

Worship & Action for Peace Letter
January 13, 2005

Dear Friends in New York Yearly Meeting:

At December 2004 Representative Meeting, Jean Smith of Manhattan Meeting brought information regarding New York State Assembly hearings being held to study the matter of capital punishment. The 1995 statute restoring the death penalty had been found to be in violation of the New York State Constitution. Friends in New York were encouraged to take this opportunity to testify to our historic opposition to the death penalty.

Below is an account of her experience by Yearly Meeting Clerk Linda Chidsey, the testimony she has drafted, then further explanation and information from Jean Smith. Web addresses for sites relevant to opposition to the death penalty in New York, New Jersey, and Connecticut appear at the conclusion of this letter.

Peaceable greetings,

Linda Chidsey, Vicki Cooley, Fred Dettmer, Lu Harper
NYYM Worship and Action for Peace working group

During the week following Representative Meeting, I attended the New York State Council of Churches Collegium retreat and business meeting in Albany and was urged, once again, to testify at either the hearings in NYC in Albany. In my experience, there are times when discerning and responding to a call requires waiting, praying and listening for an extended period of time; and sometimes God says "just go do it, and do it now". In this instance, my experience was the latter.

I had never testified at such hearings; I did not know the protocol; how long was one given to speak; where were the hearings to be held; how could I do justice to the topic in such a short period of time; surely there were others who could do much better than I, and so forth. These questions became unimportant as I was led to sit down and write. In a word, it was clear I could not NOT testify.

The following statement is what came and although I was not called on December 15, I am on the list of those who will likely be called to testify either in NYC on January 21 or in Albany on January 25. I am ready.

Testimony on the Death Penalty

I am grateful for this opportunity to testify on behalf of New York Yearly Meeting of the Religious Society of Friends (Quakers). NYYM comprises meetings (churches) and worship groups throughout NY State as well as in parts of Connecticut and New Jersey. As Clerk of NYYM, I am asked to preside at our annual and representatives meetings. At Representative Sessions earlier this month, Friends throughout New York were urged to speak out against the death penalty as part of our historic witness, and that is why I am here today.

Since the beginnings of our Religious Society, we have understood our role as followers of Christ to be one of helping establish the peaceable kingdom on earth. We believe in the sanctity of life, the oneness of humanity, and that each person carries within herself or himself a measure of the Divine Light of God.

As early as 1699, Friend John Bellers wrote:

Society has done enough for its own protection when it has rendered a murderer harmless by putting him in prison; if it does more it is acting in a spirit of revenge.

And in 1868, Friend John Bright wrote:

The real security for human life is to be found in a reverence for it. A deep reverence for human life is worth more than a thousand executions in the prevention of murder; and is, in fact, the great security for human life. The law of capital punishment while pretending to support this reverence, does in fact tend to destroy it.

Friends historic “testimonies” include peace, simplicity, equality, community and integrity. In the Religious Society of Friends, the word testimony is used to describe a corporate witness to a living truth revealed within the human heart and acted out in everyday life. The testimonies are far more than politically correct positions; they represent witness under the leading of the Holy Spirit. They are at base affirmative, but may lead to action that runs counter to certain practices currently accepted in society at large. Thus a witness to the sacredness of human life may lead to protests against capital punishment – again, which is why I am here today (Harvey Gillman).

As Friends, our witness in opposition to the death penalty is both experientially and scripturally based. We take seriously the life and teachings of Jesus. We hear “thou shalt not kill” as words to live by, not words restricted to Sunday or religious settings. For Friends, it’s about real life practice and these teachings are our touchstones. When Jesus tells his disciple to “put up your sword” as the crowd comes for him in the Garden of Gethsemane, we understand that under no circumstances can such teachings be set aside. And I’m remembering acutely today the words of Jesus as he intervened to stop the execution of a woman who had committed adultery.

