
Books Reviews

Authors make compelling argument to abolish the death penalty

by Marianna Wertz

Frontiers of Justice, Vol. 1: The Death Penalty

Edited by Claudia Whitman and Julie Zimmerman

Brunswick, Maine: Biddle Publishing Co., 1997
268 pages, paperbound, \$15.95

“The eye-for-an-eye philosophy leaves everyone blind.”

—attributed both to Martin Luther King, Jr. and Mahatma Gandhi

When five of my friends went to prison because of their political views, over four years ago, I swore that we in the LaRouche political movement would do everything we could to end the death penalty — against which they had all fought — before they got out. At that time, I expected that they would be out relatively soon, as I thought there was still some fundamental justice in this nation, if not in Virginia, where they were imprisoned. Today, they are still in prison, and the death penalty is still very much in force.

It is now time—indeed, it was time long ago—for America to end this barbaric relic of the past, and to join the rest of what purports to be the civilized world in renouncing the use of murder to avenge ourselves on murderers. It is now time for America to blot out this last vestige of “frontier justice.” Perhaps then, we might have the morality to address the much tougher problem in our criminal justice system: the corruption in the Department of Justice itself, which is most clearly seen in the LaRouche case.

Frontiers of Justice makes available, in personal and highly readable accounts, every argument that has been made for the abolition of the death penalty. In addition to the stories told by those whose lives have been deeply touched by the death penalty, *Frontiers of Justice* also marshalls accounts by some of the nation’s leading experts in this field, to document the racist and fundamentally unfair nature of the application

of capital punishment in America today.

Included are contributions from former New York Governor Mario Cuomo, U.S. Rep. Henry B. Gonzalez (D-Tex.), former U.S. Rep. Harley O. Staggers (D-W.V.), several legal experts in the death penalty, two former state Commissioners of Corrections, and Jewish, Muslim, and Christian religious leaders. Woven together with these papers opposing the death penalty, are very intimate accounts of the suffering which capital punishment causes among the *three* groups of victims — as Sister Helen Prejean, author of *Dead Man Walking*, has put it: the death-row inmate, his relatives, and the relatives of his victim. Indeed, *Frontiers of Justice* carries an endorsement by Sister Helen, who told *EIR* in an interview (see Nov. 14, 1997 issue, p. 61) that *story-telling* is the best form of argument. This is a book of very compelling stories.

Fundamentally unfair

On the most elementary level of basic justice, the death penalty is blatantly unfair. Of the approximately 24,000 murders committed each year in America, 1% of murderers are selected to be prosecuted for the death penalty. The U.S. government’s General Accounting Office has found the correlation of race to be a factor present at all stages of the criminal justice process, in the prosecution of capital crimes. This includes the prosecutor’s decision to charge the defendant with a capital offense or to go to trial rather than plea-bargain. In the end, although half of all murder victims are black, 85% of those executed or awaiting execution, since the death penalty was reinstated in 1976, were charged with killing whites. A black who murders a white is more likely to get the death penalty than a white murdering a black or a black murdering a black.

In addition, since 1976, at least 40% of the death penalty convictions have been reversed. It is fairly estimated that at least 5% of the inmates on death row are innocent of the crime for which they were charged. A recent *Stanford Law Review* study revealed that during this century in the United States, at least 417 people were wrongly convicted of capital offenses, and of these, 23 were executed. Since the 1970s, at least 46 people have been released after many years on Death Row because they were discovered to be innocent.

Finally, the overwhelming majority of the more than

3,000 men and women on Death Row in America are poor. Thus, the definition of capital punishment: "Those who lack the capital get the punishment."

Because the argument most often used to justify capital punishment, particularly in the "Bible Belt," where it is most in force, is the Old Testament idea of "an eye for an eye," the contribution of Rabbi Gershon Winkler is among the most valuable in this collection. An expert on Jewish mysticism, philosophy, and folklore who serves as rabbi in the Four Corners region of New Mexico and Colorado, Rabbi Winkler begins by quoting from the Talmud: "A court that has executed someone as infrequently as once in seven years is a murderous court; others say, even once in 70 years."

