

Just Mercy (Bryan Stevenson) Study Guide

Just Mercy (Bryan Stevenson) by Bryan Stevenson

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Summary

The book begins with a somewhat autobiographical introduction by the author, in which he describes how he became both interested in, and a practitioner of, defense law. The introduction concludes with the author's enumeration of three principles of justice that he learned not only as a result of attending law school, but of listening to people (including his grandmother) with first-hand experience of how the laws of the American legal system tended to work in relation to those perceived as less worthy of justice.

The main body of the book follows two separate, yet related, narrative lines. The first follows / recounts the case of Walter McMillian, a black man wrongfully accused, and eventually convicted, of the death of a young white woman. The author describes the process by which he became suspected of, and incriminated in, the killing; his mockery of a trial, and his being sentenced to death; his long wait on death row; and the processes undertaken by the author to first reduce Walter's sentence and then, eventually, to get him exonerated. Throughout this particular narrative line, the author makes reference to the history of racism in the American legal system; the corruption and professional misconduct within the (often white) authorities, including sheriffs, lawyers, and judges; and how he (the author) and others like him, who advocate for the wrongly convicted and poorly sentenced, are viewed as dangerous and irresponsible by those authorities.

Alternating with chapters focused on the case of Walter McMillian are chapters that explore the circumstances of other individuals treated poorly by the American justice system. These individuals include the author himself, who is African-American and who recounts, in the book, an experience of being confronted by white police officers, being treated unlawfully, and being taunted by white neighbors in what he had perceived, up to that point, as a relatively welcoming neighborhood. He also describes, in some detail, the experiences of other badly treated individuals: women, the mentally and emotionally ill, youth, and some people who fall into more than one of those categories, not to mention those who identify as non-white.

The author also describes encounters with individuals whose experiences and actions teach him about the breadth and power of compassion and hope; individuals whose courage inspire him to face his own fears and uncertainties; and individuals who challenge the preconceptions and assumptions of both the reader and the author himself. Meanwhile, his commentary on / narration of Walter McMillian's case eventually reveals that the author was ultimately successful in all his goals: getting Walter's sentence reduced, getting his conviction overturned, and bringing the systemic issues raised by what Walter went through to the attention of the public. Throughout all these explorations, the author continues his exploration of the relationship between history and the present: specifically, the history of the American legal system but also the history of the country as a whole.

The narrative concludes with a brief description of Walter's death, and a more detailed description of the author's attendance at his funeral. The author comments on how he



spoke Walter's eulogy; how he (the author) spoke of everything that had been learned and/or changed as a result of Walter's experience; and how there was always room, hope, or possibility for even more transformation – that is, for a just mercy that could be applied to, and/or experienced by, everyone.



Introduction

Summary

Introduction – “Higher Ground.” The author (Bryan Stevenson) begins by describing the circumstances of his first visit to a condemned person - how he came to choose law as a profession as a result of uncertainty about career choices; how he came to find a connection between his personal sense of social and legal justice and a particular branch of the law (i.e. defense / prisoner advocacy). Stevenson also describes how he was inspired by an early mentor, who taught him that “... capital punishment means ‘them without the capital get the punishment.’”

Stevenson then describes that first meeting with a death-row inmate named Henry (whose crime and guilt are never discussed in Stevenson’s narration) with whom Stevenson bonds and who, at the conclusion of a meeting that ran three times as long as scheduled, sang a hymn while being shackled that referred to traveling to “higher ground.” Stevenson also describes how that meeting, combined with lessons from his slave-descended grandmother (who taught him the value of holding people close and learning from their proximity), led him into intense study of death-penalty related law and the political, economic, social, and cultural systems that made the United States one of the countries in the world with the highest percentages of incarceration and execution, particularly in the case of African-Americans (a community to which Stevenson belongs).

As the introduction draws to a close, Stevenson comments that he established his law practice in the so-called American Deep South, a section of the country where, among other things, prejudice against African-Americans runs very deep. Stevenson also introduces the individual (Walter McMillian) whose case he will follow / comment on throughout the remainder of the book. Finally, Stevenson identifies three of the principles, values, and beliefs within which he works: “Each of us is more than the worst thing we’ve ever done”; “... the opposite of poverty is justice ...”; and “the true measure of our character is how we treat the poor, the disfavored, the accused, the incarcerated, and the condemned.”

Analysis

The Introduction lays the groundwork for several of the book’s key narrative and thematic elements. In terms of the former, the most important elements include the description of how the author’s interest in his particular legal focus developed (including the particularly significant references to his race and to his ancestry), and the reference to Walter McMillian, whose journey through the American criminal justice system anchors the book’s overall structure.



In terms of the book's thematic elements, there are references to the book's thematic interest in how history influenced, and continues to influence, the present day American justice system (an aspect of the author's experience and learning that is a secondary anchor for the book's structure). Then, in the three principles referred to at the introduction's conclusion, there are evocations of values that define and / or motivate one of the book's other themes, aspects of being spiritually and physically broken. This is referenced in the idea of people being more than the worst they've ever done (that is: that people are more than how they've been broken), and the reference to a person's character being measured by how well, or poorly, he or she treats the less fortunate (i.e. someone who has, in one way or another, been broken).

Meanwhile, there is a particular stylistic point to note about the Introduction that also has thematic resonance here and throughout the book. This is the way the author refers to Henry by his first name, a practice that he (the author) repeats throughout the book every time he refers to a criminal with whom he works. There is the sense here, and on every occasion that it happens, that the author is focused on ensuring that the reader sees the criminal being referred to as a human being with an individual identity, personality, and value. This, in turn, is a manifestation of another of the book's themes: the importance of humanizing the imprisoned and/or convicted.

Vocabulary

litigation, equitable, disillusioned, repetitive, adversarial, incidental, esoteric, paralegal, prestigious, credential, juvenile, calculus, curriculum, quantitative, ambivalence, persuasive, charisma, align, prohibition, barricade, ominous, brusque, visitation, avert, distraught, inadequacy, proximity, sanction, appellate, collateral, segregate, hierarchy, proximity, punitive, presumption, traumatize



Chapters 1 and 2

Summary

“Mockingbird Players.” This chapter begins with Stevenson’s description of a phone call he received from a judge warning him away from defending Walter McMillian. After referring to how he had met with five men on death row (including Walter) and to the development of his long-term plan to provide legal services for “people on death row in Alabama,” Stevenson begins the narration of the crime with which Walter was accused.

Stevenson first describes how Walter worked his way into a position of relative respect in Monroe County, Alabama, the setting for the famous novel about racism and the law, “To Kill a Mockingbird.” He also includes a description of how the novel’s fame brought about the creation of a theatrical troupe, The Mockingbird Players, mandated to recreate the novel for the stage. Stevenson then narrates the beginnings of Walter’s encounters with the law. Walter began an affair with a white woman, named Karen Kelly. Stevenson sidetracks his narration into an in-depth discussion of the dangerous, often deadly history of interracial relationships in the South. Returning to Walter’s story, Stevenson narrates that Karen also began an affair with another man, named Ralph Myers. Ralph and Karen became involved in the death of a white girl, Vickie Pittman, a few weeks after the murder of another white girl, named Ronda Morrison. Stevenson describes how, in an effort to get himself free of connection with the second death, Ralph tried to suggest that Walter was involved in the first, which had gone unsolved for several weeks, a situation that had the citizens of Monroe County up in arms. Stevenson concludes this chapter with commentary that while there was no hard evidence to connect Walter with Morrison’s death, maybe acknowledgement of his interracial affair was, under the circumstances (i.e. the community’s need for an arrest), evidence enough.

In the chapter “Stand,” Stevenson describes dividing his time between his death penalty cases in Alabama and his practice in Atlanta, Georgia. After eventually finding an apartment in a nice part of Atlanta, and after driving home one night, Stevenson stayed in his car to listen to his radio when he was confronted by a pair of white male police officers. Stevenson describes the encounter in detail, including his awareness that one of the officers was nervous. An illegal search was conducted of Stevenson’s vehicle, and neighbors came out to watch, calling out suggestions that he might be a burglar. Stevenson was eventually let go, but in the aftermath of the confrontation, he considered the situation of other black men in the neighborhood. He began a procedure of complaint against the Atlanta Police Department.

Meanwhile, Stevenson says, the experience made him more socially active, and he began speaking to community and church groups. He writes that in the aftermath of one such presentation, he was spoken to by a wheelchair-bound man who urged him to “beat the drum for justice” and showed him scars from his encounters with police during civil rights protests, scars the man described as “medals of honor.” This, Stevenson



comments, was the moment he realized that it was time for him to focus on his career in Alabama, instead of his career in Atlanta.

Analysis

These first two chapters set the structural pattern followed by the rest of the book: a chapter focusing on the experience of Walter McMillian, followed by a chapter that illustrates and comments on either aspect of that experience, or a different experience that exposes flaws in the American legal system. That process of exposure is one of the book's central defining purposes in the same way as it seems to be one of the central defining purposes of the author's practice of law.

In terms of chapter-by-chapter specifics, "Mockingbird Players" is notable for the foundations it lays for events, situations, and encounters later in the narrative: all the individuals identified here in relation to the double murders in Monroe play important roles in Walter McMillian's journey through the Alabama courts, roles foreshadowed by the references here. This chapter is also notable for the deep irony associated with the references to "To Kill a Mockingbird," often held up as an iconic example of anti-racist literature but which is here juxtaposed with a court case almost entirely defined by racism, as subsequent chapters make clear.

Meanwhile, in "Stand," the author expands on the references to racism made in the previous chapter by describing an encounter he had with police that, arguably, a great many young African-Americans would find painfully, frighteningly familiar. At the same time, the experience described by the author is another foreshadowing of the racism encountered by Walter and other African-American "criminals" described throughout the narrative. This and other experiences described in "Stand", particularly the encounter in the church basement, solidify the sense that for the author, his determination to help Walter (as well as his later-portrayed determinations to help other criminals in similar situations) has an immediate, profoundly felt, and deeply motivated personal context.

