

ARTICLE 3

"Everyone has the right to life, liberty and security of person."

- Article 3 of the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 10, 1948



Murder Victims' Families for Human Rights

Newsletter 1 • Summer/Fall 2005

UN Commission on Human Rights Debates the Death Penalty

Is the death penalty such a clear violation of human rights that it should be prohibited even if some nations want to practice it, or is the death penalty simply a criminal sanction that countries should be allowed to impose if they believe it is effective?

This was the heart of the debate among the 53 countries attending the 61st annual meeting of the UN Commission on Human Rights in Geneva, Switzerland this past April. The Commission on Human Rights, which makes recommendations to the UN General Assembly, was deciding whether to pass a resolution condemning the death penalty and urging countries to abolish it.

I had the opportunity to attend the meeting as part of the first National Coalition to Abolish the

Death Penalty delegation and as a representative of the World Coalition to Abolish the Death Penalty. Sitting there right in the middle of the debate, I felt the vividness and immediacy of the issues that inspired us to form Murder Victims' Families for Human Rights last year. I listened to the European Union representative argue that abolishing the death penalty would foster human rights and promote the dignity of human beings. I listened to representatives from Sudan, from Kenya, from Saudi Arabia, and then from my own country argue that the death penalty is *not* an issue for the international community to take up and that countries should have the right to retain it.

In the end, the resolution passed 26-17, with 10 abstentions.

The U.S. was among those voting against it. With the passage of the resolution, the Commission called upon all countries that still have the death penalty to abolish it completely and, in the meantime, to establish a moratorium on executions and progressively restrict the number of offenses for which the death penalty may be imposed. The resolution specifically recommended that the death penalty *not* be imposed on juvenile offenders, pregnant women or women with dependent children, and people with mental disabilities.

It was fascinating to be present at this debate and to see how much disagreement the issue of the death penalty as a human rights violation can provoke – and to realize that, as a newly formed organization of victims' families

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Murder Victims' Families for Human Rights

Murder Victims' Families for Human Rights is an international, non-governmental organization of family members of victims of criminal murder, terrorist killings, state executions, extrajudicial assassinations, and "disappearances" working to oppose the death penalty from a human rights perspective.

Membership is open to all victims' family members who oppose the death penalty in all cases. "Friend of MVFHR" membership is open to all those interested in joining our efforts.

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Article 3

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who believe that the death penalty is a human rights violation, we have the opportunity to contribute to this debate in a unique way.

As always in the discussion about the death penalty, survivors of homicide victims have a particular story to tell, a particular perspective to contribute. In the human rights community, there is talk about how to integrate respect for universal human rights with recognition of the harm suffered by victims. There is talk of the need to hold accountable those who violate the human rights of others. How *do* we hold nations – or individuals – accountable? How do we respond to one violation of human rights without involving ourselves in another such violation? How can we apply an ethic of respect for people's humanity consistently – to those who have committed crimes and to those who have been victimized?

These questions drive our work at Murder Victims' Families for Human Rights and they will inform the stories we publish in *Article 3*. We will tell you about death penalty abolition work being done from a human rights perspective and a victims' perspective in the U.S. and abroad, believing that we can all learn from each other. Our first issue focuses on some of the work that members of our organizing board have been doing in our first few months of existence as an organization. In future issues, we will be able to feature the work of other members around the country as well. We want to hear from you, so write and tell us what you've been doing. Send us copies of your public statements, your letters to the editor, your thoughts and questions.

We decided to name this newsletter *Article 3* knowing that a lot of people might at first wonder about its meaning. But this name – like our work in general – is an act of faith that people can be invited to look closer, to consider more deeply, to enter into new ways of thinking. We believe people can come to see that the death penalty is a violation of basic human rights and that it is time for nations across the world to abolish it.

– Renny Cushing

Winning Right to Protest Connecticut Execution

In January, Murder Victims' Families for Human Rights was the lead plaintiff in a successful suit regarding the right to protest the state of Connecticut's first execution in 45 years. Although the prison and state officials were not planning to forbid the protest entirely, they were attempting to restrict it to an area far from the prison where the execution was to take place.