I want to pause now, in case anyone thinks I am spouting an idealistic but naïve approach to the realities of life and the problems present in society and in prison. As many here are no doubt aware, Friends speak from a long history of dedicated and positive presence in our prisons. The Alternatives to Violence Project, now world-wide and presently in Rwanda, sprang up as a witness of New York Yearly Meeting. Friends have served as spiritual advisors and established worship groups in a number of New York prisons. I would be happy to refer anyone to information regarding the current work of Friends as well as work throughout our history.

New York Yearly Meeting Friends' conduct is guided by what are known as "Advices and Queries" contained in our Book of Discipline. We are advised to participate actively and fully in the political life of our country. We are to fulfill conscientiously the obligations of state and society, so long as they are not contrary to what we corporately understand to be the will of God. The 7th Advice reads:

Friends are advised to work toward removing the causes of misery and suffering. They are urged to support efforts to overcome racial, social, economic, and educational discrimination; to bear testimony against all forms of oppression; to exert influence for such treatment of prisoners as may help reconstruct their lives; and to work for the abolition of the death penalty.

We believe that no one is beyond redemption; that ultimately redemption is the work of God. We look always to the possibility of reconciliation and the restoration of relationship and community. Many like-minded people the world over know and practice this approach as restorative justice and can point to numerous instances where it has "worked".

There are studies that demonstrate that capital punishment does not, in fact, deter or decrease the number of homicides; that capital punishment is applied unfairly across the geographic and racial spectrum; that pursuing capital punishment is more expensive than life without parole.

We have seen how capital punishment creates new victims – the families and loved ones of those who have committed murder. We have seen how it undermines the opportunity for murder victims' families and loved ones to move through the necessary stages of grief in a way that opens the door to forgiveness, healing and reconciliation. We have seen how execution diminishes and degrades the humanity of all involved, how it leads to a gradual execution of the soul.

In 1956 when a Bill was before the British Parliament for the abolition of the death penalty, London Yearly Meeting wrote:

The sanctioning by the State of the taking of human life has a debasing effect on the community, and tends to produce the very brutality which it seeks to prevent. We realize that many are sincerely afraid of the

consequences if the death penalty is abolished, but we are convinced that their fears are unjustified.

Thank you for this opportunity to speak here today.

Linda B. Chidsey
Clerk, New York Yearly Meeting of the Religious Society of Friends

Jean Smith, Manhattan Monthly Meeting, provides further information and reflection on her testimony of December 15:

Friends have opposed capital punishment since their beginnings. We oppose it because it is simply wrong to kill. Friends in New York have a unique opportunity to stand up and be counted on the death penalty. The 1995 statute restoring the death penalty has been found to be in violation of our New York State Constitution. In order to restore it, both houses of the state legislature must approve restoration. The Senate acted immediately to “fix” the death penalty statute. The Assembly has decided to hold hearings to study the issue.

I attended the hearing in New York City on December 15, 2004. It was clear that legislators were impressed with the need for fairness in the application of the death penalty, the need to provide post sentencing representation and a number of other technical reasons why the death penalty is hard to use in practice if we wish it to be used for “the worst of the worst” without a discriminatory impact. Fifty seven state capital defendants went before juries. There were seven death sentences, four of which were in Suffolk County, hardly the “worst of the worst” county for homicides in New York State. There were also eleven federal capital trials in New York State and there were no death sentences. This suggests that although people may be pro-death penalty in the abstract, those who sit on juries in particular cases are not so enthusiastic about it. Why is that? We don’t really know, but we do know that people are concerned about wrongful convictions, disparity of sentencing among individuals who may have been involved in the same crime and the ultimate moral question of sentencing another to death.

I was impressed by the legislators who were able to remain until the end of the hearing to hear the “religious” panel. Afterwards, they commented that they were impressed by the moral argument, e.g., that it is simply wrong. The issue that was not really well covered was the moral issue of having hirelings do the dirty work. Corrections officers are generally people who lack sufficient options to avoid this “dirty work.” Do we have a right to impose this on anyone? Is it not brutalizing to be told that your assignment for the day is to tie someone down and play a role in killing them? Would it be better to have volunteers who want to participate in killing another human being? Would we want such people to be responsible for taking care of other prisoners?