Vocabulary

acclimate, vagrant, indigent, affirmative, reclusive, infamous, authentic, precocious, sharecroppers, dilapidated, astute, notorious, explicit, titillate, scandalous, misdemeanor, animosity, palpable, confluence, divisive, supremacy, rhetoric, amalgamation, compensate, culpability, allegation, stockade, quotient, vindicate, docket, sensitize, hymnal



Chapters 3 and 4

Summary

“Trials and Tribulation.” With this chapter, Stevenson returns to his narration of the Walter McMillian case. He describes how the corrupt Sheriff Tate colluded with Ralph Myers (and others, including a “prison snitch” named Bill Hooks) to falsify evidence against Walter, which resulted in his being arrested and charged with the Morrison murder. Ultimately, in contradiction to every law about the treatment of prisoners on the books, and despite the fact that Walter had a strong and unshakeable alibi for the time of the Morrison murder, Walter and Myers were both imprisoned on Death Row at the Holman Prison. Stevenson describes the stress that Walter felt in that situation, and how Tate, Myers, Hooks, and others colluded to strengthen the evidence against Walter. The judge in the case (the same one that Stevenson described as calling him in Chapter 1, “Mockingbird Players”) moved the trial to a conservative white community where it was unlikely that Walter would face a jury composed truly of his “peers.” After discussing the history of African-Americans being actively excluded from jury duty in the South, Stevenson sums up the trial, in which the evidence of Myers seemed laughable to Walter, and which took little account of Walter’s alibi. At the end of the chapter, Stevenson reveals that the jury, which had only one African-American, found Walter guilty.

“The Old Rugged Cross.” This chapter tells how, in the aftermath of the challenging opening of his Alabama office (called the “Equal Justice Initiative”), Stevenson became involved with a large number of cases, two of which resulted in failed appeals and botched executions. A third, that of Herbert Richardson, is described in considerable detail: Herbert, a veteran of the Vietnam War suffering from Post-Traumatic Stress Disorder and who became involved with a nurse during his recovery, was responsible for the accidental death of a child relative of that nurse. Quickly tried and convicted, he was sentenced to death, calling Stevenson for help only a few weeks away from his scheduled execution date. Stevenson was at first reluctant to take the case, given his few resources and already overwhelming case load, but was eventually persuaded.

During a string of unsuccessful appeals, Herbert developed a relationship with another woman, married her a week before his execution, and insisted that she be the person to be given the American Flag to which he was entitled as a veteran to receive after his death. Meanwhile, Stevenson pursued appeals all the way to the American Supreme Court (his description of this sequence of events refers to how, over time, the Court came to reject most appeals of that sort). All of Stevenson’s appeals failed.

On the night of Herbert’s execution, Stevenson was present as Herbert’s new bride and her family refused to leave him. In his last few moments of life, Herbert told Stevenson how well he had been taken care of that day; he prayed; and he was led away to the recorded sounds of the hymn “The Old Rugged Cross,” which he had requested be played as he went to his death. Stevenson comments that Herbert’s was the first



execution he actually witnessed, but doesn't describe what he saw, describing instead the feeling of "weight" he had about the whole experience, even while gratefully receiving financial support, news of possible new staff, and office equipment: he felt, he says in narration, as though he was finally able to do his job.

Analysis

In this section, the author begins, in earnest, exploration of his book's central theme: its exposing of the flaws in the American legal system. The specifics of Walter McMillian's case are, in the author's narration of that case, examples of larger, systemic problems that expand beyond this particular courtroom and set of circumstances. Those problems, referenced here and throughout the book, include corruption; failure to follow due process; and charges and convictions that emerge / arise from circumstances other than those associated with or defined by evidence. Perhaps most importantly, he charts the history of how "justice" was / is being shaped to further dehumanize those who are already perceived as being of less worth because of their race, their economic status, and / or their education. Walter McMillian, the author makes clear, is vulnerable on all three of those levels.

"The Old Rugged Cross," meanwhile, introduces another way in which people of less worth are treated with less than appropriate respect and compassion by the American legal system. The author's portrayal of the emotionally unwell Herbert Richardson (note again the author's consistent, and humanizing, use of his client's first name) illustrates how, in the author's opinion and experience, those experiencing mental or emotional unwellness are as vulnerable to corruption or manipulation of the legal system as those experiencing poverty, lack of education, or racism.

Additional noteworthy elements here include the reference to the U.S. Supreme Court (which foreshadows other court cases, referred to throughout the narrative, that are also taken to that court), and the lack of description of what the author saw / experienced as he witnessed Herbert's execution. There is the sense here, and throughout the narrative, that the author views the death penalty, however it is applied, as the ultimate in dehumanization. His lack of description here, therefore, can be seen as another example of his narrative, and professional, intention to have those whose lives are manipulated or destroyed by the deeply flawed American legal system. In other, thematically relevant words, he is fighting to have those who are perceived of as "broken" in some way instead perceived as human beings, as opposed to aberrations worthy of nothing more than being systematically disposed of.

Vocabulary

provocative, incredulous, adamant, vehement, embellishment, accomplice, indictment, recantation, affidavit, clemency, predicament, evidentiary, peremptory, jeremiad, anomaly, partisan, deposition, demurral, traumatize, perilous, deluded, aptitude, meticulous, compliance, jurisprudence, mitigate, contentious, vestibule



Chapters 5 and 6

Summary

“Of the Coming of John.” This chapter begins with Stevenson’s narration of his visit with Walter’s family, many of whom (including his quietly strong wife Minnie) were with him at the time when the Morrison murder happened. They welcomed Stevenson warmly, listened to him respectfully, and let him know in no uncertain terms that he had their support. As his preparations for Walter’s appeal continued, Stevenson says, he was reminded of a short story by renowned African-American writer DuBose Heyward, a story (titled “Of the Coming of John”) in which an African-American teacher, called to teach in his own community, was lynched by the people whose attempts to shut down the school he defies. Later, Stevenson writes, he heard from a man named Darnell Houston, who worked with Bill Hooks (the “jailhouse snitch” who provided “evidence” in support of the accusation against Walter) and who said he could prove that Hooks was lying. Stevenson immediately attempted to gain a new trial, and was shocked to learn shortly afterwards that Houston had been arrested on a charge of perjury. Stevenson immediately arranged a meeting with the new district attorney (Tom Chapman) with some hope that he would be more reasonable than his predecessor, but soon learned that Chapman was as determined that Walter was guilty as the DA that convicted him. Chapman did agree, Steven says, to drop the charge against Houston, who was relieved but still scared. Stevenson agreed to act as Houston’s lawyer if anything similar should happen again, and returned home, his sunset drive leading him to contemplate how so many people see approaching darkness as bringing unease, uncertainty, and fear.

“Surely Doomed.” Stevenson narrates the story of his relationship with Charlie, a 14-year-old who shot and killed the man who had been repeatedly abusing his mother. Stevenson writes of learning from Charlie’s grandmother that the boy was being tried as an adult, and how as a result he looked into the case in spite of already having a heavy workload. Stevenson’s meeting with Charlie was at first filled with silence from Charlie and with awkward small talk from Stevenson, but Charlie eventually admitted not to the killing, but to having been sexually assaulted both nights while he was in jail. An angry Stevenson got him transferred to a facility for juveniles, and also got his case transferred to juvenile court, where Charlie received a more age-appropriate sentence.

Meanwhile, Stevenson speaks of Charlie’s case publicly, and after one such occasion, encountered Mr. and Mrs. Jennings, an elderly white couple whose only grandson killed himself; who believed in justice for all; and who wanted to help Charlie. Stevenson describes how they made friends with Charlie and supported him through school and college, Mrs. Jennings commenting on one occasion that unless people learn from each other and help each other in spite of suffering, “we are surely doomed.”



Analysis

Two sides of the racism coin are vividly juxtaposed in these chapters. In "Of the Coming of John," there are clear references (in the juxtaposed real-world story of Walter and the fictionalized, but all too possible, story of John) to how dangerous and how deadly racism can be when it comes to how African-Americans experience justice. This chapter also introduces and develops one of the book's secondary themes: its consideration of how history affects, and relates to, the present: the author, by including the reference to the Heyward short story, suggests that not much has changed for black people in America in the century or so since the story was written.

Conversely, the narrative presents an example of how race doesn't seem to be an issue when people are acting out of the sort of universal, transcendent compassion practiced by Mr. and Mrs. Jennings. They, as the author strives to do in both his work and in his writing about his work, see past the crime to the human being – in this case, they see Charlie as a person, not an African-American and not a criminal (although there are hints that the Jennings' compassion is triggered, at least in part, by how Charlie's race affected his legal status).

The story of the Jennings' can also be seen as an example of the book's thematic interest in the process of humanizing the imprisoned. To that end, it is also one of the first explicit examples of the book's thematic interest in the power of hope, which the author suggests, here and throughout the remainder of the narrative, proved to be a somewhat surprising, somewhat hidden motivation for his work.

Vocabulary

rebuttal, precarious, detritus, scrupulous, exculpatory, euphemism, parlance, futile, pinochle, equivalency



Chapters 7 and 8

Summary

“Justice Denied.” This chapter begins with Stevenson revealing that Walter’s appeal was denied, and then describing how he and a new ally (Michael O’Connor, a new attorney in Stevenson’s firm) collected extensive evidence to suggest that Walter was innocent. This evidence included a complete recanting of evidence presented by Ralph Myers, who not only said that he made up everything he said about Walter, and not only detailed the ways that the police and legal team accusing Walter influenced him (Myers), but added that there were other people involved in the death of Vickie Pittman, including law enforcement officials. There are corroborations of this from Karen Kelly, at that point in jail for her role in the Pittman killing, feeling guilty for implicating Walter, and admitting to fond feelings for him. Finally, there were conversations with members of Vickie Pittman’s family, who said that their ideas about what happened to her were ignored by the authorities.