The Connecticut Network to Abolish the Death Penalty, Amnesty International, the National Coalition to Abolish the Death Penalty, and three individual victims' family members (Walter Everett, Antoinette Bosco, and Art Laffin) joined MVFHR in filing this claim against the Commissioner of the Connecticut Department of Correction, the Commissioner of the Connecticut Department of Public Safety, the Commissioner of the Connecticut State Police, and the town of Enfield.

The complaint filed by the Connecticut office of the ACLU on behalf of our group of plaintiffs read in part: "This case is about the right of the public to express their views about the death penalty in general and this execution in particular – both of which are political issues of local and national importance – in a meaningful public forum rather than being corralled in a space controlled by state agencies."

Murder Victims' Families for Human Rights saw the filing of

this suit as an important action for our organization for several reasons: it was an opportunity to join in common cause with other abolition groups at a critical time; it was an opportunity to draw attention to the importance of freedom of speech, which is included not only in our own country's Constitution but in the International Covenant on Civil and Political Rights, recognized worldwide as one of the primary human rights documents; it offered victims' family members a chance to be specifically represented in this claim.

Reverend Walter Everett explains his reasons for joining the lawsuit as follows, "It was important to me to be a plaintiff in *MVFHR vs. Lantz* because I felt the state of Connecticut was trying to silence, or at least make ineffective, the voices of those who would speak out against the death penalty. As a family member of a murder victim, I know that the desire for vengeance impedes the healing process. Furthermore, the taking of another life does not even the score, but only makes us all more violent. Forbidding a vigil in the vicinity of the prison would have meant that our collec-



Members of MVFHR participated in a 30-mile walk, called "Dissent with Dignity," in the days preceding Connecticut's first execution in 45 years. In the early morning hours of May 13, members joined approximately 300 others in a protest march and vigil at the prison.

tive voice would not be heard. It was time to act and make sure that the people of Connecticut would be able to hear the voice of those who speak out for human rights."

Art Laffin expresses similar thoughts: "I joined in the lawsuit because, as a murder victim's family member, I wanted to get as close as I could to the site of the execution to say 'Not in My Name.' The state's attempt to remove us several miles from the execution site was an attempt to grossly misrepresent who we are as nonviolent people and marginalize our dissent. We were no security risk. Winning the lawsuit underscores how imperative it is that we should never be intimidated by prison, police or other political and law enforcement officials who are increasingly trying to strip away our freedoms and stifle dissent."

Opposing the Death Penalty in Korea

Murder Victims' Families for Human Rights is pleased to be part of the effort to oppose the death penalty in Korea, where an abolition bill is currently before the National Assembly. Last November, the Pan-Religious Council for the Abolition of the Death Penalty – a group of seven Korean faith organizations – held a conference and invited Renny Cushing, executive director of MVFHR, to speak on the topic of Victims and the Death Penalty.

In Korea as in the United States, victims' family members are assumed to favor the death penalty, and the issue was especially in the news during this time because the conference happened to coincide with the trial of Korea's first identified serial killer. Renny had the opportunity to meet with one of the victims' family members in this case, a man whose wife and son had been murdered. This gentleman (who asked that we not use his name for now) was the only one of the 21 victims' family members in the case who had written a letter to the prosecutors asking that they not seek the death penalty. He had never met another victim's family member who opposed the death penalty, and he is now eager to be part of MVFHR and to link up with others who share similar losses and beliefs.

While in Korea, Renny also met with Korean lawmakers who are trying to advance the abolition bill. Most notably, the sponsor of

Excerpts from Renny Cushing's address to the Korea Assembly

As a former two-term member of the House of Representatives in my home state, I have a special appreciation for the challenges and demands that must be addressed by those who, like Assembly Member Yoo In-Tae, serve as parliamentarians in a democracy, and who help enact the laws that govern a society. Like him, I sponsored legislation to abolish the death penalty. I was a lawmaker who was the son of a murder victim. Mr. In-Tae is lawmaker who was once sentenced to death. I think it can be said that I, as a survivor of a murder victim, and Mr. In-Tae as a survivor of death row, both have interests in the debate about the death penalty that are not that common among legislators anywhere. It has been very moving to meet Assembly member In-Tae and see his leadership on this issue, and I felt a great affinity with him. ...

