and insane condemned criminals."

1. N

.

Jurist 12:92.

- Ehrenzweig, A.A. (1965) "A psychoanalysis of the insanity plea - clues to the problems of criminal responsibility and insanity in the death cell." Criminal Law Bulletin 1:3.
- Ewing, C.P. (1982) "Psychologists and psychiatrists in capital sentencing: Experts or executioners?" Social Action and the Law 8:67,
- Larkin, P.J. (1980) "Eighth Amendment and the execution of the presently incompetent," Stanford Law Beview 32:765.
- Note (1979) "Insanity of the condemned." Yale Law Journal 32:765.
- Radelet, Michael L. and George Barnard (1984) "The ethics of psychiatric involvement in determinations of competency to be executed." Unpublished manuscript.

Solesbee v. Balkcom, 339 U.S. 9 (1950).

White, Welsh S. (1983) "The psychiatric examination and the Fifth Amendment privilege in carital cases." Journal of Criminal Law and Criminology 74:943.

III. LEGAL ISSUES

A. UNITED STATES

1. Historical and General Infcrmation

- Baldus, David, Charles Pulaski, and George Woodworth (1983) "Comparative Review of death sentences: An empirical study of the Georgia experience." Journal of Criminal Law, Criminology, and Folice Science 74:661.
- Bedau, Hugo (1977) The Courts, the Constitution and Capital Punishment. Lexington, MA: Lexington Books,
- Berger, Raoul (1982) Death Penalties: The Supreme Court's Obstacle Course. Cambridge, MA: Harvard University Press.
- Black, Charles (1981) Capital Punishment: The Inevitability of Caprice and Mistake. New York: W.W. Acrton and Co.

Dix, George (1979) "Appellate review of the decision to impose death." Georgetown Iaw Journal 68:97-161, Forman v. Georgia, 408 U.S. 238 (1972) Gillers, S. (1980) "Deciding who dies." University of Pennsylvania Law Review 129 (Nov.):1. Goodpaster, Gary (1983) "Judicial review of death sentences." Journal of Criminal Law and Criminolcgy 74:786, Greenberg, J. and J. Himmelstein (1969) "Varieties cf attack on the death penalty." Crime and Delinguency 15: 112-120. Gregg v. Georgia, 428 U.S. 153 (1976). Jurek v. Texas, 428 U.S. 262 (1976). Meltsner, Michael (1973) Cruel and Unusual: The Supreme Court and Capital Punishment. New York: Random House. Proffitt v. Florida, 428 U.S. 242 (1976). Stevens, Leonard (1978) Death Penalty. New York: Coward, McCann and Geoghegan. SUNY-Stony Brook. 2. Principal Issues

Townsey, Roi (1979) Structural Fallibility. Ph.D. Dissertation,

a. Application and review of aggravating and mitigating

circumstances

Barclay v. Florida 103 S.Ct. 3418 (1983). Eddings v. Oklahoma, 455 U.S. 104 (1982). Godfrey v. Georgia, 63 L.Ed 2398 (1980). Lockett v. Ohio, 438 U.S. 586 (1978).

b. Proportionality

Ccker v. Georgia, 433 U.S. 584 (1977).

Pulley v. Harris, 104 S.Ct. _____ (1984).

PAGE 24

 $C_{\mathcal{A}}$

PAGE 25

.

.