There is a brief diversion into discussion of the growth of the victims’ rights movement, a movement that, Stevenson suggests, let down Vickie Pittman’s family because of their relative poverty and because of the racism inherent in the Southern criminal justice system – a system, he adds, that seems to prefer black criminals over white ones. Stevenson then writes that he and O’Connor prepared a motion that, in effect, questioned all the proceedings that had gone before and asked that they be allowed to look at all the records relevant to Walter’s case. After a tense meeting with DA Chapman and Sheriff Tate, Stevenson writes, the documents were turned over, many more than Stevenson expected. Stevenson comments that it wasn’t long after he and O’Connor began their excavation of the notes that “the bomb threats started.”

“All God’s Children” This chapter tells the story of a number of children caught in the American justice system. The first: Trina Garnett, the mentally deficient abused child of an alcoholic mother, forced to live on the streets, convicted of second-degree murder in a pair of accidental deaths, imprisoned for life, and raped. The second: Ian Manuel, at 13, caught up in a robbery that went wrong; imprisoned in solitary confinement and left there for 18 months. The third: Antonio Nunez who, at 14, was caught up in a crime that resulted in gunshots being fired at police and sentenced to die in prison. Stevenson also tells the story of George Stinney, 14 years old and black, summarily convicted of killing two young white girls because he said he had talked to them when they asked where to find flowers, which turned out to be the last time anyone saw them alive. Stinney, Stevenson says, was executed in the electric chair. “The Stinney execution,” Stevenson adds, “was horrific and heartbreaking, but it reflected the racial politics of the South more than the way children accused of crimes were generally treated.” Stevenson closes this chapter with references to having met Trina, Ian, and Antonio, and to taking on their cases and the cause of imprisoned children in general. He describes how Ian, even while in solitary confinement, managed to educate himself and wrote poetry (one of his poems, “Uncried Tears” begins this chapter). The chapter concludes with a letter



from Ian in which he thanks Stevenson for visiting, for bringing a photographer, and for taking pictures of him. He asks for some of the photos, saying that having them would make him feel real after all his time in solitary.

Analysis

One of the book's important structural elements is the way it shapes the Walter McMillian narrative in what might be best described as a traditional mystery narrative. "Justice Denied" is an example of how that idea functions, as it follows the format of a classic mystery narrative by introducing complications and previously hidden truths that establish doubt about what has previously been defined as the actual true story. In addition, the author ends the chapter in the same way as many a mystery novel: at a point, and in a manner, that makes the reader anxious to know what's going to happen next. Applications of this particular structural technique keep the reader engaged. Meanwhile, the author develops his theme exploring the relationship between history and the present, offering background into the so-called Victims' Rights Movement that explains why, in this case, the comments, experiences, and opinions of this particular victim's family were not given the respect or the credence that the Movement led them to believe was their right.

"All God's Children" then looks at several examples of how being perceived as mentally and/or emotionally "broken" (another of the book's central themes) contributed to situations in which people received punishments out of proportion to either the crime committed or the motivation behind that crime. Again, the author defines his actions as part of his efforts to humanize the imprisoned. Again, he portrays what happens to the individuals here as being a result of flaws in the American legal system. And again, he brings in a thematically relevant image referencing the value of hope, a powerful and vivid contrast to the images of corruption, insensitivity, and cruelty in the rest of the chapter. Here it's important to note that many of the individuals referenced in this chapter (Trina, Ian, Antonio) are referred to later in the narrative as beneficiaries of the author's efforts to change the laws regarding the sentencing of children and/or young adults.

Vocabulary

efficiency, egregious, cavernous, arcane, sobriety, coerce, recant, implausible, cursory, inflammatory, replicate, provocation, exacerbate, asphyxiation, mandatory, insubordinate, regularity, adjudication, affluent, impunity, procedural, anonymity



Chapters 9 and 10

Summary

“I’m Here.” In this chapter, Stevenson describes in detail the three days of hearings into whether Walter’s conviction should be upheld or overturned. He describes Myers’ clear, consistent presentation of evidence, and the evidence presented in support of Myers’ claims that he was coerced into lying about Walter’s involvement in the murder. He also describes the evidence presented in support of the claim that the prosecuting attorneys and law enforcement both mishandled the case with the express goal of putting Walter in jail. Stevenson then comments on what he perceived as the judge’s increasing concern at what he was hearing; the difficulties encountered by black attendees (including Walter’s family); and the particular experience of one woman, Mrs. Williams.

A dignified elderly woman who took special care of her appearance, Mrs. Williams came into the courtroom on the first day, but panicked at the sight of a large police dog. Later, she explained to Stevenson that when she saw the dog, she had a flashback to being intimidated by police dogs during equal rights demonstrations in the 1960’s. The next day, Mrs. Williams again arrived at the courtroom and, when she saw the police dog, talked herself into not being afraid. Later, as proceedings began, she said out loud, several times, “I’m here,” even after the judge had come into the room and everyone else had sat down. Stevenson describes how he realized just what kind of statement Mrs. Williams was making, and then goes on to describe how the final day of testimony went well. At the end of the three days, Stevenson says, he and O’Connor took some time off at the beach where, after some recreational time, they couldn’t help contemplating the potential dangers they faced from people angry at their attempt to overturn Walter’s guilty verdict, particularly if their attempt was successful.

“Mitigation.” Stevenson describes receiving an incoherent letter from a man named Avery Jenkins, asking for help in overturning a death sentence. Stevenson describes the letter as containing clear evidence that Avery was mentally ill, and discusses the decades-long history of maltreatment experienced by the mentally ill at the hands of both the medical and judicial systems. He then describes his first trip to see Avery in prison: how, upon arrival, he was unnerved by the sight of a pickup truck covered with racist symbols, and how the intimidating white guard put him through inappropriate, unrequired, and unnecessary security procedures. He also describes how Avery, who seemed obsessed with the thought of having a chocolate milkshake, calmed down when Stevenson promised to get him one. Stevenson then discusses preparing and presenting at the hearing into Avery’s case, and how compelling evidence was presented in support of mitigating (i.e. explaining) Avery’s medically-based reasons for his behavior.

Among the mitigating circumstances to which Stevenson referred during the hearing was Avery’s history of being abused in the many foster homes he went into. Stevenson also refers to seeing the same white guard at the courtroom, and to realizing that he



must have driven Avery to the courtroom. Later, when Stevenson returned to visit Avery, he (Stevenson) discovered that the guard's manner had changed entirely, the guard explaining that he too had grown up abused by the foster care system. The guard says that had realized, as the result of listening to Stevenson's evidence, that he and Avery were not all that different. He also tells Stevenson that on the way back from the hearing, he (the guard) bought Avery a chocolate milkshake, and that Avery had been fine ever since. Stevenson comments that he and the guard had a good conversation about how everyone needs "mitigation" at some point, adding in narration that after the hearing, Avery was transferred into a psychiatric facility, and the guard left the prison.

Analysis

In addition to deepening the mystery or suspense element of the Walter McMillian narrative, "I'm Here" presents one of the most powerful, multi-themed experiences of the entire book: the vignette (i.e. small story) of Mrs. Williams. Her actions, as described here, embody a counterpoint to the book's thematic exploration of being broken. She was, as she herself admits, initially "broken" by fear, but overcomes that fear by an act of courage and, arguably, of hope. This is the hope that her actions can, and will, make a difference for Walter and others like him, as well as other spectators in the courtroom. This incident also proves to be significantly catalytic in the author's personal journey of transformation (i.e. towards the realization of the power of hope), and explores the book's thematically central references to the relationship between the past (i.e. the traumatizing event in her past that upsets Mrs. Williams) and the present. Finally, and almost as a sidebar, it comments on what the author clearly sees as one of the most profound, damaging flaws in the American legal system: its deep-seated racism, that penalizes not only those accused of crime but those who would support said accused.

Meanwhile, the entirety of "Mitigation," with its references to the book's thematic focus on those who have been "broken" (i.e. Avery) and its concurrent reference to the impact of history on the present (in this case the history of the justice system's treatment of the mentally ill) offers a multi-faceted (and sometimes surprising) exploration of the power and need for mitigation. This can be seen as an extended development of the narrative's thematic interest in humanizing the imprisoned – only in this case, that theme extends to humanizing anyone who might be defined as troubled. This emerges in the simultaneously surprising and ironic story of the prison guard, which illustrates the need for a broad-based experience of compassion in humanity in general. There are clear echoes here of the story of Mr. and Mrs. Jennings and their relationship with Charlie (see Chapter 6, "Surely Doomed"), with both stories reflecting not only the three principles referenced by the author at the end of his Introduction, but also the book's thematic interest in the power of hope. Ultimately, the author seems to be asking what else is compassion, such as that practiced by the Jennings' and by the white guard, but a form of hope – specifically, that a troubled person will find, or be found by, better times and/or a better life.

Vocabulary

combative, demeanor, contentious, coherent, excursion, palpable, heinous, exonerate, bailiff, persuasive, composure, impeccable, subvert, protocol, perilous, neurological, recidivism, hallucinate, competency, malingering, inexorable, psychotropic, abundant, expertise, incredulous



Chapters 11 and 12

Summary

“I’ll Fly Away.” This chapter begins with Stevenson’s reference to another bomb threat received by his firm, a threat that, like the others, turned out to be an empty one. He then describes how the most recent hearing had not resulted in any change in Walter’s situation: the judge, having focused entirely on the reliability of Ralph Myers, said there was no reason to believe him on this occasion, and that the original conviction and sentence stood. Stevenson describes himself as being disappointed, but still hopeful: on the one hand, he still had access to all the evidence suggesting Walter was innocent; and, on the other hand, he had learned an important lesson by this time about hope being part of his job. He then writes of how, after an investigative team of journalists (from the American news program “60 Minutes”) did a story on the case, serious investigations began into the evidence suggesting Walter was innocent, investigations that led to the discovery of a legitimate suspect, a white man whom several people had reported harassing the victim. This, the author adds, in turn led to a hearing into whether the charges against Walter should be dismissed entirely. That hearing, Stevenson reports, resulted in exactly what he and Walter (as well as Walter’s family) had hoped: all charges were dismissed. Happiness at this decision was tempered, at least as Stevenson reports it, by the sense that Walter would be neither welcome nor safe at home in Monroe County, and that there was still a great deal of work to do to change the justice system. Nevertheless, Stevenson also reports, the day that Walter received his freedom was still a day of celebration, during which Walter reported feeling so happy that he felt like a bird about to fly away.

