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THEUTTHESS

CAPITAL PUNISHMENT

Mary Miller • Tom Feamster Joe Doss • Marie Deans

THE JORD IS A STRONOHOLD FOR THE OPPRESSED, A STRONOHOLD IN TIMES OF (DISTRESS.

Letters

January issue great

Your January issue was great! I am grateful to Bishop Spong for that moving article on John Hines. Let Bishop Hines be much more than simply "A Moment of Grace for the Church."

A postscript on John Hines: Bishop Hines and I were once on a plane together and landed in West Africa. His mission was the consecration of a new bishop, replacing one who had been assassinated; mine was to go on to South Africa to speak to mixed groups — Black and White — in rehabilitation concerns. We were of course in tourist class, and went out the rear exit, something one could do in those more innocent days. Continuing our conversation as we walked to the airport, we noticed a large delegation of bishops and other church folk waiting for passengers to come down from first class. Suddenly someone spotted Bishop Hines from our group of peons in steerage, and the entire group came rushing over towards us, ecclesiastical dress flying in the wind! What a nice touch that was about Bishop Hines' feeling about one's mode of travel.

I hope everyone goes on to read the moving personal account by the Rev. Nancy L. Chaffee, the first disabled woman to be ordained to the priesthood in the Episcopal Church. She once gave a lecture to my students at Union Seminary (Department of Psychiatry and Religion), a lecture really acclaimed by them. From that article in THE WITNESS (and the article's first publication in "The Caring Congregation") it is my urgent hope that the church as a whole will see ministry itself in a new light, even as Bishop Ned Cole had indicated in ordaining her.

Finally, Bishop Paul Moore in his meditation sets prayer in proper context. Not only *Orare est Laborare*, but also justice and service and suffering — and hope!

The Rev. Harold Wilke White Plains, N.Y.

Moved to tears

I have just finished reading the January issue of THE WITNESS from cover to cover — and am compelled to thank you for each and every article. Each one is so powerful that I am moved to tears and also to rejoice we have such great men and women in the church today living and proclaiming by their lives the Word made flesh.

Elizabeth W. Corrigan Santa Barbara, Cal.

Moved to cancel

I read the January WITNESS with care; and found in it, and implied in it, so much that is at variance with quod semper, quod ubique, quod ab omnibus creditum est that I recognized almost nothing of the Anglicanism which I hold.

The first of the Letters apart, the "prochoice" sentiment, the emphasis on women who have undergone the rite of ordination to the priesthood (one of whom had previously been divorced), and other aspects of the magazine's contents, have nothing whatsoever in common with the catholic and evangelical witness which is being vitally renewed in this part of the world. As for Bishop Spong's reference to "that irrelevant . . . ghetto called religion," it is either the kind of gratuitous remark which is characteristic of liberals, or, more likely, it reflects a total incomprehension of what the Catholic faith is all about. But, in either case, it involves a complete misunderstanding of the meaning of the word "religion."

I have no doubt that you will regard these views as unconscionably old-fashioned, invincibly ignorant and "irrelevant." But I find some small comfort in the thought that I am in the good company of the vast majority of Christians of all ages. Please cancel immediately the arrangement to send THE WITNESS.

The Very Rev. Allan Hawkins Arlington, Tex. Inspired by Chaffee

Someone has given me a copy of the January WITNESS magazine in which the Rev. Nancy Chaffee has written a beautiful article about her journey to the priesthood. It is so inspiring that, at first, it made me feel guilty to have indulged in self-pity whenever I encountered reversals and obstacles in my priestly ministry. But then I realized that we all have to learn from our mistakes and shortcomings to rely on the graciousness of God.

I am sending this article to the authorities of Harmarville Rehabilitation Center, which is located not very far from our church, hoping that they might find an opportunity to invite her to come speak to the handicapped people being treated there. I will share the article also with many others who are working with handicapped people.

The Rev. Jean-Jacques D'Aoust Pittsburgh, Pa.

Youth's message lost

The Children of War Tour brought home the realities of war and hopes for peace to communities across America by persons who have had (and tragically, continue to have) firsthand experiences: young people. Thanks for sharing this experience with your readers (February WITNESS). The horror of *future* war was also a part of this valuable tour, as participants such as Juliane Kerlen from West Germany pointed out.