As a guest in your country, I do not presume to prescribe to you or tell the people of Korea what to do. I want to praise the people of Korea and the government for the de facto moratorium on executions that has been in place since President Kim Dae-Jung came to office in 1998 and that has continued under president Roh Moo Ryan. In the United States, the governor of one of the largest states, Illinois, recently commuted the death sentences to life in prison for 168 death row inmates when he concluded that the death system was flawed and innocent people were being sent to the gallows. It would be a significant act for your President to issue a similar order for the people currently on Korea's death row, and to issue a formal decree for a moratorium on executions. The National Legislature should act on the bill presented by Assembly Member Yoo In-Tae and others and abolish death penalty, and at the same time it should adopt the recommendations of the UN Special Rapporteur on executions, and make good on the promise to victims, and adopt comprehensive programs for victims' rights, advocacy and support, and restitution.

This is an international moment, when the eyes of the world look to Korea and the Korea Assembly for leadership in human rights. I know it is a challenge. Abolishing the death penalty as a way to honor victims would have a positive impact the death policies of your neighboring countries of China and Japan as well as North Korea and the US.

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the bill, Assemblyman Yoo In-Tae, was himself sentenced to death many years ago. Reflecting on the meeting, Renny observes,

"Despite its being in Korea, in a way the Assembly building had a very familiar feeling, almost like walking into any state capitol building. But when I attended a meeting with the Speaker of the Assembly, the Korean leaders of seven religious denominations, and legislative sponsors from different parties who supported the bill to abolish the death penalty, I knew I wasn't in the United States. Sitting in typical overstuffed fancy chairs arranged in a circle, those present had a discussion that included not just the pro forma philosophy of the abolition legislation but also thoughts about strategy for moving the bill forward

and dealing with concerns that might be raised by members of the public who oppose the legislation. It's hard to imagine the Speaker of the House in the United States Congress inviting the director of the National Coalition to Abolish the Death Penalty and other abolition leaders in to sit around in a circle and figure out the way to move an abolition bill through Congress.

"What really struck me about the meeting, though, was how much Assemblyman Yoo In-Tae carried the conversation. He was the face of the death penalty. When he spoke, it resonated. He had been a student leader under the former dictatorship thirty years ago when he, along with 16 others, was sentenced to death. Eight of his fellow students were immediately hung. It was for those eight people as much as for himself that he spoke at the meeting

with the Speaker and later when he spoke at the conference, asking his Assembly colleagues to join him in abolishing the death penalty. As he put it, abolishing the death penalty would be one more step in consolidating democracy."

At this writing, the defendant in the serial killer case *has* received a death sentence. The abolition bill has been formally introduced, and has over 150 sponsors (out of 299 Assembly members). In April, a crew from Korea's largest television station visited the United States to make a documentary on the experience of victims' families in the aftermath of murder. Interested in exploring the variety of experiences and responses, they interviewed several survivors, including members of Murder Victims' Families for Human Rights.

Become a Founding Member of MVFHR

Join Murder Victims' Families for Human Rights before December 10, 2005 – International Human Rights Day – and you will be known as a founding member or founding friend. Membership cards, which you can keep in your wallet to remind yourself of your commitment to abolishing the death penalty, contain the words, "In the name of victims, we pledge to end the death penalty

around the world." Visit our website, www.murder-victim-families.org, for membership forms and information. Thanks to all the founding members and friends who have joined and offered support to our organization so far. We are excited to be making history with you, and together we *will* end the death penalty.

No Death Sentences for Juvenile Offenders

This photo at the right shows Murder Victims' Families for Human Rights board member Bill Pelke speaking to the press on the steps of the United States Supreme Court building last October, on the day that the court heard oral arguments in the *Roper v. Simmons* case. In his statement, Bill said that he was a relative of a victim murdered by a juvenile offender and he did not believe in the death penalty for juveniles.