“Mother, Mother.” This chapter begins with a description of a woman named Marsha Colbey, beautifully dressed and in New York City for the first time. In narration, Stevenson then tells Marsha’s story. She and her family lived in a poor part of Alabama frequently hit by hurricanes. She unexpectedly became pregnant and chose to keep the baby in spite of having several others. The baby, however, was stillborn and buried in the family’s backyard. Stevenson then describes how a combination of nosy neighbor, incompetent medical examiner, and years of the legal system’s bad treatment of women (particularly if they were poor) led to Marsha being convicted of murder. Stevenson describes her imprisonment in The Julia Tutwiler Prison for Woman which, he says, was overcrowded, and rife with corruption and sexual inappropriateness on the part of the male guards.

Stevenson describes how his eventual involvement with Marsha’s case led him into action to transform the prison and its operations, efforts that ultimately led to Marsha’s release and changes in how the prison was run. Stevenson’s narration then returns to the moments described at the beginning of the chapter, revealing that that evening, Marsha was being honored at a fundraiser for Stevenson’s law firm for her advocacy for the other prisoners at Tutwiler. Stevenson also describes how, in the immediate aftermath of her release, Marsha visited his law office in the company of some of her



family, and how her daughter never let her go. Stevenson comments on how this, in addition to everything else he knew about Marsha, let him to understand what a quality mother she was.

Analysis

"I'll Fly Away" takes the book's thematic exploration of the power of hope to a new level, as the author describes his awakening into hope that Walter's case might just have a positive outcome. Up to this point in the narrative, the existence of author's hope has been implied, rather than discussed outright. His use of the term here seems to suggest that the idea of "hope" being part of his makeup came to him as something of a surprise: but really, what other reason can there be for his actions, choices, and values other than their having origins in an experience of hope? On the other hand, and as seems to be the case here, hope is often disguised or hidden beneath other attitudes, actions, and values – in the author's case, a determination to see justice done for the vulnerable. At this point, however, the layer of motivation beneath that determination, a hope for better things for Walter and other dehumanized, broken people, is starting to become apparent in its own right. Perhaps it's no coincidence that the overt language of hope begins to appear in the author's narration only in the aftermath of the story of Mrs. Williams. Meanwhile, This chapter is also notable for its reaching the climax of what might be described as the Walter McMillian storyline: the outcome that he, his family, and the author had long sought was finally achieved. Here is arguably another manifestation of the narrative's thematic interest in the power of hope – specifically, the idea that hope, if acted on persistently, will be rewarded with a positive outcome.

In "Mother, Mother," the author's recounting of the Marsha Colbey story adds another layer to his consideration of what constitutes "being broken": the clear implication of the writing here is that one of the flaws in the American legal system is that simply being female means that a person is both broken and less human, less worthy of justice, respect, and dignified treatment. In other words, Marsha's story (note, once again, the author's consistent use of first names for his clients) places her experience on a parallel with those of Walter, Herbert, and the young people referred to earlier: yes she is poor, but the author's primary point in telling the story is to suggest that the system refuses to recognize her as worthy of fair treatment because of her gender. Meanwhile, Martha's story is yet another evocation of the book's thematic interest in the power of hope, portraying her own hope while in prison, the hope she inspires in other inmates, and the act of hope (i.e. for change) inherent in her receiving the award that she did.

Vocabulary

defamation, clarification, nonchalant, avid, myriad, absurdity, expedite, expulsion, exuberant, artisan, apocalyptic, compensate, forensic, pathologist, adequate, pursuant, distortion, preeminent, endangerment, inexplicable, composure, luminary

Chapters 13 and 14

Summary

“Recovery.” In the aftermath of Walter’s being exonerated, Stevenson writes, he (the author) began the process of a civil lawsuit seeking compensation for the years that Walter spent in prison. He describes the history of both such lawsuits and the awards (often severely limited) that were made to successful complainants, referring to how both local and national laws on the subject evolved. He describes the process of taking Walter’s lawsuit all the way to the United States Supreme Court, where it was approved, awarding Walter several hundred thousand dollars in compensation. Stevenson contrasts the description of this victory with commentary on how so many other similar lawsuits were refused.

Stevenson describes the many interviews he and Walter did on the subject of the trial and eventual exoneration. Walter first went back into his private logging business, but had to stop when he was seriously injured. Walter then started a new line of work running a junk yard. Minnie (Walter’s wife) decided to move on with her life. Stevenson also describes how he began a teaching career, and his students were always moved when Walter came in as a guest speaker.

Stevenson and his organization were awarded a prestigious honor in Sweden. There, Stevenson says, he and his story were received with admiration and respect, but he was moved to quickly return to Alabama when he saw the Swedish television documentary on Walter’s case and saw Walter break down in emotional recollection of what had happened to him.

“Cruel and Unusual.” Stevenson describes the case of Joe Sullivan who, at age 13 was convicted in adult court of sexual assault and sentenced to life in prison. Stevenson describes Joe’s history (including being orphaned and living on the street) and his suffering in prison (including his developing multiple sclerosis). Stevenson also describes how his first meeting with Joe was complicated by the fact that the guards in the prison where Joe was incarcerated had difficulty manipulating his wheelchair out of the cage in which he, like the other “lifers,” was kept.

Discussion of Joe’s case leads Stevenson to discussions of other young people imprisoned for life at a young age, and of how his tactic in arguing for their release involved citing their receiving “cruel and unusual” punishment. His arguments, he says, also included references to how contemporary science on adolescent brain development indicated that their capacity for judgment was impaired simply because of the biological changes taking place in their brain. He also comments on how so many of these young people, in his experience, had changed as they matured, citing his own experience as an example: the death of his grandfather at the hands of teen-aged thieves whose judgment had been impaired by the chemical changes wrought by adolescence.



Joe's case, Stevenson writes, ended up at the U.S. Supreme Court, but for Joe that fact is less interesting than the fact that he (Joe) had co-written and memorized a poem he wanted to recite. When Stevenson visited Joe in prison, the author writes, Joe recited most of the poem, his inability to remember the last line ultimately triggering explosions of laughter in both him and Stevenson, a circumstance that reminded Stevenson, at the time, of "what a miracle it was that he could still laugh" and how much he wanted to win Joe's case.

Analysis

As narrative momentum in the Walter McMillian storyline begins to ease in the aftermath of his exoneration, the author continues his thematic explorations of the relationship between past and present - in this case, an examination of the history of civil lawsuits seeking damages for wrongful convictions. Meanwhile, the narrative also continues its exploration of the theme of being broken, but takes it in a slightly different direction, portraying how Walter remains broken even after justice has been served, perhaps another way in which history (i.e. his being imprisoned for so long) impacts the present (i.e. his freedom).

"Cruel and Unusual," meanwhile, is almost entirely grounded in exploration of the themes of being broken (i.e. in the experience of Joe Sullivan) and of humanizing the imprisoned – only here, the experience of humanizing includes not only Joe (whose need to be seen as a human being is quite significant) but also the author. At this point it's important to note that for the most part in the book, the author has remained quite silent on the subject of his family background. There are the references in the introduction to his grandmother and her influence on him and his philosophies, but until this chapter, there are few (if any) additional clues to the author's background. In other words, with the story of his grandfather's death, the author humanizes HIMSELF, albeit in the service of making his point about the necessity for humanizing troubled adolescents like Joe.

Vocabulary

rhetoric, onerous, culpability, moratorium, plight, scandalous, succinct, acoustic, vigorous, dissonance, composure, assailant, perpetrator, misdemeanor, meritorious, giddy, paltry, incongruity, emergence, impediment, valiant, reprimand, disingenuous



Chapters 15 and 16; Epilogue

Summary

“Broken.” In the first part of this chapter, Stevenson describes Walter’s quick physical and emotional decline, officially diagnosed as dementia brought about by trauma. It proved challenging to find a place for Walter to live, Stevenson writes, partly because staying in a care home reminded him of being on death row. Eventually, Walter was taken in by a sister, who did her best to care for him.

Meanwhile, Stevenson also writes, he became busier than ever, taking on more and more death row cases, including that of the developmentally delayed Jimmy Dill. All of Stevenson’s efforts to repeal Dill’s sentence ended in failure. Stevenson writes that on the night of Dill’s execution, he (Stevenson) was overwhelmed by the challenges ahead of him and, weeping, contemplated quitting. But then, he adds, he remembered two things: being forced, as a child, to embrace a disadvantaged young man whom he had taunted; and being inspired by the work, teachings, and attitude of civil rights leaders like Rosa Parks. All this led, he says, to the realization that everyone is broken; being broken both called for and allowed experiences of mercy; and there was no way he could quit because, in spite of his own brokenness and perhaps because of it, he had more work to do.

“The Stonecatchers’ Song of Sorrow.” Stevenson describes how excited and happy everyone in his office became when the U.S. Supreme Court ruled in favor of Joe Sullivan, saying that lifetime sentences for juveniles were unconstitutional. He goes on to describe how busy the office became almost immediately afterward, with people wanting help to change their sentences. He refers to the number of cases he and his staff took on, the number of successes they had, and the work they did to pursue justice for those whose wrongful convictions were also tied to issues of race and/or poverty.