Juliane is a high school exchangee to the United States as part of the ICYE exchange program. As a participant in the Children of War Tour, Juliane shared with Americans the continuing legacy of past warfare and her fears over nuclear armaments being deployed throughout Europe. She found, unfortunately, that both subjects were outside the conscious reality of many Americans. Juliane has

Continued on page 23

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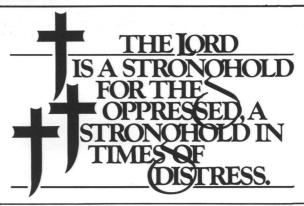


Table of Contents

- Death penalty symptom of a violent society Mary H. Miller
- Burnt offerings: Losing a friend to the chair 6 Thomas Feamster
- Capital punishment: Morality and the law Joe M. Doss
- A survivor's view of murder Marie Deans
- Ministering to ex-offenders Thomas C. Shepherd

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Confronting the S. African police 20

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Editorial

Requiem for a theologian, advocate, friend

I t was the summer of 1962. The setting: An Episcopal Camp and Conference center, tucked away in the Blue Ridge mountains of North Carolina. The occasion: The annual Senior High Conference, which drew White kids from across the Fourth Province of the Episcopal Church. An event focused each year on a topic like "The Making of a Christian," each time an edifying-sounding excuse to reunite on the mountain and play "footsie" under water with those on whom we had crushes.

On this occasion the topic was something like, "The Wrath of God and Racial Bigotry." The speaker appeared unimpressive: a White, short, stocky, crewcut man who had a tight walk and a stone face, expressionless and unsmiling. Like the rest of the kids, I was prepared merely to plop down unenthusiastically, pay as little attention as I could get away with politely, and bide my time until our chance to return to the lake, music, and each other.

I will never forget William String-fellow. When this most unremarkable looking man opened his mouth, the wrath of God hit full force. For the first time in my 16 years, I was slapped squarely with the fact that, like everyone in the room, I was living in the sin of White racism. He named it "evil," and he named the Episcopal Church as "responsible for it." He made clear his understanding that by "the Episcopal Church," he meant us, a run-of-the-mill

The Rev. Carter Heyward is professor of theology at Episcopal Divinity School, Cambridge, and a contributing editor of THE WITNESS. bunch of White high school students who were part of the spiritual problem unless we were involved actively in its concrete, historical, political solution.

William Stringfellow was the first White person I heard condemn, unequivocally, the evil of racism and the church's active involvement in its perpetuation. A lawyer and a layman, he was also, in my experience, the first Episcopal Church leader who took the people of God, including a bunch of 15 and 16-year-olds, seriously enough to hold us responsible — both for the ghastly character of evil in our society and for the spirit-filled possibility of its undoing.

He did not seem to give a whit whether we liked him. He did not pamper us emotionally, tell us jokes, flirt with us, or manipulate us by guilt-tripping or spiritually baiting us into admiring either him, ourselves, or people of color. He did not use palatable religious language. He did not say that our primary business as Christians was to pray for racial justice. He did not cajole us by suggesting that our call was to reconcile, unify, educate or pacify the people of God. He laid it to us: racism was our problem. Its solution was God's. And our spiritual business, our only business as Christians, was to stand for God regardless of the consequences.

I have often looked back on that occasion as a turning point in my life. Never, since that young people's conference, have I been able to believe for a moment that we should be "spiritual" instead of "political." William Stringfellow was my first theological mentor. He died March 2, after a long, dreadful

metabolic disease, which had wracked his body unmercifully, leaving him only a bare skeleton of the chunky little prophet who had once changed my life. Upon his death, the Episcopal Church indeed, the Christian Church and, even more broadly, the religious community in the United States - lost one of its most unequivocal and irrepressible voices for justice beyond and within the church. Stringfellow should be given a day in our liturgical calendar, but this is not likely to happen any time soon, because neither his tone nor his message was as "sweet" as our religious heroes are supposed to be.

Like his own theological mentor, Karl Barth, Stringfellow understood the collective character of human sin. A vintage neo-orthodox preacher and writer, Stringfellow contemporized God's condemnation of Israel as the exact moral equivalent of God's condemnation of the United States for the same sins today:

"Ah, sinful nation,
a people laden with iniquity,
offspring of evildoers
children who deal corruptly!
They have forsaken the Lord...
they are utterly estranged.