The publicity events surrounding the oral arguments were part of an intensive campaign against the juvenile death penalty that many groups and individuals had been waging for the past year. On March 1, 2005, the death penalty abolition community celebrated the United States Supreme Court's 5-4 ruling that it is unconstitutional to sentence juvenile offenders to death. This is a wonderful victory that further erodes the application of the death penalty and saves the lives of over 70 juvenile offenders who were on death row.

Among the many voices offering comment in the aftermath of the *Simmons* ruling were members of



Photo by Abe Bonowitz

Murder Victims' Families for Human Rights. Jennifer Bishop-Jenkins, whose sister and brother-in-law were murdered by a juvenile offender, did several interviews on the subject, including a National Public Radio story on which she was joined by Jotaka Eaddy of the National Coalition to Abolish the Death Penalty and Rena Beazley, whose son Napoleon Beazley was one of the last juvenile offenders executed before the *Simmons* ruling.

Catholic Bishops Launch Anti-Death Penalty Campaign

On March 21, the U.S. Conference of Catholic Bishops held a press conference in Washington, D.C., formally launching the Catholic Campaign to End the Use of the Death Penalty. The launch followed the release of poll results on Catholic attitudes toward capital punishment, which found that 48% of Roman Catholics support the death penalty and 47% oppose it; a subsequent poll indicated that support and opposition among Roman Catholics is now evenly split at 48% and 48%. In past surveys, 68% of Roman Catholics said they supported the death penalty.

Murder Victims' Families for Human Rights board president Bud Welch spoke at the Catholic Campaign's press conference along with exonerated death row inmate Kirk Bloodsworth. In his remarks, Bud said, "The Catholic Campaign to End the Use of the Death Penalty is another way for the Church to say no to more violence and no to our culture of death. As a father who lost the most precious gift that God gives us and as a Catholic, I am proud that my Church continues to be at the forefront of efforts to end the use of this unnecessary and violent

punishment."

After the press conference, Bud Welch and MVFHR board member Vicki Schieber were among those filmed telling their stories for use in educational presentations that the Catholic Campaign will conduct in parishes, schools, universities, and seminaries. Murder Victims' Families for Human Rights looks forward to working with the Catholic Campaign to suggest possible venues for the presentations and to offer victims' family members as speakers.

First Conference on the Death Penalty in Africa



Participants in the First International Conference on the Death Penalty in Commonwealth Africa. Brian Roberts is second from the left in the second row.

MVFHR board chair Brian Roberts served as the United States representative to the first conference on the death penalty in Africa, held last May in Entebbe, Uganda. The conference, organized by the British Institute of International and Comparative Law and supported by a grant from the European Union, focused on thirteen of the British Commonwealth countries, most of which retain the death penalty but don't practice it widely.

"When I began to talk about murder victims' families opposing the death penalty in the United States," Brian recalls, "that became the biggest topic of conversation, because the representatives from the African countries were struggling with the whole notion of an eye for an eye, or imposing the death penalty for the victim's sake. They said that in traditional African societies, there was no notion of the death penalty. The

highest form of punishment was banishment from the community or restitution to the family. But over the course of time as Africa has joined the rest of the world, that has unfortunately brought the death penalty."

Brian says that it was interesting to observe the differences in the issues surrounding the death penalty in African countries, as compared to the issues he is used to discussing in the United States: "Here, there is so much discussion of racial inequalities in the application of the death penalty, whereas African societies are so much more racially homogenous that that is less of an issue. But it was interesting for me to see who does get the death penalty in African countries: I learned that a significant percentage of people on death row are there for armed robbery, because stealing is considered a very serious crime, while in the U.S. that would not be a capital offense."

Because the death penalty is not widely practiced in the Commonwealth countries, the issue is not much in the public consciousness, says Brian, and in several of the countries there is little or no grassroots opposition. "On the other hand, the fact that the death penalty is so seldom used means that we can argue that there's good reason to abolish it," he points out.

Tentative plans are in the works for a second conference, this time involving all African nations. Meanwhile, according to the website of the British Institute of International and Comparative Law, the "Application of the Death Penalty in Commonwealth Africa" project will publish a report and will aim to create a network of lawyers, judges, and other decision-makers involved in the death penalty in the African states. For more information, see www.biicl.org

Victims' Families Testify in CT, NY, MD

Although not all non-profit organizations engage in legislative lobbying, the Murder Victims' Families for Human Rights organizing board decided from the start to devote a portion of our efforts to such work. As long-time anti-death penalty activists, we have seen that victims' testimony in legislative forums has a significant effect on lawmakers and is important to abolition work across the country. Here is news of some of our recent legislative work.