Stevenson focuses on the cases of Joshua Carter and Robert Caston, both of whom had been in prison for decades, and both of whom had received sentences that had just become illegal. Stevenson narrates the process of getting them new sentences, a process that ended in a crowded, disorganized courtroom that went unusually silent when a judge read the first verdict: Mr. Caston (as Stevenson refers to him) can go home. Shortly afterwards, in another courtroom in the same building, the same decision came down in the case of Mr. Carter. Stevenson then writes of how, in the happy aftermath of both cases and as the courthouse emptied, he encountered an elderly black woman who, he says, attended as much of both trials as she could, and who told him that she was there not only because her beloved grandson was senselessly murdered, but because she felt empathy and sorrow for those whose children have been convicted of crimes. She spoke of herself, he says, in terms of a Biblical parallel, one that Stevenson says he had often thought of himself: the story of Christ teaching his followers that only those who are without sin should cast stones at those whom they believe have sinned. The woman, he says, described herself as coming to the



courtroom so she could in a way, “catch” the stones of hatred and emotional violence that were thrown at people. She then, he adds, described Stevenson as a “stonecatcher” like her, and reminded him that all stonecatchers will, in spite of the rightness and hope in their cause, always feel the need to sing sad songs. She reminded him to keep singing.

In the Epilogue, Stevenson describes how Walter died in the aftermath of increasing dementia and a debilitating fall, and recalls a conversation with Walter, while he was still on death row, in which he believed that everyone had the right to die “on God’s schedule.” He then describes how Walter’s funeral was attended by a large number of people both grieving and hoping. At Walter’s funeral, Stevenson spoke of the need for mercy in a way that gave the book its title. After the funeral, Stevenson received a number of requests for more help, commenting that “it wasn’t likely that we could do much for many of the people who needed help, but it made the journey home less sad to hope that maybe we could.”

Analysis

In “Broken,” the author continues a process begun in the previous chapter: specifically, the process of humanizing himself. With this chapter, the reader can come to understand that while he has been telling the story of how he helped Walter and others be treated like a human being, the author has also been telling the story of how HE became a human being, recognizing flaws and failings and vulnerabilities in himself in the same way he has been asking the courts to recognize flaws and failings in those believed to be fundamentally evil, or at least criminal. At the same time it perhaps goes without saying, but the point must be made that this chapter also contains what is arguably the most personal, the most immediate, and the most vulnerable exploration in the book of the theme relating to experiences of brokenness. The story of the stonecatchers, not to mention the circumstances of its telling and its being heard, is powerful, moving, poignant, and inspiring, for both the author and the reader.

What’s particularly interesting, however, is how Chapter 16, “The Stonecatchers’ Song of Sorrow,” takes the exploration of that theme one step further, blending it with explorations of another theme: the power of hope. The clear suggestion of the story of the stonecatchers (told by the unnamed woman, absorbed by the author) is that hope can emerge from brokenness – that the experience of being broken allows room for hope to come into a life, hope that can propel change, humanize those who have not been treated or allowed to feel human, and can transform flaws into triggers for strength, courage, and action.

With the epilogue, the author brings both Walter’s story and all the thematic developments associated with that story to a close, tying it all together with a reference to an idea that has, to this point in the book, not been discussed completely but which has arguably been a sub-textual presence throughout. This is the idea of mercy, which is arguably compassion or hope in another name. Mercy is compassion in action, a recognition of vulnerability and pain, as well as a choice to base action or decision-



making on that recognition. It is also, arguably, hope in action, in that an act of mercy arguably originates in the hope that the person on the receiving end of compassionate mercy, or merciful compassion, can and will become able to live the better life that hope, mercy, and compassion all believe is possible. The author, then, can be seen as an advocate not just for change, humanization, or hope. With his final words, to Walter's family and the reader, he can be seen as an advocate for everyone, in their own way and in their individual circumstances, to perform the merciful actions of the stonecatcher, for themselves and for others and for the benefit of all humanity, flawed and broken as every single member of humanity is.

Vocabulary

dementia, propriety, reciprocal, indifference, formidable, residential, indigent, inundate, categorical, finite, hierarchy, align, frenetic, hospice, receptacle, perseverance, recipient



Important People

The Author (Bryan Stevenson)

The author is an African-American attorney, living and working in the Southern United States. He portrays himself throughout the narrative as being determined as an advocate for those whom the American justice system have treated, or are treating, without appropriate respect and/or compassion. He writes in his Introduction about where this passion, this career choice came from. First, there were his experiences growing up with a powerful awareness of centuries-old injustices perpetrated on African-Americans, including slaves. Later, he writes, there were his experiences early in his law school career, during which time his search for both meaning and focus in his work ended when a colleague / mentor led him to understand just how much injustice there was in the justice system, particularly when it came to African-Americans but also in the cases of others who lived, for lack of a better term, on the fringes of what society deemed valuable. These two elements, he suggests, led him to the particular career focus that, as the narrative suggests, took him to the United States Supreme Court, to the classroom, and to other parts of the world where his advocacy for the unfairly victimized brought him international recognition.

The author explores immediate, here-and-now, present day issues with a clear and well-researched awareness of the history of those issues, both in terms of the legal context in which they play out and the societal context in which situation-specific laws or practices came into being. In other words, in the same way that he recognizes his present and future are defined by his past, those of his clients are defined in the same way: when necessary and appropriate, he recognizes the guilt of his clients and the need for consequences for their actions, but he also has a clear recognition that there are other factors involved in every action that at least explain, if not mitigate, the choices that those clients made. His sense of justice seems clearly identified with a sense of compassion; his fight for that justice is fueled by anger, but as the narrative suggests, later in his career and experience by hope.

Walter McMillian

Walter is one of the author's clients, one whose case is the primary focus of the book's narrative line. At the time the author becomes aware of him and his case, Walter is in his mid-thirties, established in a respectable career and comfortable marriage, but trapped in a situation partly of his own making (i.e. becoming involved with an unpredictable white woman) and partly of the making of the corrupt criminal justice system in the community where he lives, a system that wanted to find someone guilty of the murder of a young white woman and who settled on Walter, with the help of the woman and another of her boyfriends, as the best possible suspect – not the correct one.



Walter is convicted and sentenced to death: first the sentence and then the conviction are the objects of the author's legal efforts, throughout which Walter moves back and forth between desperation and hope that those efforts will succeed and increasing fear that they won't. Eventually Walter is exonerated, but his experiences leave him traumatized and vulnerable to dementia, the mental illness which eventually contributes substantially to his death. He dies, however, a free and vindicated man.

Karen Kelly

This is the white woman with whom Walter McMillian has an affair and who, along with Ralph Myers, frames Walter for the murder of Ronda Morrison. Several years after McMillian's initial conviction, Kelly tells the author (who is investigating the case) that everything she said earlier about McMillian was a lie, and that she still, in fact, has feelings for him.

Ralph Myers

Myers is another boyfriend of Karen Kelly's. As part of their joint efforts to avoid serious punishment for a murder, they put together a false claim that Walter McMillian was responsible for the long-unsolved death of Ronda Morrison. Myers colludes with police and justice officials to ensure that McMillian is convicted, but later recants his story as part of the author's attempts to clear McMillian's name.

Ronda Morrison

This young white woman is the victim of a long-unsolved murder for which Walter McMillian is arrested, tried, convicted, and sentenced to death. As the author investigates McMillian's case, he uncovers the identity of someone who was more likely to have caused Morrison's death: as a result, McMillian is exonerated and set free from prison.

Michael O'Connor

O'Connor is a young, ambitious, like-minded attorney who works with the author in the latter's firm and also assists him in the investigation and retrying of McMillian's case. He serves as a confidant and ally to the author, most significantly when the author has moments of self-doubt that his advocacy for McMillian and others will ever result in positive change.

Henry

This individual, referred to only in the author's introduction, is the first of several convicted criminals whose case awakens the author to the prevalence of injustice in the



American legal system. Henry's crime and eventual status (i.e. executed or not) are never revealed, but his importance to the author is significant: Henry continues, the author suggest, to manifest hope and optimism even when it seems there are no reasons to have either.

Herbert Richardson

Herbert is another of the author's clients. A veteran of the Vietnam War struggling with Post-Traumatic Stress Disorder, Herbert is convicted of murder and sentenced to death without the circumstances of his emotional wellness being taken into account. The author's efforts to win him a reprieve from the death sentence fail: Herbert's execution, never described in narration, is the first one actually witnessed by the author.

Avery Jenkins

Avery is another of the author's clients, and another whose history of mental and emotional illness is not taken into account by the court in his trial or sentencing. His case, and the circumstances surrounding his situation, are used by the author as examples of the legal principle of mitigation, in which the circumstances of the accused are taken into account when considering both guilt and sentencing. Avery's story is also that of the white prison guard whose behavior and attitude are transformed once he becomes aware that he and Avery share similarly traumatic pasts.

Marsha Colbey

Marsha is one of the author's female clients. Her situation is similar to that of Walter McMillian, in that she is wrongly accused, wrongly convicted, and wrongly sentenced as a result of flaws in both the investigation of the crime with which she was accused and the legal system that put her on trial. Marsha is portrayed as being strong willed, positive, and inspiring even while in prison, becoming such an inspiration to other female convicts that she was eventually given an award.

Joe Sullivan

Joe Sullivan is one of several young people whose case is taken on by the author in recognition of the frequent inappropriateness with which young offenders are treated by the American legal system. Joe's specific case (suffering from multiple sclerosis) becomes the focus for the author's determination to have adult sentences placed on young offenders defined as "cruel and unusual punishment." His efforts on behalf of that cause eventually result in success.



Trina, Ian, Antonio, George

These four individuals are, like Joe Sullivan, young people whose personal or biological circumstances, as well as their youth, were ignored when it came to consideration of their crimes. Their stories serve as examples both of how the system fails troubled young people and how the author's determination to change that system can eventually result in transformations in the lives of the young people for whom he advocates.

Jimmy Dill

Jimmy Dill is another client on the receiving end of dehumanizing actions by the criminal justice system because of his mental illness. The author takes on his case in order to advocate, one more time, for the cause and process of mitigation: this time, however, the author fails. On the night of Jimmy's execution, the author finds himself feeling profoundly, painfully overwhelmed by his failure and contemplates quitting: he realizes, however, that there is, and always will be, good reasons for him to keep going.