— Isaiah 1:4

This was Stringfellow's message to our nation, whether the specific evil was racism; sexism; the imperialistic violence wrought by us in Southeast Asia 15 years ago; that evil which we reap in Central America today; or simply the building of our nation/our lives on what Adrienne Rich calls "lies, secrets, and silence." He believed that human societies are corrupt and that we, each and all, are faced with a choice of standing for, or

by Carter Heyward

against, God in every situation. And how do we know where God stands? The Bible, Stringfellow believed, is clear: God stands with every human being whose survival or dignity is thwarted by our greed, indifference, and the violence embedded in our systems of racial, sexual, economic and other forms of stratification. When arrested in 1970 for harboring Dan Berrigan, Catholic peace activist and fugitive, Stringfellow's response was that he was "just a Christian doing his duty."

Perhaps more than any other Episcopalian of our time, Stringfellow's biting, sardonic critiques were leveled not only against our nation but also against our church. Much in what he believed to be the righteously indignant, angry spirit of Jesus, Stringfellow despised religiosity:

"they preach but do not practice...
they do all their deeds to be seen
by others...
they love the place of honor at

they love the place of honor at feasts".

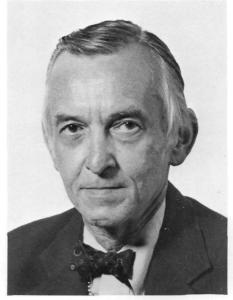
- Matt. 23

In Stringfellow's judgment, these charges had to be made against the current leadership of the Episcopal Church, who stand, he believed, in exactly the same morally untenable posture among us today as the pompous, pious legalists of first century Palestine stood among Jesus and his friends. Presiding Bishop John Allin could only wish, I dare say, that, just as the religious people of Jesus' time dismissed him, today's Episcopalians would write William Stringfellow off as a fanatic and would close our ears to his scathing indictments of our empty rituals.

Twelve years after my first encounter

with Stringfellow we met again — this time around the events leading up to and following the ordination of 11 of us women in Philadelphia in 1974. Stringfellow offered to be our legal counsel during the two years of our exile from the church's officially ordained priesthood. During this time he served as attorney for those male priests accused and brought to ecclesiastical trial for having invited women priests to celebrate the Eucharist in their parishes. Stringfellow stood with us during the 1974 meting of the House of Bishops in Chicago, at which time the bishops declared our ordination to be "invalid" - i.e., that we were not, in fact, priests. And along with noted educator, Charles Willie and Bill Wolf, professor emeritus of theology at Episcopal Divinity School, it was Stringfellow who first went public with a strong condemnation of the bishops' judgment as being virtually null and void — legally, morally, theologically.

Two years later, Stringfellow was with us during the 1976 General Convention in Minneapolis, at which women's ordination was passed, but at which the House of Bishops voted that the "irregularly" ordained women would have to be "conditionally reordained." After meeting with the women, Stringfellow himself went to the bishops and set them on notice: "The women priests will not be reordained," he said, "conditionally or otherwise." Realizing trouble when it knocked, the House of Bishops immediately reversed its ruling and voted unanimously to allow the already ordained women to be simply "recognized" by our own bishops, and thus by the church at large.



William Stringfellow 1928-1985

No one should try to imitate her, or his, mentors. I did not agree with the radicality of Stringfellow's neo-orthodox dualism. Thus, I could not share his unmitigated condemnation of all human systems as necessarily corrupt and of so many of our leaders as depraved. Conversely, it was clear to me that Stringfellow was puzzled by the thoroughgoing feminist commitment he found in me and all around him, even as he struggled well alongside women priests as our advocate.

The personal, for him, was not always political, and he chose not to call attention to his life at his Block Island home, which he shared with poet-satirist Anthony Towne for many years. It seemed to me that toward the end, Bill had begun to understand the political and theological as deeply personal. And moreover, that he had nothing left to lose — except that which he knew for sure he would not: the love of those whose friend and advocate he had been, and of the God in whose realm he now lives freely.

I thank God for the life and work of William Stringfellow — friend, advocate, theologian.

Death penalty symptom of a violent

Between the time Tom Feamster and I set up our first telephone date about these pieces on capital punishment for THE WITNESS and the time we actually had our last conversation — a lapse of less than a week — the following had transpired:

- A new Gallup poll indicated that 72% of citizens polled are in favor of the death penalty, up from 66% in 1981 (the last such poll); and from 42% in 1966;
- One man was executed by the State of Florida and the executions of two others were stayed;
- The President included in his State of the Union message a call for the reinstatement of the federal death penalty:
- And my own governor, an Episcopalian if it matters, has again said he will sign death warrants.