After detailing the great lengths to which Jewish courts in the ancient period went to *avoid* executions, Rabbi Winkler writes that, while Jewish law does not rule out capital punishment, it "certainly made it close to impossible to sentence someone to death, did everything possible to delay execution, and leaned toward every possibility of acquittal rather than seeking conviction. In our own time, these rules would appear politically incorrect, albeit reasonably compassionate; 2,000 years ago, however, they were extraordinarily compassionate, and reflect an attempt at wrestling a balance between respect

for the sanctity of life and respect for the needs of society."

Today, we are going in the opposite direction. Where Jewish law in the time of Christ was trying to get *away* from executions, an America that calls itself Christian (after Christ, who preached mercy, forgiveness, and love) is turning increasingly *toward* capital punishment.

Martin Luther King, Jr. and Mahatma Gandhi warned that "the eye-for-an-eye philosophy leaves everyone blind." That is not what is meant by "blind justice"! Let us hope that *Frontiers of Justice* and other similar attempts to bring the real horrors of the death penalty into public debate will lead this nation to a real blind justice—one that is both fair and based on law, rather than politics.

Then, America can return to its real, anti-British roots, as American patriot and Declaration of Independence signer Dr. Benjamin Rush helped form them, when he launched the movement to abolish the death penalty in our country in 1787. As quoted in *Frontiers of Justice*, Rush and his fellow Leibnizians based their movement on the belief that, since harsh and bloody laws marked the British monarchy, against which the Revolution had just succeeded, mild and benevolent ones should characterize republics. If we are to salvage this republic, the death penalty must go.

Letters to the Editor

The truth about Aaron Burr

... I am concerned about your reference to Aaron Burr [*EIR*, Nov. 14, 1997, "British Israelites and Empire," by Scott Thompson and Michael Minnicino]. ... [Your] misconception ... seems to follow written history concerning the man which is definitely incorrect. ...

Aaron Burr and Mr. LaRouche are similar in one respect. They both while American Patriots are victims of political slander and vendetta.

Thomas Jefferson wanted to continue the Virginia succession of presidents and was afraid of Aaron Burr's charismatic personality. He and Alexander Hamilton were of the mind that only land owners and the wealthy should be allowed to vote. Aaron Burr was for the common man. They both exerted all kinds of slander toward Burr. This Burr tolerated until Hamilton attacked his family. Thus Burr challenged Hamilton to a duel which was socially accepted ... in those days. Andrew Jackson killed 25 men in duels but

was not socially chastized by the public or the media of the time. ... I suggest you ... look up the work of Dr. Samuel Engle Burr, ... [who] organized the Aaron Burr Association of which I am a member.

Your reference to Aaron Burr is completely incorrect. ... The Rev. Jonathan Edwards was the grandfather of Aaron Burr, Jr. Edwards' daughter married Aaron's father, Aaron Burr, Sr. ...

Howard E. Burr
Tehachapi, Calif.

Reply by History Editor Anton Chaitkin:

Lyndon LaRouche commissioned my book *Treason in America: From Aaron Burr to Averell Harriman*, in which the story of Burr's treason is definitively told (New York: New Benjamin Franklin Publishing House, 1985; now out of print, but available from PGM, 60 Sycolin Rd., Leesburg, Va. 20175, as a photocopy, \$35).

Burr is no slander victim. The founder of the Bank of Manhattan (later Chase Manhattan), Burr has always been a darling of the British and Anglophile establishment and their pet historians. To counter their constant glorification of Burr as a "romantic rebel," we had to dig out

Burr's dirty work with the British secret service, from Benedict Arnold to the Mallet-Prevost banker-spy-masters. Burr was perhaps the most cynical mob leader who ever worked for the aristocrats and bankers in U.S. politics.

Yes, Hamilton and Jefferson agreed that Burr was a traitor. Hamilton did not "attack his family"; he blocked Burr from being elected New York governor in 1804, in Burr's scheme with the British underground to have the northeastern states secede from the Union.

In the Nov. 14 article, *EIR* erred in the paragraph that called Aaron Burr the son-in-law of Jonathan Edwards. Aaron Burr, Jr., the British asset and traitor, was indeed Edwards' grandson. And it was Aaron Burr, Sr., who preceded his father-in-law, Edwards, as president of Princeton. But the article's characterization of this Satanic faction is otherwise right on the mark.

We have observed the misguided efforts of Samuel Engle Burr to promote his ancestor as a hero. Every person has millions of ancestors; many good, and some evil persons are to be found among all those with any family name. It is better to fight for the truth, than to "reign in hell" with *that* Burr and the British oligarchy.