Mrs. Williams

Late in the story of Walter McMillian, on the occasion of a court hearing into whether he should be exonerated completely, an older black woman named Mrs. Williams attempts to come into the courtroom as a spectator, but is frightened off by the presence of a large dog that, she later reveals, reminds her of the angry, violent dogs she encountered while protesting for civil rights. The author describes how she overcomes her fear the next time she comes to the courtroom, making a clear and strong statement of her presence that inspires him to continue making clear, strong statements of his own.

The White Security Guard

As he tells the story of Avery Jenkins, the author also tells the story of a white security guard, whose angry racism both frightened the author and inspired him to continue fighting. Later, however, the author notices a significant, warming change in the guard's behavior, and is surprised to discover that the guard has come to identify with the troubled Avery because they share similar backgrounds. The story of the guard inspires the author to realize that everyone is in need of considerate mitigation, at one time or another, in one way or another, of their behavior.

The Woman at the Courthouse

In the aftermath of Walter McMillian being legally exonerated (i.e. cleared of the death of Ronda Morrison), the author encounters an older African-American woman in the courthouse lobby. They fall into conversation, and the author learns that the woman considers both herself and the author (along with other people) to be "stonecatchers."



She defines these people as having the courage, the compassion, and the determination to catch or deflect the "stones" of judgment, anger, fear, and blame hurled at the innocent, the different, or the vulnerable by those who want to exercise prejudice, power, or anger. Her comments awaken a realization of personal truth in the author, and inspire him to keep working in the cause closest to him: the fight to achieve justice for those who have been unjustly dehumanized.

Objects/Places

America

America, with its long history of racial tensions between whites and non-whites (as well as tensions between genders and between the wealthy and the poor) is the overall, broad-strokes setting for the action and considerations of the narrative.

The Southern United States

As a region, the Southern United States (with its history of slavery and extreme economic disparities) is a similarly broad-strokes setting for the story and its contemplations, albeit one with slightly less geographical scope than the country as a whole. There is a sense, however, that the tensions between the various elements outlined above are more concentrated, more virulent, and more corrupt in this particular community of states.

Alabama

The Southern state of Alabama is the setting for much of the book's narrative action and events. Like so many of its fellow Southern states, the experience and history of racism permeates or defines almost every aspect of culture or life there, including the legal system.

Monroe County

This is the particular county in Alabama in which much of the action takes place - specifically, the crime of which Walter McMillian is accused; his trial and incarceration; and the investigations that eventually lead to his release. Monroe County is, ironically enough, also the setting for the anti-racism novel "To Kill a Mockingbird."

"To Kill A Mockingbird"

This renowned novel by Harper Lee is the story of a criminal trial in which the accused is a black man and his lawyer is white. Often perceived as an argument against racism in all its forms, the book and its story are briefly presented as an ironic counterpoint to the Walter McMillian narrative.



Atlanta, Georgia

This large city in a nearby state to Alabama is the community in which the author sets up his law firm - the Equal Justice Initiative. While Atlanta is, in many ways, more cosmopolitan and/or sophisticated, there are still lingering echoes of the racist attitudes that shaped it and so many other communities in the American South.

The Southern Prisoners Defense Committee

This is the first organization with which the author works, one with a mandate (to defend those who have been wrongfully convicted or sentenced inappropriately) that agrees with, and inspires, the author's own personal goals. His term there, while significant, is relatively short, given his ambitions to start a firm of his own.

The Equal Justice Initiative

This is the name of the firm / program started by, and built, by the author to allow him and other like-minded attorneys to pursue justice for those who seem to have had justice denied them. Even while it's struggling for financial and administrative support, the Initiative quickly becomes overwhelmed with appeals for help, appeals that eventually result in its staff expanding well beyond its original founder (i.e. the author).

The Death Penalty

The death penalty, or execution, is arguably the ultimate form of punishment in the American legal system which, according to statistics cited by the author, has one of the highest frequencies of such punishment in the world. The sentence of death is viewed by the author as almost universally too severe a punishment, which is the reason why he fights so hard, and so frequently, to have such sentences overturned.

The Holman Prison

The Holman Prison is a correctional facility in Alabama. It is the setting for a large number of executions, and is the prison to which Walter McMillian is sent not just after his conviction, but when he is arrested. Holman, according to the author, has a cold, unfriendly, frightening atmosphere that contributes significantly, he suggests, to the emotional unwellness of the inmates incarcerated there.

The Netherlands

Late in the narrative, in the aftermath of having gotten Walter McMillian exonerated, the author is invited to The Netherlands, where he receives an award in recognition of his

advocacy work. While there, he is moved by a song expressing hope and possibility, even though the text is in Dutch and he cannot understand the words.

The Supreme Court of the United States

Often referred to as "the highest court in the land," the U.S. Supreme Court is the ultimate, highest legal authority in America. Cases with implications for the laws of the nation and its citizens often end up in front of the nine Supreme Court justices, with their decisions shaping and defining legal precedents for courts all over the country. Several of the cases taken on by the author end up at the Supreme Court, with some decisions going in his favor, and others going in favor of lower courts.

Themes

The Flaws in the American Legal System

One of the book's two main purposes is the exploration of, and commentary on, several flaws or failings in the American legal system. These flaws include, in the author's mind and contentions, systemic racism; additional prejudice towards other so-called marginalized populations (i.e. women, the poor, the mentally ill); and an inclination towards expediency and / or responding to public pressure at the expense of truth and justice. All of these, the author further contends, lead to corruption and a lack of professional and personal integrity on all levels of systemic function. He clearly suggests that police officers on foot patrol, sheriffs, attorneys (both defense and prosecution), judges, sitting governments, and even the American Supreme court have all, to one degree or another and in one circumstance or another, sacrificed what is arguably the goal of any legal system – to obtain true justice for those victimized by crime – on the altar of perceived justice, often built on intentions to serve agendas or needs other than those of victims.

The author anchors his examination of these flaws in his narration of a case – that of African-American Walter McMillian, wrongfully prosecuted / persecuted in relation to a case involving the murder of a young white woman – that embodies and manifests several of them. He both suggests and proves that the police investigation was cursory and undertaken by people who saw only what they wanted to see. Stevenson makes a case that the trial, on all three sides of the legal table (defense, prosecution, judge) was similarly undertaken in pursuit of something other than justice. Finally, Stevenson also states that subsequent appeals, efforts to commute Walter's sentence, and subsequent efforts to exonerate him completely were inhibited by these individuals, determined to both conceal their mistakes and perpetuate their idea of justice, in this case and in the larger system in which they worked.

Here it's important to note that even though the author uses Walter's case as a detailed, meticulously researched and reported example of the flawed system and its functions, he doesn't consider it in isolation. Not only does he bring in other examples of those same flaws (and others), he puts them all in a larger context: the story of how those flaws originated in both the legal system and the larger society and culture that system was designed to serve and protect.

The Impact of History on the Present

The author gives weight, support, and credibility to his arguments and analysis by including references to, and commentary on, various elements of history, both legal and cultural. As he details the circumstances and events of Walter's case, Stevenson simultaneously examines how the treatment Walter experienced was not unique in either the specific part of the state of the country in which that treatment occurred, or in



the country as a whole. Stevenson describes how decades-old prejudice against African-Americans in general, and against inter-racial relationships in particular, fueled the belief, in both the public and the legal system ostensibly acting on the public's behalf, that Walter SHOULD be guilty. Stevenson also describes how similarly long-existing practices of judicial short-cutting and sentence-making became an established pattern of behavior into which both he and Walter were forced. Stevenson describes how both personal and legal experiences of all those sorts of prejudices affected people not even directly related to Walter's actual "crime" – that is, other members of the African-American community who wanted to support him, but wearily and self-defeatingly believed that anything they did or could do would ultimately mean nothing.

The author brings this sort of historical consideration and analysis into his concurrent commentary on other forms of prejudice in the American legal system. The history of how the poor, the young, women, the mentally ill, and anyone else considered a minority – it's all brought to bear as the author uses the Walter McMillian case to examine and reveal the variations on both prejudice and prejudice's effects that permeate, and ultimately corrupt, that system. Actions and events in the present, Stevenson repeatedly suggests, are almost entirely defined by what happened, and what was believed, in the past: in other words, the "justice" of the present reflects the injustices of the past, with criminals in the present becoming victims of the past and of history. The author's fight, therefore, is with both the present and the past, a fight he wages with a variety of tools, only one of which is legal knowledge. Definitions and demonstrations of two other tools make up two of the book's additional themes.

Humanizing the Imprisoned

In virtually all of the cases Stevenson describes, and in his descriptions of those cases, one of the author's stated purposes is to treat the people he defends as human beings, and to get authority figures to see them as such. He also, by implication, wants the reader to do the same thing: to see those who have been, or might be, perceived as evil, criminal, as having lesser value as a person – perhaps troubled, perhaps damaged, perhaps even guilty of awful crimes – as individuals with identities and lives worth living with some kind of quality and respect.

Stevenson fights for better treatment of the imprisoned, and virtually dares both authority figures and the reader to suggest that he is wrong to do so. He makes the small gesture, in his telling of these people's stories, of always calling those whom he defends, by their first names. Also, and perhaps most notably, Stevenson makes the effort to include people's histories or backgrounds in his discussions of their cases, implying that one of the governing principles to which he refers in his introduction is a core truth: that no-one is ever just the worst thing they have done. This is arguably a form of compassion, the idea that on a fundamental level, everyone can identify with the common humanity of everyone else, no matter who they are or what they've done.

This theme is developed in other notable ways: in the author's story of Mr. and Mrs. Jennings, who see a troubled young prisoner (Charlie) not as a killer but as a human



being worthy of care and nurturing; in the story of the unnamed prison guard who is, in many ways, just as “imprisoned” by the traumas of his past in the same way as the prisoners whom he guards and who is awakened to the humanity he shares with them when he realizes they have traumas in common; and in the story of the anonymous woman who describes herself and the author as “stone-catchers,” people who catch, deflect, or soften the blows of the “stones” of moral and/or legal judgment thrown at those whom society judges to be unfit of anything other than contempt or destruction. It could be argued, in fact, that in his call for the humanization of the imprisoned, the author is actually making a much wider call: for the humanization of everyone, so that the imprisoned and everyone else can be seen, respected, and treated as human beings worthy of such treatment.