As Tom and I talked, the society around us seemed meaner than ever before. We both agreed that the death penalty is a symptom of something much, much deeper in that society — violence. It has taken hold; and we can't seem to do much about it because we keep trying to treat the symptoms — an aspirin here, a Band-aid there, an amputation somewhere else. Thus, we are involved with abolishing the death penalty and Trident submarines and the MX and apartheid and

Mary H. Miller is national chair of the Episcopal Peace Fellowship, and resident, Diocese of Pittsburgh.

child abuse *and* intervention in Central America *and* hunger *and*... We even argue among ourselves about which symptom has priority. But it's all of a piece, this disease.

Tom thought that perhaps the story of John Spenkelink — for whom he served as chaplain until John died in the electric chair — had been told often enough. But when articles by Tom were published this winter, first in Florida and then in Newark (*The Voice*) it became clear from the responses to this story of a real person that it needs to be heard again. Maybe through it we can all struggle some more with what this violence is all about; maybe we can see that the violence is something that has to be rooted out of our lives if we are to be whole.

So, from our conversation: "John was a very angry person. He talked about one of the children of his girlfriend. People would pick on this child and John would be so angry at the people who did it. He took responsibility for that anger — he took full responsibility for his killing, and he understood that his violence was in control of him, not he of it." The violence of John and others on death row does not lie in the hatred of those who put them there, but comes out of their own violence. John understood that he was there because of choices he made out of being angry for not measuring up. Tom went on, "John never measured up and we killed him because he never measured up. We were angry at him for that and at ourselves for our own not measuring up. That's psychological

Burnt offerings: Losing a friend

John Spenkelink was raised through his teens in California. To say that he "grew up" in California would be a misnomer. He grew physically, but his emotional growth was stunted, I suspect, from birth. John was a rebellious child, who developed a very poor self-image through his teen years into young adulthood. His life took on a self-destructive

The Rev. Thomas Feamster is presently rector of Christ Church, Hackensack, N.J. He was rector of St. Anne's Church, Keystone Heights, Fla. when John Spenkelink was on death row in Raiford Prison.

bent following his discovery of the body of his father, who took his own life by asphyxiation in the family automobile. John was 13 at the time. By the time he was 16 he was a full-fledged heroin addict, having been in and out of a good number of juvenile detention centers in California. His story is not unlike the stories of the majority of men and women incarcerated in prison and on death row across the United States.

At age 24 John walked away from a minimum security prison in California and began drifting across the United States, to end, at age 31, strapped in a

chair wired with electrical current that would shoot 7,500 volts through his body, until he was left lifeless, smoke smoldering from his burnt flesh.

When I met John in the spring of 1977, he had been on death row for five years. Over the next two years I spent a few hours each month visiting with him in what was called the Colonel's Room, a visiting area used exclusively for death row inmates. We talked mostly about the meaning of life and explored ways of reflecting on the experiences of our personal lives and the experiences in the lives of historical figures in the Judeo-

society

by Mary H. Miller

crap, but it's true. We all say 'It's not me, it's him.' If we ever get in touch with that there'll be a chance."

Tom and John talked a lot about Jesus, about his humanity, about how he dealt with the violence in the community that executed him. As I listened to Tom this time, the difference between Jesus and us became clearer; our violence is in control of us, not we of it. Jesus was in control and could walk through the angry crowds untouched by the violence until he finally came to the Cross, and from it forgave them.

Tom: "I took some parishioners to Raiford to meet death row inmates at Christmastime and those parishioners saw them as people. It changed them. How easy it is for us to build weapons because we can't see the people they'll be dropped on—the anonymity, the button-pushing makes it possible for us to do this." And I thought of lethal injection, the latest "humane" method. The FDA must rule on whether use of those drugs is "safe and effective"; the Supreme Court decision on the case is due this term; and I am reminded of a thousand obscenities which exist because we can't see the people we kill as people. Whatever else is true of Jesus, he saw the people — those he taught, healed and fed, and those who killed him.

And what of the victims? What of the mother who says "I speak both for myself and for other parents when I say that the feeling we often get from those working against the death penalty is one of *unconditional* love for the prisoners and

their families ('No matter what you've done, your life is important.'); and of *conditional* love for victims and survivor victims ('We'll love you and support you only if you feel and react the way we think you should, that is, forgiving, not vengeful.'). If you want the family of the victim eventually to be able to come to the point where they can also feel a concern for the offender and compassion for his family, you must be willing, in some way, to extend that same concern, compassion, and unconditional love to the victims." (Fellowship, 9/84)

Can we who work for the abolition of the death penalty face and deal with the anger of survivor victims? Can we become convinced that these are persons too, and understand that we are all caught up in the same violence together? Can we stop making non-persons of the victims and survivor victims and see that this is a whirlwind through which we must walk together?