Abolition work in Connecticut this year has focused simultaneously on the effort to halt the state's first execution in several decades and the effort to garner support for a repeal bill in the legislature. Throughout the fall and winter months, MVFHR participated in meetings of the Connecticut anti-death penalty steering committee and helped to organize testimony at legislative hearings. Several victims' family members testified at the hearings, both for and against the death penalty. Among those testifying against was Nancy Filiault, whose sister, niece, and nephew were murdered in a highly publicized case in 2000. The case had just come to trial last fall, and Nancy told Connecticut lawmakers, "The murder of my sister almost turned me into a murderer. Plenty of times in that trial, I could have jumped that bench and killed him. But I know the difference between right and wrong. ... I am opposed to the death

penalty, and I would like to see it abolished." The Connecticut repeal bill was voted out of committee but then defeated 89-60 in the full House of Representatives. For more information and the latest news, visit www.dontkill-formect.org.

In a vote on April 12, the New York State Assembly's Codes Committee defeated a bill that would have reinstated New York's death penalty after it had been ruled unconstitutional last June. The vast majority of the 170 people who testified at five public hearings during the preceding months were against the death penalty, including several victims' family members. A report on the death penalty in New York, released by the New York Assembly a week before the vote, noted, "Many witnesses appearing before the committee expressed understanding and sympathy for retributive thoughts among survivors of murder victims, but argued that, in the end, execution does not take away the pain family members experience." For the full report, which includes several direct quotes from victims' family members, visit www.nyadp.org.

In March, Vicki Schieber and Bonnita Spikes testified before the Maryland House Judiciary Committee in support of a bill to repeal the death penalty in that state. Vicki talked about the 1998 murder of her daughter Shannon



Bonnita Spikes

and said, "There is no such thing as closure when a violent crime rips away the life of someone dear to you. ... Killing Shannon's murderer cannot stop the unfolding of the world around us with its constant reminders of unfulfilled hopes and dreams." Bonnita, who was testifying against the death penalty for the first time, described the 1994 murder of her husband Michael and the resulting suffering of her family, particularly of her then-13-year-old son, who suffered severe depression in the aftermath of the murder. "From my personal experience struggling for good mental health care for my son," Bonnita told legislators, "I believe family survivors of murder victims would be much better served if the resources wasted on the death penalty were used to provide quality mental health care for the victims and survivors of violence."

French Victims' Group Opposes the Death Penalty

We have been interested and heartened to learn about the work of the French organization SOS Attentats, which assists victims of terrorism and their families. Founded in 1986, this non-profit organization states that it has no philosophical, political, or religious affiliation – but it does hold a clearly stated opposition to the death penalty. Whereas in the United States victims' organizations generally claim neutrality on the issue of the death penalty or express outright support, this leading European victims' organization believes “a state has no right over the life and death of a human being, no matter what crime that human being has committed.”

SOS Attentats president Françoise Rudetzki goes on to say, “Justice cannot be confused with vengeance. What's more, in a case of a judicial error, the death penalty is irreversible. It is also widely recognized that the death penalty has no deterrent effect whatsoever.”

Rudetzki herself is the victim of a terrorist act; in 1983, she was injured in an explosion in a restaurant. Since then, she has become a pioneer in victims' rights in France and was responsible for the enactment of legislation that provides victims' compensation, recognizes terrorism as a new form of warfare, and makes counseling available to victims. Today, SOS Attentats provides information and guidance

for victims in the aftermath of a terrorist attack. The organization contributes toward victims' legal costs, helps them obtain access to judicial proceedings, supports them during those proceedings, and insists that rights of victims and defendants be respected during the criminal process.

Rudetzki is interested in working with MVFHR, believing that “an international organization of victims against the death penalty will greatly help accelerate the abolition of the death penalty in all countries.”