The Power of Hope

The power of hope is the second “tool” referenced or commented on by the author as he explores ways of combatting the prejudices and challenges of both the present and the past. Hope is arguably an emotion of the future, a drive towards experiencing a new, different, better way of being in the world: as such, it is arguably one of the most powerful tools in any fight against the enchainning rules or traditions of the past and present.

What’s interesting about the exploration of hope in this particular book is that it’s never actually named, or defined, as a force until relatively late in the narrative. Prisoners reach out to the author and other attorneys in desperation, a kind of hope that has hardened, intensified, and gained an edge that is perhaps jagged, perhaps sharp, or perhaps a combination of both. The author takes on their cases out of a desire for justice, a kind of hope that has its own hardness, its own edges, all driven by a sense of compassion or empathy. There is, in the author’s early experiences and in his writing about those experiences, little or no reference to the perhaps softer, perhaps more open emotion of hope. It’s arguable that because he, like so many of his clients, is perceivable as someone on the margins of society (i.e. an African-American), he is born into circumstances in which hope is difficult, if not impossible. Hope is, also arguably, replaced by anger. There is certainly the sense that that is what has happened for the author.

As the twin narratives progress (that is: the Walter McMillian narrative and the “other examples” narrative), however, the author describes a series of encounters that led him away from anger and into a place where hope is at least part of his motivations. Those encounters include his conversations with Mr. and Mrs. Jennings (the white couple who act out of transcendent compassion for a troubled African-American youth); Mrs. Williams (the courageous African-American woman who stands up to her fear); and the unnamed white prison guard (whose rebirth into compassionate awareness comes as an inspiring surprise to the author). Perhaps the most hope-propelling, hope-defining encounter the author has is with the unnamed African-American woman he encounters in the aftermath of Walter McMillian’s legal exoneration: the woman who perceives and describes them both as being stone-catchers, people who advocate and defend for



those who have “stones” of hatred, prejudice, and judgement thrown at them by society. Stone-catchers do what they do, she says, in the “hope” that their actions will not only help those whom they defend, but those who see the actions of the stone-catchers and who become awakened to their own capacity for compassion and possibility.

Being Broken

The book’s two main thematic considerations – the author’s exploration of the flaws in the American justice system, and the author’s exploration of ways and means to combat and counter those flaws – are both anchored by the same concept: the idea that everyone is, in one way or another, broken. Without actually saying so, the first thematic line (the exploration of flaws) is defined by the perception in the legal system that being broken (i.e. not “normal” or what society sees as valuable) means that people are not worthy of being treated compassionately or well. The second thematic line, by clear and deliberate contrast, suggests exactly the opposite ... that the “broken” are just as deserving, perhaps even more deserving, of compassion, respect, humanization, and hope, than those who are perceived as being not broken, or “whole” in one way or another. Both Quote 12 and Quote 13 develop this idea quite vividly, the author writing about how, as the result of the conversation with his fellow “stone-catcher”, he comes to realize the deeper truth of where his fight for justice comes from: the compassion and empathy of one broken person for / with another.

There is a Japanese art form called “kintsugi,” in which a crack in a piece of porcelain or similar vessel is filled with gold in order to turn the crack into something beautiful and create a new and different form of art, something unique because of its flaws, and the celebration of those flaws. While the author does not go as far as to suggest that the broken people whom he defends are kintsugi-like in being beautiful, he does suggest that being broken allows for possibilities to come into a person that expand that person’s experience. Broken-ness is, after all, a kind of vulnerability which in itself can be a transformative quality in life. And as the author himself says, broken-ness allows for the possibility of hope, mercy, compassion, in the self and in others. He provides several examples of this throughout the book’s two narratives, but perhaps more importantly, discovers that he himself is just such an example – and, by implication, suggests that each individual person, and the society made up by such persons, both have similar capacities to emerge from brokenness stronger, wiser, and more open to awareness of parallel experiences, and value, in others.



Styles

Structure

The book explores a pair of narrative lines in parallel. Chapters recounting the case of Walter McMillian alternate with chapters exploring a range of problems with the American legal system that go beyond those encountered by McMillian and the author. In other words, there is a real sense of back-and-forth about the book's overall structure, with a detailed look at one particular legal situation being repeatedly juxtaposed with less detailed, but no less vivid, examinations of other, frequently similar (i.e. unjust) situations.

There is the strong feel that the McMillian storyline by itself is constructed very much along the lines of the traditional mystery / thriller / crime story. The description of the crime in question; the process by which someone is accused, tried, and convicted; the layers of truth that are at first concealed but then eventually revealed; the process of the lawyer's investigation; the eventual revealing of the truth – it is in many ways a standard structural template for stories of this nature. A particularly significant element of this structural premise is that each of the McMillian chapters ends with a kind of cliffhanger, or moment of heightened suspense or tension, keeping the reader fully engaged.

This sense of suspense is heightened even further by the placement of the stories in the second narrative line. These stories are undeniably important in their own right, depicting – as they do – other instances in which the American justice system has, in fact, created or sustained a miscarriage of justice. In each of these instances, there are implied echoes of the experiences of both the author and Walter McMillian; in each of these chapters, creating the sense that what happened to Walter is not an isolated case, but the result of systemic issues and/or problems.

The main body of the book is bookended by an Introduction (in which the author sketches in his personal and professional background, as well as previewing the Walter McMillian story) and an Epilogue in which the author describes both the ending of that story – i.e. Walter's death – and new beginnings in his own professional career.

Perspective

On a fundamental, defining level, the book's perspective is that of the author himself. He is an advocate for those who are, for whatever reason, vulnerable to or victimized by the flaws in the American legal system. His perspective, which defines his purpose in writing the book, is that that system is geared towards enabling or perpetuating a wide range of agendas that ultimately have little or nothing to do with the pursuit and execution of justice. These agendas, the author contends, include power, profit, and systemic prejudice, all of which, he further contends, work against those who, in both the system and arguably in American society, live on what that society perceives as its margins –



those who are non-Caucasian, non-male, non-wealthy, non-educated, non-adult, or any combination thereof.

The author's legal and personal perspective, and therefore that of the book, is that no matter what their apparent disabilities or differentness, people on the margins are still human beings and deserve to be treated as such. He clearly makes an effort, in both his legal practice and his writing about that practice here, to do just that: to make the people he defends feel like human beings, and to make the society and system that has betrayed them see them as such as well. This, in turn, extends to what he seems to want the reader to see and believe: that criminals, no matter what they have done, are people too. In that sense, he is perhaps taking his readers, and the public at large, by surprise: accustomed as the public is to portrayals and perceptions of criminals as evil or less than respectable, the author's practice of defending them could very well be seen as a kind of confrontation, or rebellion.

A vivid, yet simple, example of how this perspective manifests in the writing of the book is in how the author refers to the people he has defended: no matter what their crime, no matter what their situation, they are referred to by their first names. Walter McMillian is always Walter, never Mr. McMillian or just plain McMillian: he is referred to the way one friend or colleague might refer to another, and all the other defendants with whom the author worked are written about in the same way. To the author, it seems, this is one (perhaps small) way in which he can re-humanize people who have, in so many ways, been DE-humanized by the law and by the courts / policing systems that apply that law.

Tone

The book's tone, or rather the evolution of its tone, is one of its subtler, yet most powerful and evocative, elements. For much of the book, particularly in the chapters focusing on the Walter McMillian case, the tone is that of what might be expected from a lawyer, which is exactly what the author is: clear, specific, focused, and somewhat unemotional. There is an emphasis on facts, interpretations and analysis based on those facts, and seemingly rational suggestions about both the failings in those facts and ways in which the circumstances that gave rise to those facts can, and should, be changed. There is a quiet undercurrent of anger and outrage beneath the narration, but very rarely, if ever, does that feeling emerge into the actual narration. There is something of a different tone to the non-Walter McMillian chapters in the earlier part of the book: there is still the mostly un-emotional recounting of the facts, interwoven with recounting of facts from history, and there is still the simmering undercurrent of anger. There is also, however, a similarly simmering undercurrent of compassion, a sense, in fact, that that rage is fueled or defined by compassion. Again, though, that feeling also remains hinted at, or implied, rather than overtly expressed.

Later in the book, however, as the events in Walter's story develop higher and higher stakes for everyone involved (including not only Walter and the author, but also for Walter's family and the African-American community in general), the narration takes on an increasingly emotional tone. As the author's entwined frustration and hope intensify;



as he encounters more and more people whose lives have been affected by both the failings of the system and the author's struggle to change that system; as he encounters more and more people who, like him, make their choices from a place of justice, courage, and mercy – the author's writing becomes more vulnerable, more evocative, and more emotional. He humanizes himself in the same way as he has striven, over the course of his career and the book, to humanize those whom he defends: he becomes less of a lawyer and more of a human being responding to a universal call to do what is right for other human beings. He is more empathetically minded as well as being legally minded, with the sense of the human side of his endeavors peaking in the narrative at the same time as one of those endeavors, his defense of Walter, reaches ITS climax.



Quotes

My frantic search for a 'post-graduation plan' led me to law school mostly because other graduate programs required you to know something about your field of study to enroll; law schools, it seemed, didn't require you to know anything.

-- Narration (The Author) (Introduction)

Importance: The quote is a darkly humorous comment on what might be perceived as a commonly held perception about lawyers: that the job doesn't require a great deal of knowledge.

I have discovered, deep in the hearts of many condemned and incarcerated people, the scattered traces of hope and humanity – seeds of restoration that come to astonishing life when nurtured by very simple interventions.