Tom again, "Hope is not in the abolition of the death penalty or weapons or anything else. These ministries with all of the victims are not possible unless they are tied to a hope that is much greater and deeper than abolition. Hope is in God and redemption for all of us."

And we left our conversation, for the time being, the only way we could — wishing we could hug each other for a minute for the strength of it and for the hope.

to the chair

Christian tradition. We talked a lot about the faith of Abraham when he was confronted by God with the sacrifice of his son Isaac. We talked mostly about Jesus of Nazareth, about his humanity, how he was confronted with the realities of life, and how he dealt with the violence in the community that executed him.

Over the several years that John spent in Florida's death row, he adopted some new perspectives on life. Part of the reflection for the two years that I spent with him was a maturing process of a new way of picturing himself specifically and of picturing life in general.

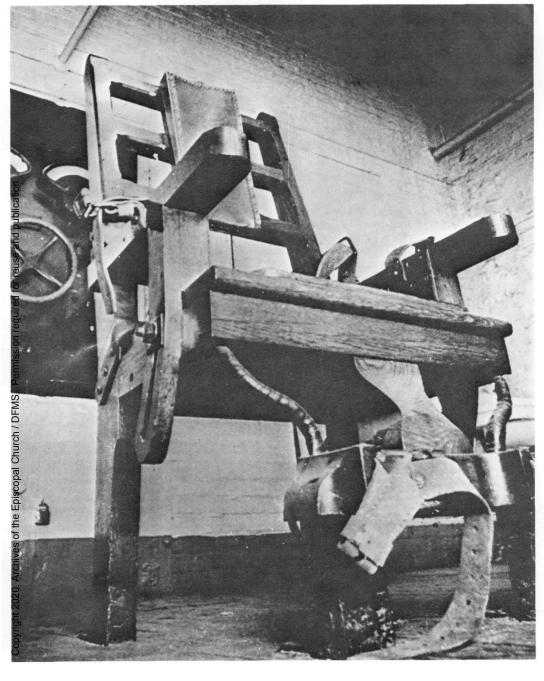
by Thomas Feamster

On May 18, 1979, I was taking a ride on my bicycle. When I returned home, there was a message from my daughter, Abby, by the telephone in the kitchen: "The governor signed the death warrant. They're going to kill John!" I had always known that this was a possibility, but the reality of being a participant in such a brutality was always in the future. I had come to know John beyond a headline in a newspaper. I knew he was more than "KILLER'S EXECUTION SET." I believe for the majority of people, when someone commits a heinous crime, that person ceases to be a human being and

becomes the crime itself. In other words, for many people, John was a "killer," not a human being with the God-given senses of us.

I immediately went to the prison to see John. David Briarton, the superintendent, was visibly nervous. This was the first time he was involved in carrying out the death penalty. He refused to allow me to see John until the next day. I spent the rest of that Friday counseling and being counseled by the cadre of friends that had grown around John over the past seven years.

The week preceding the execution was



"If I can walk into that room and sit in that chair, you can be there. I need to see a friend when I look out at the witnesses."

> — John Spenkelink to Tom Feamster

a time of coming to grips with the stark reality of a system moving, however slowly, toward its own demise. How often during that week I thought of the Old Testament prophets, most especially the prophet Amos, as he screamed to a people that had become self-serving and

completely out of touch with their faith. Their symbols, very much like ours, had become shrines of the elite and the privileged:

"I hate, I despise your feasts, and I take no delight in your solemn assemblies. Even though you offer me your burnt offerings and cereal offerings, I will not accept them, and the peace offerings of your fatted beasts I will not look upon. Take away from me the noise of your songs; to the melody of your harps I will not listen. But let justice roll down like waters, and righteousness like an ever-flowing stream."

One would search in vain to find a person of means put to death in the United States.

John received a temporary stay of execution on Wednesday morning at 1:30 a.m. We were sitting in the "holding room" when the news flashed across the screen of the television set placed there to fill time for the guards while waiting for the execution that had been scheduled for 10:00 a.m. that morning. The excitement of the reprieve for those of us close to John, most of whom were standing vigil in a field across from the prison, was short-lived. The next morning the full Supreme Court refused to hear the case, and the execution was rescheduled for 10:00 a.m. Friday.