Françoise Rudetzki

Human Rights Norms: Holding the U.S. Accountable



Adopting a human rights framework for our death penalty abolition work offers us opportunities to connect with other groups who, though focusing on different issues, are also looking to work within a human rights context. MVFHR recently joined the death penalty caucus of the U.S. Human Rights Network, an organization that has representatives working in the areas of workers' rights, women's rights, housing issues, discrimination issues – and many other areas.

Founded in 2003, the U.S. Human Rights Network states: “Underlying all human rights work in the United States is a commitment to challenge the pernicious

belief that the United States is inherently superior to other countries of the world, and that neither the U.S. government nor the U.S. rights movements have anything to gain from the domestic application of human rights. Rather, in the view of a growing number of U.S. activists, the U.S. government should no longer be allowed to shield itself from accountability to human rights norms ...”

The network's Death Penalty Caucus (DPC) “addresses the strategies and approaches to strengthen the use of human rights standards to end state and federal sponsored executions in the US. The DPC supports and takes its leadership from

those most directly affected – wrongfully convicted, murder victims' families, and death row inmate families. ... The current mandate of the Death Penalty Caucus is to increase public understanding of capital punishment as a human rights violation and to share analysis and information on issues concerning alternatives to capital punishment.”

Rick Halperin, of Amnesty International and the Texas Coalition to Abolish the Death Penalty, is the Death Penalty Caucus Representative, and MVFHR Executive Director Renny Cushing is the Alternate Caucus Representative. If you are interesting in joining the U.S. Human Rights Network, see www.ushrnetwork.org.

The Journey of Hope in Texas

The Journey of Hope ... from Violence to Healing has been putting a human face on the death penalty and educating thousands of listeners about the issue since 1993. This year's annual speaking tour is scheduled for October 14-30th in Texas, a state that leads the nation in executions per year.

Journey participants address audiences at high schools, colleges, churches, civic clubs, and rallies, always speaking in teams that include a murder victim's family member, a family member of someone who is on death row or has been executed or an exonerated death row inmate, and a local anti-death penalty activist who can talk about the political situation in that state. Bill Pelke, co-founder of the Journey and board member of Murder Victims' Families for Human Rights, says the Journey hasn't changed its basic format since the first speaking tour because the combination has proved so consistently effective.

The Journey's speaking tours get the anti-death penalty message out and give listeners the chance to ask questions of people who have been personally affected by the issue. The statewide tours often help to mobilize local activists, as well, giving groups a focal point for their organizing



and outreach work. Bill observes that state groups who join together to organize Journey events often continue working together long after the Journey group has left.

On a couple of occasions, the Journey has traveled outside the United States: to seven European countries in 2000, and to the Philippines in 1998 (where they were able to visit men and women on death row). "People are always amazed," Bill says. "The United States is perceived to be a leader in human rights, but then people learn that we have this dismal record with respect to the death penalty – especially, until recently, the juvenile death penalty." Bill has seen that anti-death penalty activists outside the U.S. can be helpful by signing petitions that oppose specific executions and also by providing financial and moral support to U.S. abolition efforts.

Although Texas is the state viewed with particular amazement by abolitionist countries outside the U.S., Bill says that he antici-

pates a significant change in attitude toward the death penalty in Texas this year compared to 1998, when the Journey last toured there. "Almost all the major Texas newspapers have published editorials calling for a moratorium," Bill points out, "and there has been a lot more education on the issue."

The Texas Journey is supported by the Texas Coalition to Abolish the Death Penalty, the National Coalition to Abolish the Death Penalty, Amnesty International's Program to Abolish the Death Penalty, Murder Victims' Families for Human Rights, Murder Victims' Families' for Reconciliation; Citizens United for Alternatives to the Death Penalty, the Moratorium Network and other like-minded organizations. The Texas Journey will begin in Houston and then travel to Huntsville, Dallas/Ft. Worth, San Antonio, and Austin. If you are interested in participating as a speaker or helping to organize events, call 877-924-4483 or write Bill@JourneyOfHope.org.