-- Narration (The Author) (Introduction)

Importance: This quote can be seen as an early manifestation of one of the book's central themes, and a key component of the author's own personal and professional philosophy: that everyone, no matter what s/he has done, has the right to be treated, and seen, as a human being.

I was a twenty-eight-year-old lawyer who had worked on police misconduct cases. I had the judgment to speak calmly to the officer when he threatened to shoot me. When I thought about what I would have done when I was sixteen years old or nineteen or even twenty-four, I was scared to realize that I might have run. The more I thought about it, the more concerned I became about all the young black boys and men in that neighborhood. Did they know not to run? Did they know to stay calm and say, 'It's okay.'?

-- Narration (The Author) (chapter 3)

Importance: In this quote, taken from the author's narration of his encounter with hostile, somewhat rogue police officers, the author realizes his commonalities with other young African men who might not be able to handle similar situations in the same way as he can / does.

It's been so strange, Bryan. More people have asked me what they can do to help me in the last fourteen hours of my life than ever asked me in the years when I was coming up...

-- Herbert Richardson (chapter 4)

Importance: This quote, among the last words spoken by a client of the author's whom he failed to successfully defend, points out one of the ironies of being a prisoner on death row: in one's last hours, Herbert suggests, one is treated much better than one ever was in life.



A client's life often depends on his lawyer's ability to create a mitigation narrative that contextualizes his poor decisions or violent behavior. Uncovering things about someone's background that no-one had previously discovered – things that might be hard to discuss but are critically important – requires trust ... the kind ... that takes hours and multiple visits to develop.

-- Narration (The Author) (chapter 5)

Importance: Here the author sums up one of the difficulties associated with his work, and with his goal of humanizing his clients: that creating a humanizing relationship with someone, particularly someone who has been hurt or treated badly, takes more time and effort than is sometimes available or possible for inmates facing imminent execution.

We've all been through a lot, Bryan, all of us. I know that some have been through more than others. But if we don't expect more from each other, hope better for one another, and recover from the hurt we experience, we are surely doomed. (chapter 6)

Importance: These words are spoken by the white Mrs. Jennings, whose compassion towards a young, troubled African-American man awakens in the author a sense of the possibility that hope and compassion can change lives even in the most difficult circumstances.

I don't know how to make you feel the emotion and importance of those photos, but to be real, I want to show the world I'm alive! I want to look at those photos and feel alive! IT would really help with my pain. I felt joyful today during the photo shoot. I wanted it to never end. Every time you all visit and leave, I feel saddened. But I capture and cherish those moments in time, replaying them in my mind's eye, feeling grateful for human interaction and contact. But today, just the simple handshakes we shared was a welcome addition to my sensory deprived life.

-- Ian Manuel (chapter 8)

Importance: This quote, taken from a letter written to the author by one of the young prisoners he defended, illustrates the reasons why humanizing prisoners, particularly the young, is important. Prison, the author suggests throughout the book, is almost the most dehumanizing experience a person can undergo.

In that moment, I felt something peculiar, a deep sense of recognition. I smiled now, because I knew [Mrs. Williams] was saying to the room 'I may be old, I may be poor, I may be black, but I'm here. I'm here because I've got this vision of justice that compels me to be a witness ... I'm here because you can't keep me away' ... for the first time since I started working on the case, everything we were struggling to achieve finally seemed to make sense."

-- Narration (Bryan Stevenson) (chapter 9)

Importance: In his commentary on his inspiring encounter with the courageous Mrs. Williams, the author recounts the discovery of a hitherto unremarked human aspect to



his work. In other words, as the result of Mrs. Williams' actions, he starts to humanize himself in the same way as he's fought to humanize the criminals he defends.

I felt I was supposed to be the cautionary voice that prepared family members for the worst even while I urged them to hope for the best. It was a task that was growing in complexity as I handled more cases and saw the myriad ways that things could go wrong. But I was developing a maturing recognition of the importance of hopefulness in creating justice.

-- Narration (Bryan Stevenson) (chapter 11)

Importance: Here again the author comments on his growing awareness of hopefulness and the role it plays both in the work he does and in the lives of the people he strives to help.

In 1992, the year before Walter's release, thirty-eight people were executed in the United States. This was the highest number of executions in a single year since the beginning of the modern death penalty era in 1976. That number rose to ninety-eight in 1999. Walter's release coincided with increased media interest in the death penalty, triggered by the increasing pace of executions. His story was a counter-narrative to the rhetoric of fairness and reliability offered by politicians and law enforcement officials who wanted more and faster executions. Walter's case complicated the debate in very graphic ways."

-- Narration (Bryan Stevenson) (chapter 13)

Importance: With this quote, the author cites statistics and circumstances in support of his point that capital punishment is an extreme, too frequently used, cruel and unusual consequence for any crime.

Many [of the juvenile lifer cases we handed] involved clients who ... had matured into adults who were much more thoughtful and reflective; they were now capable of making responsible and appropriate decisions. Almost all of the cases involved condemned people marked by the tragic irony that they were now nothing like the confused children who had committed a violent crime; the had all changed in some significant way.

-- Narration (Bryan Stevenson) (chapter 14)

Importance: With this quote, the author adds depth and weight to his argument that because the brains of adolescents are still chemically and physically evolving (and therefore creating unpredictable changes in behavior), people of that age cannot, and should not, be held fully accountable for their actions.

I guess I'd always known but never fully considered that being broken is what makes us human. We all have our reasons. Sometimes we're fractured by the choices we make; sometimes we're shattered by things we would never have chosen. But our brokenness is also the source of our common humanity, the basis for our shared search for comfort, meaning, and healing. Our shared vulnerability and imperfection nurtures and sustains our capacity for compassion.

-- 15 (chapter 15)



Importance: This is the first of two quotes examining and/or revealing the author's newly encountered insights into the experience of being broken, an experience he realizes that he shares with the people he has been defending.

...embracing our brokenness creates a need and desire for mercy, and perhaps a corresponding need to show mercy. When you experience mercy, you learn things that are hard to learn otherwise. You see things you can't otherwise see; you hear things you can't otherwise hear. You begin to recognize the humanity that resides in each of us.
-- Narration (Bryan Stevenson) (chapter 15)

Importance: The author continues his exploration of the idea of brokenness and how embracing the experience of being broken can be transformative for anyone human enough to be open to it.

...if the anguish of all the stressed lives, the pain of all the oppressed people in all of the menaced spaces of Monroe County could be gathered in some carefully constructed receptacle, it could power something extraordinary, operate as some astonishing alternative fuel capable of igniting previously impossible action.
-- Narration (Bryan Stevenson) (Epilogue)

Importance: Here the author refers to the possibility of hope, courage, and change when the power of fear and pain is harnessed and directed into taking important, and necessary, action. His words can be seen as referring not to just Walter McMillian's home in Monroe County, Alabama, but to the situations of oppressed people everywhere.

Mercy is most empowering, liberating, and transformative when it is directed at the undeserving. The people who haven't earned it, who haven't even sought it, are the most meaningful recipients of our compassion ... in the end, it was just mercy towards others that allowed [Walter] to recover a life worth celebrating, a life that rediscovered the love and freedom that all humans desire, a life that overcame death and condemnation until it was time to die on God's schedule.
-- Narration (Bryan Stevenson) (Epilogue)

Importance: In this quote, taken from his eulogy for Walter McMillian, the author sums up the principles and values that give his book its title, his life and work their meaning, and the process of being human a goal: to transcend prejudice, fear, and the self-imprisonment that comes from experiences of either / both and mercifully, empathically recognize the frail, flawed humanity in every individual, including the self.



Topics for Discussion

The author's three principles, as quoted at the end of the chapter.

To what extent do you agree or disagree with each of these principles?

The author's experience with the police.

In the last several years, there have been a number of highly publicized encounters between young black men and authority figures that have similar origins to the one described here (i.e. a grounding in racial tension), but with very different results. What are some of those encounters? What has been the outcome of those encounters? How do those outcomes relate to the issues and situations explored in the book?

The treatment of veterans convicted of crime.

The narrative never questions whether Herbert should in fact have the right to be married. Do you believe prisoners should still have that right? And, taking that idea further, do you believe that prisoners like Herbert, who are veterans but who have been convicted of a crime, have the right to be remembered, at their deaths, in the same way as other veterans?

Mitigation.

Here and throughout the book, the author explains circumstances and/or situations in the lives of the people he helps that mitigate, or explain, the crimes of which they have been committed. In this case, do you believe Charlie's sentence was appropriate, or do the circumstances in which he committed his crime (i.e. the circumstances of his life) mitigate, or explain, why he did what he did so that he in fact should not have been convicted?

Capital Punishment.

Do you agree or disagree with the practice of capital punishment? Why or why not?

Justice for all.

Is the unnamed guard as worthy of Avery of compassionate, mitigating consideration of his actions? Is the guard's racist action more or less morally equivalent to Avery's crime?



The Negative Value of Being Female.

The author clearly suggests, by recounting the story of Marsha Colbey, that being a woman in the American legal system is, in many ways, akin to being black, poor, or mentally challenged. This is arguably a variation on the idea that women in general are second class citizens in American society. What are some of the other ways in which being female is being perceived as a disadvantage? In what ways is this perception being challenged?

The Nature and Function of Guilt in Crime.

In several instances throughout the book, the author seems to be making an effort to pass no judgment on the crimes committed by those he defends. He seems, instead, to be focused on the appropriateness (or lack thereof) of the punishment they receive(d). Is this perspective appropriate? Or is guilt, and therefore punishment, an absolute?

The Future of the Law.

Given the recent history in America of sexism and racism-defined attitudes and actions in a number of cultural, social, and political arenas, what do you think is the future of the legal system? Will there be more such incidents before there is less? Or is there movement towards clear, more active compassion in that system?

Chapter Titles.

Consider and discuss the meaning or implications of the title of each chapter. What does the title have to do with the chapter's content? In some cases, the title is referred to explicitly and/or specifically: in other cases, it's not. Consider the meanings and values, literal or metaphorical, of each case.