Record Nr. UNINA9910782063603321 Qualities of mercy [[electronic resource]]: justice, punishment, and **Titolo** discretion / / edited by Carolyn Strange Pubbl/distr/stampa Vancouver, : UBC Press, c1996 **ISBN** 1-283-13203-6 9786613132031 0-7748-5475-8 Descrizione fisica 1 online resource (200 p.) Altri autori (Persone) StrangeCarolyn <1959-> Disciplina 364.6/09 Punishment - Great Britain - History Soggetti Punishment - Canada - History Punishment - Australia - History Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Nota di bibliografia Includes bibliographical references and index. ""Contents""; ""Foreword""; ""Acknowledgments""; ""Introduction""; ""1 Nota di contenuto Civilized People Don't Want to See That Sort of Thing: The Decline of Physical Punishment in London, 1760-1840""; ""2 In Place of Death: Transportation, Penal Practices, and the English State, 1770-1830""; ""3 'Harshness and Forbearance': The Politics of Pardons and the Upper Canada Rebellion""; ""4 Savage Mercy: Native Culture and the Modification of Capital Punishment in Nineteenth-Century British Columbia""; ""5 Discretionary Justice: Political Culture and the Death Penalty in New South Wales and Ontario, 1890-1920"" ""Punishment in Late-Twentieth-Century Canada: An Afterword"""" Select Bibliography""; ""Contributors""; ""Index""; Sommario/riassunto Qualities of Mercy deals with the history of mercy, the remittance of punishments in the criminal law. The writers probe the discretionary use of power and inquire how it has been exercised to spare convicted criminals from the full might of the law. Drawing on the history of England, Canada, and Australia in periods when both capital and corporal punishment were still practised, they show that contrary to common assumptions the past was not a time of unmitigated terror

and they ask what inspired restraint in punishment. They conclude that

the ability to decide who lived and died -- through the exercise or denial of mercy -- reinforced the power structure. The essays are an important contribution to current public policy debates. If today's move towards unyielding and harsher punishment proceeds, including campaigns to reinstate capital punishment, mercy alone will fail to neutralize the inequities of criminal justice. Only profound cultural shifts and transitions of sensibility have the force to stem the tide of unprecedented punitiveness.