

Keep the Death Penalty Dead

April 18th was the 150th birthday of Clarence Darrow. At a reading of Darrow's arguments at Cardozo School of Law, I was moved by the timelessness and sincerity of many of Darrow's words, first delivered nearly eighty years ago. They ring true today and disappoint only in the fact that we seem to have learned so little since that time.

While trying to save the lives of two wealthy young men, Leopold and Loeb, who had brutally tortured and murdered an acquaintance of theirs for no particular purpose, Darrow said:

Do you think you can cure it by hanging these two? Do you think you can cure the hatreds and the maladjustments of the world by hanging them? You simply show your ignorance and your hate when you say it. You may here and there cure hatred with love and understanding, but you can only add fuel to the flames by cruelty and hate.

Today, pressure is being put on Albany to re-open the death penalty debate by carefully defining a particular kind of murder as worthy of the death penalty. Legislators, hungry to satisfy the calls for revenge from bereaved families and frightened law enforcement officers are again calling for blood vengeance in response to terrible crimes. Bills are being drafted to address the infirmities identified by our Court of Appeals in our now moribund death penalty law. But such artful drafting blinks at the real horror of the death penalty and the violence it does to each of us as members of this society.

Our state breathed a collective sigh of relief when the Court of Appeals shut the door on more state sponsored killing. We recognized that, beyond the legal flaws in the application of our death penalty law, the burden of carrying the death of our fellow citizens was not ever worth the momentary blood fueled wrath which yields an eternal stain on our collective hands.

Each of us who believes that that we diminish ourselves by perpetuating this atrocious punishment, which has been outlawed in many countries throughout the world, China, Iran and Iraq being notable exceptions, must accept responsibility for our system, as did Darrow, as professionals charged with protecting the powerless from the powerful. Reach out to your legislators and plead for a movement towards peace, justice and forgiveness. During this Easter season, it might well be remembered that these are the very virtues for which our religious martyrs gave up their lives.

Please take the opportunity to step up to the plate, and in Darrow's words, tell your legislators that you are:

Pleading for the future; Pleading for a time when hatred and cruelty will not control the hearts of men, when we can learn by reason and judgment and understanding and faith that all life is worth saving, and that mercy is the highest attribute of man.

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