| | t |
|--|---|
| c. Sufficiency of the evidence | |
| Tibbs. v. Florida, 1025 S.Ct. 2211 (1982). | Woodson v. North Carolina |
| d. Participation in felony murder | i. Effectiveness of cour |
| Enmund v. Florida, 102 S.Ct. 3368 (1982). | Gocdpastor, G. (1983) of counsel." New Yo |
| e. Extra-record materials considered by the courts | Strickland v. Washington, |
| Ford v. Strickland, 696 F.2d 804 (1983). | j. Stays of execution |
| Gardner v. Florida, 430 U.S. 349 (1977). | Alabama v. Evans, 103 S.C |
| Vanderbilt Law Review (1977) "Gardner v. Florida: The application of due process to sentencing procedures." Vanderbilt Law Review 63(November):1281. | Barefoot v. Estelle, 103 |
| Yetter, J.F. (1978) "Gardner v. Florida: Fre-sentence reports | k. Claims of arbitrarin |
| in capital sentencing procedures." Ohio N.L. Review 5(January):175. | Adams v. Wainwright, 709 |
| f. Jury service for death penalty opponents | Adams v. Wainwright, 734 104 S.Ct (1984 |
| Casey, D.A. 1980. "Grisby v. Mabry: A New Lock at Death | Ford v. Strickland, 734 |
| Qualified Juries." American Criminal Law Review 18:145. | McClesky v. Zant, F. |
| Grigsby v. Mabry, 483 F.Supp. 1372. | Smith v. Balkcom, 660 F. |
| Witherspoon v. Illinois, 391 U.S. 510 (1968). | Smith v. Balkcom, 671 F. |
| g, Cruel and unusual punishment | Smith v. Kemp, 104 S.Ct. |
| Berkson, L. (1975) The Concept of Cruel and Unusual | Spencer v. Zant, 715 F.2 |
| Punishment. Lexington, MA: Beath. | Spenkellink v. Wainwrigh |
| In re Kemmler, 136 U.S. 436 (1889). | Sterhens v. Kemp, 722 F. granted 104 S.Ct. 5 |
| Louisiana ex rel Francis v. Resweber, 329 U.S. 459 (1947). | - |
| Trop v. Dulles, 356 U.S. 86 (1958). | Sullivan v. Wainwright, denied, 104 S.Ct. 4 |
| Weems v. Ù.S., 217 U.S. 349 (1910). | |
| U.S. v. Jackson, 390 U.S. 570 (1968). | 1. Double Jeopardy |
| h. Mandatory death sentences | Bullington v. Missouri, |
| Roberts v. Louisiana, 428 U.S. 325 (1976). | Access to courts |
| | |

```
ina, 428 U.S. 280 (1976).
unsel
"Trial for life: effective assistance
York University Law Review 58: 299-362.
on, 104 S.Ct. 2052 (1984).
.Ct. 1735 (1983).
3 U.S. 3383 (1983).
ness and discrimination
9 F.2d 1443 (1983).
34 F.2d 511 (1984), vacated
34).
F.2d 538 (1984); 104 S.Ct. ___ (1984).
F.Supp ___ (1984).
2.2nd 573 (1981).
.2d 858 (1982).
t. 565 (1984).
2d 1562 (1983).
ght, 578 F.2d 582 (1978).
F.2d 627 (1983); stay of execution 562 (1983).
 721 F.2d 316 (1983); stay of execution
450 (1983).
```

,

. .

101 S.Ct. 1852 (1982).

PAGE 26

-

 \mathbb{C}^{∞}

.

| р | A | G | E | 27 |
|---|---|---|---|----|
| | | | | |

Hocks v. Wainwright, 536 F.Supp. 1330 (1982). n. Legal Aspects of Death Row Confinement Chessman v. Dickson, 275 F.2d 604 (1960). Commonwealth v. O'Neil, 339 N.E.2d 676 (1975). In re Anderson, 447 P.2d 117 (1968). In re Medley, 134 U.S. 160 (1890), Note (1972) "Mental suffering under sentence of death." Iowa Law Review 57:814-833. Sclesbee v. Balkcom, 399 U.S. 9 (1950). o. Cases Concerning Clemency Bacret et us. v. Holmes, 215 Cr. 121 (1958). Henry v. State, 10 Okla, Crim, 369 (1913). Schick v. Reed, 419 U.S. 256 (1974). Spenkellink v. Wainwright, 578 F.2d 582 (1978). Sullivan v. Askew, 358 So. 2d 312 (1977). U.S. v. Wilson, 32 U.S. 150 (1833). B. Florida 1. Historical and General Information Adler, S. (1981) "Florida's zealous prosecutors: death specialists." American Lawyer 3 (September):35. Blitch v. Buchanan, 131 So. 151 (1930). Boyd, J. and J. Logue (1980) "Developments in the application of Plorida's capital felony sentencing law." University of Miami Law Beview 34:441-97. Clark, R. (1979) "Rush to death: Spenkelink's last appeal." The Nation 229:335. Dcnaldson v. Sack, 265 So.2d 499 (1972). Ehrhardt, C.W. and L.H. Levinson (1973) "Florida's