John asked me, if the execution were to take place, to be a witness. I didn't think I could do it. He said to me, "If I can walk into that room and sit in that

chair, you can be there. I need to see a friend when I look out at the witnesses."

I agreed, but I had no idea where the courage was going to come from. All of my religious talk suddenly became empty words!

I was allowed to stay with John until 8:00 Friday morning. He took his first and only Communion at five minutes to eight. He then asked if we could pray for the governor, but he requested I not mention that he had asked this, because people might think he was trying to get sympathy. We then embraced, as best we could with bars separating us, and I was escorted away.

At 10 o'clock I was taken to the "death house," as it was called. I walked into the room. There were two rows of chairs, six in the front and six right behind them, with the 12 state witnesses. I stood in the back of the chairs with David Kendall, John's lawyer and friend. We faced a "picture window" with a venetian blind in the down position, closed so that we could not see John being strapped into the chair. However, we heard the maneuvering, and my mind began developing metaphors of the event taking place on the other side of the window. I pictured the warden and guards strapping their brother into a chair and placing a domeshaped metallic hat on his head with electrical wires protruding out of the top. At that moment my metaphor was interrupted by the words of my Lord as he screamed into the silence of that room: "Truly, I say to you, as you did it to one of the least of these my brethren, you did it to me."

At the moment the blinds were raised, my eyes met John's. After that split-second visual contact, his eyes seemed to roll to the right. The warden pulled a mask of some sort down over John's face and immediately gave the executioner the signal to pull the switch. The first jolt of electricity, 2,500 volts, passed through John's body, his body jerked slightly against the straps that bound him to the

chair, and his left hand curled into a half open fist position. After that first jolt the warden signaled the doctor to check John's heart beat. The doctor opened the front of John's shirt, listened with his stethoscope, turned and signalled the warden that John was not dead. The warden signalled the person at the controls to pull the switch again, 2,500 more volts of electricity through the body of this human being. The same procedure with the doctor. By this time smoke was curling up from the searing flesh of John's left leg. Another signal from the doctor, once again a nod to the executioner, and 2,500 more volts through John's body to extricate any trace of a beat from his desecrated heart. It was finally over. After 13 minutes and 7,500 volts of electricity, my friend was reduced to a heap of burnt flesh at the hands of his brothers and sisters. "And Jesus wept!"

John Spenkelink had been on death row at Florida State Prison for seven years. I went to his elemency hearing before the cabinet and governor in Tallahassee. I listened as David Kendall spoke eloquently about John, his early life, and most especially about the changes that had taken place in his life over seven years of incarceration. His words fell on deaf ears. I am convinced that John's death was as much political as retributive. I am also convinced that the person whom we executed on May 25, 1979, was a person whose life had changed.

This recording of events is from the perspective of a fundamental view of the Christian faith. Fundamental in that the God whom we worship in the Judeo-Christian tradition is indeed a living and forgiving God. One of the ways in which we know of the intensity of that love is in the person of Jesus of Nazareth. I am convinced that we must view events in our lives through the vision of this Jewish carpenter, removing as best we can our personal biases and innate fear of our own death. I do not write to "pull on anyone's heart strings" or to touch emotion

to sway thoughts one way or another.

Indeed, only to feel sorry for John Spenkelink, his family, or victims of violent crime is to miss the mark. Jesus certainly exhibited personal feelings as he went about living his life of faith, so vividly portrayed as he wept with his friends at the tomb of Lazarus. However, at the center of the life of Jesus was something much deeper, not to be equated with feelings or thoughts but with purpose. Put simply, that purpose was to unite those around him with themselves, their own brokenness and separation from God, so that healing could take place. Only to the degree that we can rid ourselves of the bondage of revenge, retribution, hate, and anger that so fills the heart of all of us will we be able to see the deeper purpose of transformation in the life and ministry of Jesus.

I have struggled to find a way to understand how my brothers and sisters in the Christian faith can find justification for such an atrocity as the pre-meditated killing of another human being. I have no trouble understanding the state system. It is much less trouble to put people to death than to use the resources necessary to participate in alternatives. I will never believe that a country with the technology to send people to the moon is unable to develop a system for dealing with people who commit crimes other than by killing them.

Finally the death penalty is not really the issue. The issue is systemic. We live in a violent world where throughout history people have raced toward self-destruction. For the Christian and those in other religious persuasions, hope is not found in man/woman's simple expertise in resolving the individual and corporate violence of the heart, but in the mystery of a transformed heart, touched by a loving and forgiving God that allows us to see ourselves as the same flesh, the same blood, tied to one another by the Logos. May God have mercy on our souls.