These are all issues that Friends can speak to as members of Meetings as well as members of other groups which are logically connected to the capital punishment issue.

I spoke on behalf of the “Cherish Life Circle,” an interdenominational group which focuses solely on opposition to the death penalty. A nun in our group spoke on behalf of her Order and as a spiritual advisor to a death row inmate. Many of us wear many hats, and we can add our voices in any capacity.

When the Assembly decided to hold hearings, they scheduled one in New York City and one in Albany. They have added a second hearing in New York City on January 21, 2005. It is vital that Friends throughout the state ask for the opportunity to testify in further hearings. We should be encouraged by the fact that Canada eliminated the death penalty when over 70% of its people wanted it as part of the criminal justice system. Why, then, were legislators willing to step on this political “third rail”? The answer is encouraging—they were convinced by the Canadian churches that the death penalty was morally wrong.

In 1995, when Gov. Pataki came into office with a pledge to restore the death penalty, we did not have the alternative of life without parole. We do have this option today (it came with the death penalty) and it speaks to those who fear for community safety if a murderer is back on the street. We can restrain a person who is dangerous to others. We do not need to kill.

The other issue that is often raised is, what about justice? The death penalty is unjust for many reasons, but we also need to remember that it is dishonest, and dishonesty is inherently unjust. How is it dishonest? It tells the families of the murdered that they will feel better, get closure, etc., when the perpetrator is killed. That is simply not true. People are only able to get through the horror of a murder, and move on in their lives, when they are ready to put down their justifiable rage. That step is difficult, but people who take it report that they found peace and as much “closure” as one can have knowing that their loved one is gone. The second lie is that the death penalty deters crime. As DA Morgenthau of New York County pointed out, New York County and Philadelphia have about the same population. There has been no death penalty case in New York County since the 1950's and the death penalty is sought in every qualifying capital case in Philadelphia, which has three times as many homicides as New York County. No study has proven that the death penalty reduces homicides.

What can you do? Contact Seth Agata, Esq., Counsel, Assembly Committee on Codes, The Capitol, Room 508, Albany, New York 12248, e-mail, agatas@assembly.state.ny.us, or telephone number 518-455-4313 (Fax) 455-4682. Ask to testify on the capital punishment issue and ask that hearings be held in your district or part of the state.

It is not enough for Friends to oppose capital punishment. We need to stand up and be counted and heard on this life or death issue.

New Yorkers Against the Death Penalty <http://www.nyadp.org/main/home>.

Amnesty International's Web page: <http://www.amnestyusa.org/abolish/index.do>

The Campaign to End the Death Penalty: <http://www.nodeathpenalty.org/>

The National Coalition to Abolish the Death Penalty:
http://www.ncadp.org/juvenile_action.html

FCNL's web site section on the death penalty
(http://www.fcnl.org/issues/issue.php?issue_id=85) identifies the following resources for Connecticut:

Amnesty International, Connecticut
Contact: Robert Nave
26 Hans Avenue
Waterbury, CT 06708
Tel: (203) 757-3722
Email: naverobert@yahoo.com

Connecticut Network to Abolish the Death Penalty (CNADP)

Contact: Robert Nave
571 Farmington Avenue
Hartford, CT 06105-3051
Tel: 203-757-3722
Email: naverobert@yahoo.com
Website: www.nodp.org/cnadp

And these for New Jersey:

Abolish New Jersey's Death Penalty
Email: nodp@mail.com
Website: www.nodp.org/nj

Equal Justice, USA

Contact: Celeste Fitzgerald
Tel: (973) 635-6396

New Jerseyans for a Death Penalty Moratorium (NJDPM)

An organization seeking a moratorium on the use of the death penalty in New Jersey
Contact: Lois Seeligsohn
Tel: (856) 854-3182
Fax: (856) 854-3187
Email: pr@njmoratorium.org
Website: www.njmoratorium.org

The Engaged Zen Foundation

Post Office Box 700
Ramsey, NJ 07446-0700
Tel: (201) 236-0335
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