Sister Helen Prejean on the Death Penalty and Human Rights



MVFHR board member
Sister Helen Prejean

Sister Helen Prejean's new book *The Death of Innocents*, which is dedicated to Murder Victims' Families for Human Rights, contains several pages discussing the death penalty as a human rights issue, including this interesting observation:

"It was to be expected when Article 3 of the Universal Declaration of

Human Rights was debated back in the 1940s that such a declaration, which granted everyone the right to life without qualification, would provoke debate, and one of the first proposed amendments was that an exception ought to be made in the case of criminals lawfully sentenced to death. Eleanor Roosevelt urged the committee to resist this amendment, arguing that their task was to draw up a truly universal charter of human rights toward which societies could strive. She foresaw a day when no government could kill its citizens for any reason."

We interviewed Sister Helen for *Article 3* in between her many speaking engagements and travels.

When did you first become aware of a human rights context for opposing the death penalty?

As long ago as 1989, when I was working with Amnesty International in their campaign against the death penalty. I was learning from them about human rights, and I remember someone saying, "Human rights are what all human beings have by virtue of being human. They are not something that society gives to citizens for good behavior or can take away for bad behavior." That made a big impression on me, and I'm continuing to learn about how to incorporate these ideas into my work. I like to talk about Article 3 of the Universal Declaration of Human Rights, but also Article 5, that no one shall be subjected to torture or to

cruel, inhuman, or degrading treatment or punishment. *The Death of Innocents* was the first time that I really began to talk about the death penalty as a form of torture.

Why do you think it's valuable to use human rights language in talking about the death penalty?

More and more I'm seeing things in a wider and deeper way; For example, I have recently begun to do talks with a Franciscan Sister – in the U.S. and in Australia – about the web of life. We talk how we are poisoning the earth through the way we are treating the air, the water, and animal species, and this is a form of violence because it involves a disrespect for life and for the interconnectedness of all life. The death penalty involves another form of disrespect for life. It's a paradigm for the way we use violence to try to repair a situation that has gotten out of control.

We must come to a point where we don't see ourselves as a species that is so different that we don't relate to the rest of the earth. Likewise, we have to come to a point where we don't see ourselves as a people, or a nation, so different that we don't relate to the rest of the world.

You talk increasingly about the negative effect that the death penalty has on victims' families.

My experience over these 20 years of doing this work is that the death penalty re-victimizes families and deeply disrespects the human rights of the families of the victims who have been murdered, because the message given by politicians, or by prosecutors who use this kind of language at the trial, is that the only way to honor the one who has been murdered is to give the government the right to kill the one who killed them. It's illusory, but worse than that, it's very harmful, because it reinforces the idea that if you don't want the ultimate penalty, there's something wrong with you, or you didn't love your family member enough. It's so built into the myth of American culture that

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vengeance equals respect or justice. People are made to feel guilty if they don't embrace that.

More and more in my talks I've become explicit about the moral bankruptcy of a society that would say to people who are deeply grieving, you let us take care of this for you and in 15 years we'll call you on a certain day and you'll get to come sit in the front row and watch as we kill the one who killed your loved one.

How does traveling outside the U.S. and meeting people working against the death penalty in other countries affect your work here?

I think the international framework is so vital to us. In the United States, we have the tendency to say, we're going to follow our own light, we won't take into account the evolving standards of decency throughout the world. Justice Scalia's dissenting opinion in the Simmons case reflects this – what I think of as a deep, deep arrogance. For me, being aware of work done in other countries has been so important. I'm part of the Catholic campaign against the death penalty in

Japan and South Korea. I'm involved with the Community of Saint'Egidio in Italy, who are setting up the worldwide call for a moratorium. You begin to realize that we're part of a globe, we're part of one family. More and more we're going to do things together or we're not going to make it.

I think Americans are not, ultimately, more deeply or innately vengeful than anyone else, but I have to say that I do think we're less reflective. I gave a talk in Italy to a stadium of 5,000 high school students, and you could just feel that the topic of the death penalty was in the air, it was something they were aware of and cared about. But Thurgood Marshall said that support for the death penalty is a matter of unreflected opinion; he said if you educate people about the death penalty, they'll reject it. In my experience, that is deeply true. With audiences I've found that if you bring them there, they get it. So I continue to think that what we need is a massive discourse about the issue.



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