
Preface

This volume explores the many commonalities (and some significant differences) in the worldwide movement away from capital punishment that began in the late eighteenth century and sharply accelerated during the last half-century. Now the industrialized West is an almost completely abolitionist zone—with the notable exception of the United States—and the death penalty is waning in many other regions of the globe, though it is also seeing a resurgence in some parts of the Middle East and Africa.

Death penalty scholars and lawyers tend to work in silos around certain countries or regions, and books with a worldwide scope are rare. This volume in the *Comparative Law* series does not aspire to offer a comprehensive compendium of death penalty practices by region or over time. Rather, it provides a set of in-depth, critical, comparative essays that focus on the ‘why’ rather than the ‘what’ of things and attempt to project more into the future. There are many common themes even in apparently disparate parts of the world, such as the kinds of restrictions and reforms that usually precede abolition, the moral, political and legal strategies of reformers and abolitionists, the forces that promote retention and the distinctive possibilities and pitfalls of various pathways to change. The contributors to this volume are drawn from around the globe, and they include both scholars and practicing lawyers whose expertise centers on capital punishment.

The death penalty is a compelling topic in its own right, but its study also provides a window into policy change in the broader arena of criminal justice. A comparative approach helps to unearth the sometimes hidden or assumed import of competing theories of criminal punishment. It also sheds light on institutional capacities that promote or impede change in criminal justice systems and affect the scope and speed of any such change. As the most dramatic and contested criminal justice practice in the world today, capital punishment offers an excellent focal point for exploring these issues.

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