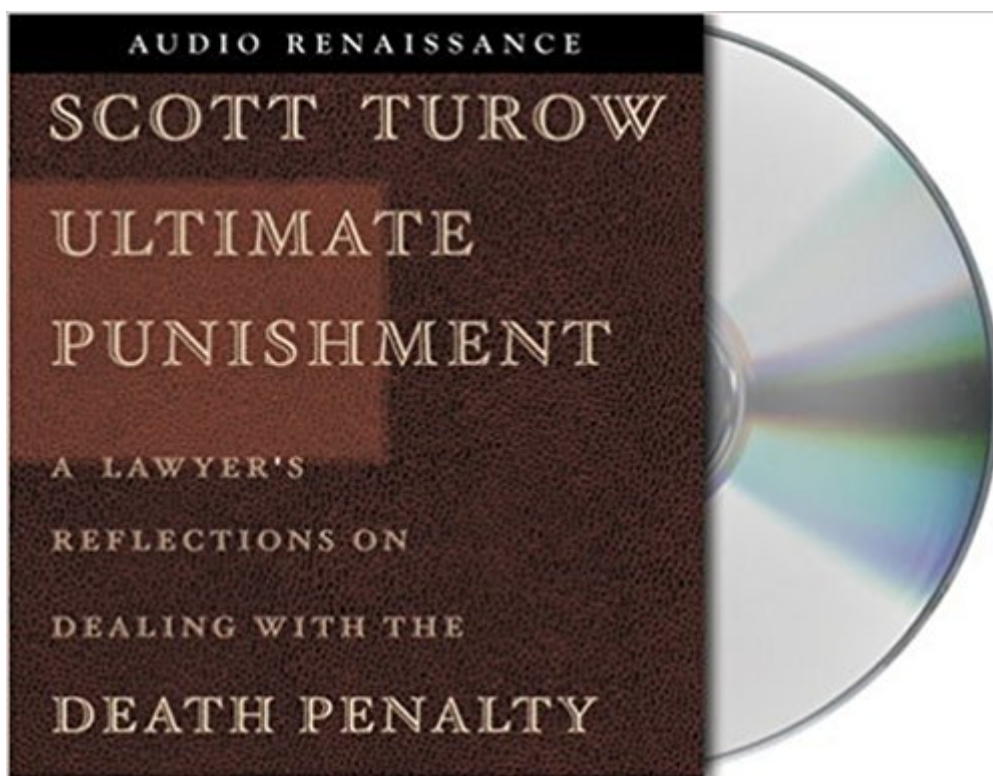


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Ultimate Punishment: A Lawyer's Reflections On Dealing With The Death Penalty



Synopsis

A compelling exploration of one of society's most vexing legal issues, written and read by bestselling author Scott Turow. Scott Turow is known to millions as the author of peerless novels about the troubling regions of experience where law and reality intersect. In *œreal life*, as a respected criminal lawyer, he has been involved with the death penalty for more than a decade, including successfully representing two different men convicted in death-penalty prosecutions. In this vivid account of how his views on the death penalty have evolved, Turow describes his own experiences with capital punishment from his days as an impassioned young prosecutor to his recent service on the Illinois commission that investigated the administration of the death penalty and influenced Governor George Ryan's unprecedented commutation of the sentences of 164 death row inmates on his last day in office. This gripping, clear-sighted, necessary examination of the principles, the personalities, and the politics of a fundamental dilemma of our democracy has all the drama and intellectual substance of Turow's celebrated fiction.

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Customer Reviews

I have been a fan of Scott Turow's fiction for a number of years. So, when I was asked to read and review his latest work, a nonfiction book dealing with one of the most controversial topics in America today, that of capital punishment, I eagerly anticipated the opportunity to find out what this bestselling author-lawyer had to say on the subject. I was not disappointed. Turow's very short treatise on the "ultimate punishment" (only about 120 pages of actual discussion) immediately brings the controversy into focus and lays out the arguments on both sides of the issue. Admitting

that initially he was an "agnostic" regarding the death penalty, Turow was appointed to serve on the Illinois Commission on Capital Punishment by then-Governor George Ryan, who had declared a moratorium on further executions in Illinois on January 31, 2000, a decision that was heavily criticized by many both in his own state and also nationwide. Ryan's justification for his action was that the Illinois' capital justice system was "fraught with error." Shortly after he issued the moratorium, Governor Ryan put together a fourteen-member Commission to look into the matter of reforming the system. Former prosecutor and now-defense attorney Scott Turow has used his experience serving on the Commission to examine the very serious debate over the death penalty in "Ultimate Punishment." Turow's examination of capital punishment is not merely theoretical. He has been directly involved in death penalty cases, including successfully representing two different individuals convicted in death-penalty prosecutions. In other words, he can speak from practical experience and not just from the ivory tower of academic debate.

Rendered with his fictional writing flair, Turow has tackled a subject matter that literarily deals with life and death. In this short though thorough essay, the novelist reflects on the many arguments surrounding the death penalty. In March 2000, a Moratorium on executions was declared by the then Governor of Illinois, George Ryan. Turow, along with many distinguished lawyers and academics, after two years of deliberation, submitted their recommendations. As a result of these findings, Ryan made international news by commuting the sentences of 167 persons left on death row. (This made headline news in Australia as the death penalty here was abolished over forty years ago) It should go without saying that this was a bold move by the Governor and potential political suicide. However he was at the end of his tenure and decided to make a choice and act on that choice. This book summarizes the many aspects of the Moratorium's deliberations, which makes fascinating reading. Before the Moratorium, Turow admits that he was a "Death Penalty Agnostic". In other words, the man was a fence sitter, refusing to make a stand either way. However, after two years on the committee, and by the end of the essay, if asked whether Illinois should retain Capital Punishment, his answer is a certain, no. After reading the many reasons for and against the debate, I found it understandable why he fell off the fence. That the system is fallible and the fact that, for the most part, we seem to be hard wired for revenge, it has been all too easy, in our zealously for justice or retribution, to execute innocent people. This has occurred far too many times for any government to be comfortable executing its citizens.

"Ultimate Punishment" was written soon after Scott Turow finished serving on a public commission

to investigate the death penalty in Illinois. The book is part memoir, part reflection on capital punishment. It's rational and fairminded, but very short (barely 120 pages) and very light on legal analysis or social science. Its core rhetorical strategy is to consider a few actual death penalty cases that plunge the reader into the pain and moral ambiguities of capital punishment. On the one hand, these horrific crimes cry out for vengeance. It's difficult to imagine a 10-year old girl being raped, tortured and strangled without wanting to string up the perpetrator. And yet...there's no evidence that the death penalty deters murder. The killers themselves are badly broken beings, victims of child abuse or mental retardation. Innocent men are sometimes sentenced to death: when a grisly crime is committed, juries are eager to convict someone (anyone), and some cops and prosecutors are willing to cut corners. And the whole death penalty system is arbitrary and biased against non-whites: the evidence shows that juries value the lives of white victims more than the lives of non-white victims. It's a wretched human landscape. Unfortunately, Turow's potted case summaries are too rushed and underanalyzed to really do justice to the subject. The book feels like a long magazine article. In the end, he decided that he is against the death penalty. That's an understandable position but it was no excuse for not writing a longer, more serious book.

Memory Lane: I worked briefly as a deputy district attorney in California in the mid-1980s after I graduated from law school.

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