



Beyond Repair?: America's Death Penalty (Constitutional Conflicts)

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Can the death penalty be administered in a just way—without executing the innocent, without regard to race, and without arbitrariness? How does capital punishment in the United States fit with international human rights law? These are among the questions that leading legal scholars and journalists explore in *Beyond Repair?* All new, the essays in this collection focus on the period since 1976, when the Supreme Court held that capital punishment, in and of itself, does not violate the Constitution. In addition to reflecting on the most recent developments in the law, the contributors draw on empirical research to consider connections between newly available data and modern American death penalty procedures.

A number of the essays scrutinize thinking about capital punishment. They examine why, following almost two decades of strong public support for the death penalty, public opinion in favor of it has recently begun to decline. *Beyond Repair?* presents some of the findings of the Capital Jury Project, a nationwide research initiative that has interviewed over one thousand people who served as jurors in capital trials. It looks at what goes through the minds of jurors asked to consider imposing the death penalty, how qualified they are to make such an important decision, and how well they understand the judge's instructions. Contributors also investigate the risk of executing the innocent, the role that race plays in determining which defendants are sentenced to death, and the effect of expanded restrictions on access to federal appellate relief. The postscript contemplates the peculiarities of our contemporary system of capital punishment, including the alarming variance in execution rates from state to state.

Filled with current insights and analysis, *Beyond Repair?* will provide valuable information to attorneys, political scientists, criminologists, and all those wanting to participate knowledgeably in the debates about the death penalty in America.

Contributors. Ken Armstrong, John H. Blume, Theodore Eisenberg, Phoebe C. Ellsworth, Stephen P. Garvey, Samuel R. Gross, Sheri Lynn Johnson, Steve Mills, William A. Schabas, Larry W. Yackle, Franklin E. Zimring

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