Capital punishment:

Morality and the law

by Joe M. Doss

riminal violence is to be abhorred. Such abhorrence is matched with deep compassion for the victims of crime. In punishing criminals, however, civilized society must break the cycle of violence if it expects its citizens to do likewise.

Capital punishment, just like criminal violence, is morally wrong. The death row population of our nation serves as a sign of the remaining racism and class prejudice so self-destructive of our national soul.

Though of great import, the *moral* ramifications of the death penalty are not at the center of contemporary debates on the subject. That struggle is taking place within the *legal* community over practical matters.

The topic is multi-faceted, but we cannot continue to divorce our societal mores from the issue of capital punishment. We must apply our values to the issue and thereby hope to end the cycle of violence that such division perpetuates. Several aspects of capital punishment, void of moral content, are described below. One can easily see how they do not solve problems at all. Rather, they serve to promote violence, agony, racism and

The Rev. Joe M. Doss is rector of Grace Episcopal Church, New Orleans and holds a J.D. from the LSU Law School, as well as degrees from General Theological Seminary, New York. He assisted in the defense of Earnest Knighton, Jr., who was convicted and electrocuted in Louisiana on Oct. 30, 1984.

class prejudice.

Death penalty statutes, as applied in the United States, discriminate against the poor. As much as 99% of those on death row were defended by courtappointed attorneys. They were too poor to choose their own lawyer. (There is no comprehensive study of the financial capacity of death row inmates. The 99% figure is accepted by those for and against capital punishment.) The attorney did not choose them as clients. The attorney was not compensated to expend time, energy, intellect, or emotion on their individual behalf. Invariably, the quality and effectiveness of their defense was significantly less than that of defendants able to afford counsel of their own choosing. Inevitably, a large percent of those sentenced to death have been deprived of the effective legal representation guaranteed by the Constitution.

This is not to say that all of the courtappointed attorneys who represented those sentenced to die were incompetent, lazy or racially prejudiced. Many of them were lawyers serving on indigent defendant boards. These are often burdened with such case loads that effective representation of any one case is impossible. The ultimate, irreversible nature of the death penalty should demand that the defense counsel be afforded hours of consultation with the defendant, have a substantial legal library and other legal resources, have an investigator who can pursue the facts of the case, and be free to devote hours on the many facets of preparation.

Many wonder why district attorneys seek capital punishment in so many cases. The cost, time, and energy expended in pursuing even one execution is enormous. Such efforts drain the prosecutor's resources and are a source of frustration when it is not carried out timely, if at all.

Obtaining a death sentence is the ultimate "victory" for a prosecutor. He is, after all, a politician. His electoral career can be won or lost by the number of heads that roll by his blade. The toughest sentence serves an emotional need for retribution in a society frightened and wounded by criminal violence. Could we not, however, use our resources in a more positive manner? Should *death* be our ultimate goal?

In fact, the greatest value of the death penalty for prosecutors is not its actual administration, but the *threat* of it. It is used as a chip during plea bargaining. Practically all of the life sentences gained through plea bargaining are negotiated by threatening the death sentence first. It is an incredibly powerful and effective strategy. The threat of losing your life gives you pause as no other can. Getting state's evidence by plea bargaining is a dangerous game.

There are many instances when an effective defense would have won a lesser sentence or even a verdict of innocence had the defendant not been frightened into "copping a plea" or had someone not turned state's evidence against

them. It should be obvious that this practice creates massive moral difficulties. Most of the public and almost every lawyer recognizes the need to reform the plea bargaining process. Using the death penalty to "apply the screws" just magnifies the problem.

Who would want to be tried for a speeding ticket by a jury composed only of people who have publicly declared their desire to punish traffic offenders? A jury so constituted is more likely to convict than one containing some people who think otherwise. Most prosecutors would agree with that conclusion. The same is true with capital punishment.

When selecting a jury, the law allows the willingness to punish to supercede the desire to determine guilt or innocence. If the premise is correct that juries unanimously in favor of a highly controversial, morally radical, and absolutely final sanction, are indeed more conviction prone, then without question there are people waiting on death row who would have been found innocent by another jury. Indeed, there are those "serving time" who would have been found completely innocent by differently composed juries.