PAGE 28 legislative response to Furman: an exercise in futility?" Journal of Criminal Law and Criminology 64:10-21. Ehrhardt, C.W., P. Hubbart, L. Levinson, W. Smiley, and T.A. Wills (1973) "The aftermath of Furman: the Florida experience, I. The future of capital punishment in Florida. Journal of Criminal Law and Criminology 64:2. Jarvis v. Charman, 159 So. 282 (1934). Kaplan, David (1984) "In Florida, a story of politics and death." National Law Journal (July 16). State v. Dixon, 283 So.2d 1 (1973). University of Florida Law Review (1971) "Eifurcating Florida's Capital Trials: Two steps are better than one." University of Florida Law Review 24:127. University of Miami Law Review (1974) "Florida death penalty: A lack of discretion?" University of Miami Law Review 28:723. Yetter, J.F. (1978) "Florida's death penalty - is it unconstitutional under state law?" Florida Bar Journal 52 (May): 372. 2. Principal Issues a. Role of appellate review Meeks v. State, 339 So.2d 539. Goode v. State, 365 So.2d 381. Barvard v. State, 375 So.2d 833. b. Jury recommendation of life Jchnson v. State, 393 So.2d 1069. Spaziano v, Florida, 104 S.Ct. ____ (1984). Tedder v. State, 322 So.2d 908. Williams v. State, 344 So.2d 1276. c. Role of aggravating and ∎itigating factors Ford v. State, 374 So.2d 496,

52

| | PAGE 29 | e |
|---|--|---|
| Mikenas v. State, 367 So.2d 606. | | Gardner, M. (1979) " A Journal of Mo. |
| d. Rape of a minor | | Hertel, J.R. (1972) punishment?" A |
| Buford v. State, 403 So.2d 943. | | Lasky, I. (1974) "Pa punishment." Ma |
| Coler v. State, 418 So.2d 238. LeDuc v. State, 365 So.2d 149. | National Interreligio "Capital runish New York: N.I.T. | |
| e. Similar cases/Dissimilar results Sawyer v. State, 313 So.2d 680/Taylor v. St | ate, 294 So.2d 648. | B. THE MORALITY OF 1 |
| Gardner v. State, 313 So.2d 675/Chambers v. | State, 339 So.2d 204. | Amsterdam, A.G. (1971 Juris Dcctor (No |
| Jones v. State, 332 So.2d 615/McCray v. Sta | ite, 395 So.2d 1145. | Andenaes, J. (1970) of Chicago Law B |
| f. Change in standards over time Witt v. State, 387 So.2d 922. | | Barzun, Jacques (1962 American Scholar |
| Proffitt v. State, 15 So.2d 461. | | Beccaria, Cesare (176 (trans.) Indiana |
| <u>IV</u> . MOBAL ISSUES | | Bedau, Hugo Adam (197 Pamphlet availab (revised version |
| A. RELIGION AND CAPITAL PUNISHMENT | | (1978) "Retrib The Journal of P |
| Beristain, A. (1977) "Capital runishment a International Journal of Criminology a 5: 321-333. | | (1980) "Capital Life and Death, |
| Castelli, J. (1973) "Theology shifting on National Catholic Reporter (April 6):1f | death penalty." f. | Berns, Walter (1979) Morality of the |
| | | (1980) "Defendi |

- Cohn, H. (1970) "The penology of the Talaud." Israeli Law Review 5:53-74.
- Compagnoni, F. (1979) "Capital punishment and torture in the tradition of the Catholic Church" Pp.39-53 in The Death Penalty and Torture, Bockle and Pohier, eds. New York: Seabury Press.
- Durick, J.A. (1973) "Death renalty unchristian." National Catholic Reporter (MArch 16):1.

