In the Shadow of Death:
Death Penalty Abolitionism and the Normalisation of Life Imprisonment: A Comparative Study

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Background:
My doctoral thesis examined the ties between the normalization of life imprisonment without the possibility of parole (LWOP) and death penalty abolitionism, using California as a case study. It explored the extent to which members of the civil society, who challenge capital punishment (lawyers, non-profit organizations and lobbyists have helped normalize LWOP by fostering the belief that it was benign, humane, and merciful.

The thesis’ main argument was that, in the shadow of the traditional death penalty, LWOP had been modelled to appear progressive and moderate. Through different normalizing mechanisms, namely routinization, restrained visibility and denial, LWOP’s extreme severity has been lost and made to seem normal. Caught up in these normalizing mechanisms are opponents to the death penalty, academics, defence lawyers, activists. While those who promote, campaign, plead and settle for LWOP are not to blame for activating these processes, they have unfortunately become part of the normalization phenomenon. Ultimately, this thesis recommended that now—more than ever, and even more so in California—it was key to link the goals of death penalty abolitionism with strategies relating to life imprisonment reform.

Drawing on Joshua Page’s concept of the ‘penal field’, the dissertation focused on three sites where abolitionists lobbied, campaigned, pled and settled for LWOP, namely Congress, the broader political sphere, and courtrooms. This dissertation then contrasted abolitionists’ representation of LWOP’s severity with prisoners’ lived experience. Given the difficulties of accessing the carceral environment, this project relied on an innovative research method that enabled me to collect over 300 letters of prisoners serving life without parole in California. Their first-hand testimonies shed unprecedented light on an under-researched, rarely considered and often misconceived form of punishment. The project was interdisciplinary, using qualitative and quantitative methods and drawing upon literatures in the sociology of punishment, criminal justice, sentencing, and social policy.

Findings:
The findings of this research advances knowledge in criminology, and informs the study of ‘Punishment and Society’ on normalizing penal mechanisms and the part played by progressive reformers. The doctoral dissertation further offers policy-oriented contributions that resonates beyond California and the US, where similar forms of sentencing are emerging or being considered. The project has already begun to impact policymaking. For instance, while conducting my fieldwork in California in 2014, The California Bar Association invited me to present my preliminary research findings on LWOP to a Japanese delegation composed of the Japanese parliamentary group for the abolition of the death penalty, including the former Minister of Justice. The delegation was enquiring about California’s LWOP as it was
considering promoting it as part of their abolitionist strategy. Since then, I have been in regular contact with the delegation, and am now working on a collaborative and comparative policy project.

As a fellow of the Global Criminal Justice Hub, my immediate research plans include the publication of my DPhil thesis as a monograph with an international publisher such as the University of California Press. I further intend to expand my current work to critically examine and compare the normalization of life imprisonment in retentionist and abolitionist countries, namely the UK, France and the US. More specifically, I will investigate the part played by progressive reformers—i.e., death penalty abolitionists and prison activists—in the emergence, policymaking and use of life imprisonment in these jurisdictions. Additionally, I aim to contrast and compare prisoners’ experience of life imprisonment to investigate the extent to which life imprisonment amounts to a new form of death sentence. To this end, I will revert to the innovative quantitative and qualitative methods used for my doctoral project.

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