....

PAGE 30 "Mormonism and capital punishment" Dialoguelormon Thought 12:9-26. "Can a Christian defend capital America (October 7):262. Paradigm of religion, medicine and capital Medical Science Law 14: 26-31. ious Task Force on Criminal Justice (n.d.) shment: what the religicus community says," T.F.C.J. THE DEATH PENALTY 71) "The case against the death renalty." November):11. "The morality of deterrence." University Review 37:649-664. 62) "In favor of capital punishment." The ar:181-191. 764) On Crimes and Punishments. H. Paolucci napolis: Bobbs-Merrill. 973) The Case Against the Death Penalty. able from American Civil Liberties Union on to be published in 1984). bution and the theory of runishment." Philosophy 55: 601-620. al punishment," Pp. 148-182 in Matters of Tom Regan, ed. New York:Bandom House. For Capital Punishment: Crime and the Death Penalty. New York: Easic Books. ling the death penalty." Crime and Delinguency 26:503-511. Blake, Leslie (1973) "The sentence for murder - the case for retribution." New Law Journal:914-1058. Bruck, David (1983) "Decisions of death." The New Republic, December 12. Camus, Albert (1966) "Reflections on the quillotine." In Resistance, Rebellion and Death. New York: Alfred A. Knopf.

6:2

- Cardozo, Benjamin (1931) Law and Literature and Cther Essays and Addresses. New York: Harcourt, Brace.
- Carrington, Frank (1978) Neither Cruel ncr Unusual. New Rochelle, N.Y.:Arlington HOuse.
- Clark, Ransey (1970) Crime in America. New York: Simon and Schuster.
- Curran, W. and W. Casscells (1980) "The ethics of medical participation in capital punishment by intravenous drug injection." New England Journal of Medicine 302: 226-230.
- District Attorney of Suffolk County v. James Watson and Others. 411 N.E.2d 1274 (1980).
- Donnelly, S. (1978) "A theory of justice, judicial methodology and the constitutionality of capital punishment." Syracuse Law Review 29: 1109-1174.
- Evans, M. (1977) "The case for capital runishment." Human Events (Feb. 12):8ff.
- Henson, R. (1971) "Utilitarianism and the wrongness of killing." Philosophical Research 80:320-337.
- Lampart, R (1981) "Desert and deterrence: an assessment of the moral bases of the case for capital punishment." Michigan Law Review 79: 1177-1231.
- Lander, Lilly (1971) "Capital punishment as a human rights issue before the U.N." Human Rights Journal 4: 511-534.
- Lehtinen, Marlene (1977) "The value of life: an argument for the death penalty." Crime and Delinquency 23:237-252.
- Lempert, R. (1981) "Desert and deterrence: an assessment of the moral bases of the case for capital runishment." Michigan Law Review 79:1177-1231.
- Moberly, Walter (1968) The Ethics of Punishment. London: Faber and Faber.
- Pugsley, R. (1981) "Retributive arguments against capital punishment." Hofstra Law Review 9: 1501-1523.
- Riga, P. (1981) "Capital punishment and the right to life: some reflections on the human right as absclute." University of Puget Sound Law Review 5: 23-40.
- Rosenberg and Levy (1978) "Capital punishment coming to grips with the dignity of man." California West

Law Review 14:275-297. the death penalty." Crime and Delinquency 23: 253-259. West Virginia Law Review 63:59. (1962) "Death in life of Benjamin Reid," Esquire (February):114. Esquire (November):79. penalty: a legal-practical-moral analysis." Criminal Law Bulletin 14:51-68. and John Conrad (1983) The Death Penalty:

Smith, G. (1977) "The value of life - arguments against Snyder, O.C. (1961) "Capital punishment: the moral issue." Styron, W. (1962) "The aftermath of Benjamin Beid," Van den Haag, Ernest (1978) "In defense of the death ----- (1975) Punishing Criminals. New York: Basic Books.

A debate. New York: Plenum Fress.

Ĵ

v

` t

1

END

مہ

0

`