Prosecutors know the value of selecting a jury which uniformally favors the death penalty. It increases the odds of winning a *conviction*, though with a lesser sentence. This practice might be considered morally questionable.

One other fact relevant to this issue must not go unmentioned. Blacks are disproportionately absent from juries due to "challenges for cause," as well as "preemptory challenges." (Such challenges occur when a prosecutor excuses someone from serving on a jury for actual or assumed bias about the case to be tried.) Blacks have been sensitized to the inequities of capital punishment and are, therefore, less likely to serve on a jury when a prosecutor is seeking a death sentence.

It cannot be coincidental that there is a

remarkably steep descending order of death sentence probability when comparing the race of the criminal to that of the victim. It is highest when Black kills White, less when White kills White, lesser still when Black kills Black, and least when White kills Black.

When one understands the relationship between discrimination against the poor and against Blacks, it is easy to grasp the despair and resentment such inequities cause. Crime can be a consequence of such resentment. Careful studies have demonstrated that unfair and unequal justice is counter-productive. Rather than being a deterrent to crime and violence, it actually becomes a major factor in furthering it. Even perceived violence begets violence.

The Harsh Sentence

It is not only in the plea bargaining process that prosecutors ask for more than what they hope to get. A prosecutor may ask for more than is actually likely or even reasonable when seeking a verdict from an "impartial" jury. In many cases this approach is successful — if obtaining a harsher sentence than justice calls for can be considered a success.

It is very common for juries to compromise by returning an intermediate verdict between those requested by the opposing attorneys. Quite often the compromise verdict is what the prosecutor was really hoping for from the beginning. Given human nature, it is a good strategy. Asking for the death penalty is useful for allowing juries to compromise downward to a sentence higher than might otherwise be the case. Certainly the jurors can feel that they are giving the defendant something substantial when they decide not to take his or her life. Prosecutors do not seek to make the punishment fit the crime. They go for the toughest sentence that they can get.

In 1972, the U.S. Supreme Court declared capital punishment statutes unconstitutional. It recognized that death sentences were being applied wantonly, capriciously and arbitrarily. A collective sigh of relief from throughout the legal community was almost audible. There was a broad consensus that undercurrents of racism and economic disparity corrupted all schemes of capital punishment. It wasn't long before state legislatures were passing new laws designed to reserve death sentences for the worst crimes and to remove the factors of racism, privilege and luck.

The Supreme Court quickly recognized in its acceptance of these new laws something called "proportional review." When a death sentence was imposed, the state Supreme Courts were mandated to compare the nature and severity of the crime to others where death sentences were sought. If the sentence is out of proportion to the severity of the crime, in comparison to other cases, the Court can reduce the sentence. Strangely enough, since it is a matter of state law, the Supreme Courts have limited their comparative reviews to the judicial district where the sentence was rendered (usually a county or parish) rather than the entire state. There is no single statewide standard of justice, let alone a nationwide one. Moreover, the comparisons are invariably distinguished and sentences upheld.

Given the radical finality of the sentence and the human propensity to err. delays and technicalities have been invented and accepted which otherwise would never have entered the system. Once entered however, they have then become applicable throughout it. This seriously "mucks up the works." The law doesn't work as well and public support dwindles. Ironically, as the public grows frustrated by the very checkpoints intended to protect innocent citizens from unfair haste, they tend to cry out all the more for harsh sentences. The courts are affected by public outcry and political leadership. A definitive and dismal pat-

Continued on page 22

A survivor's view of murder

by Marie Deans

urder in all its forms, including legalized murder, is not like any other death. I do not mean that I believe in a hierarchy of victimization. I am strongly opposed to such ranking of sorrow and pain. I mean, simply, that the reaction to murder is unique in many ways. When we lose a loved one to natural or even accidental death, we know how to react, how to grieve. Friends and neighbors know how to help us. Our culture has given us a ritual of mourning and remembrance and taught us how to accept death in every way it comes to us—except murder.

While murder has always been a part of any society, it is taboo, and taboo implies complicity. The victim's family is drawn into an act that has brought consciousness to the subliminal terror of society out of control. Society's determination to push back the terror and enforce order takes precedence over the death. The ritual of revenge takes precedence over the ritual of mourning and remembrance.

My mother-in-law, Penny, was murdered at her home in South Carolina in 1972. My father-in-law had died of cancer a year before, and that year had been extremely difficult for Penny. She had not been able to see a future for herself without him. Then I became pregnant with her first grandchild. Life was once again something to live and look forward to. She had gone to celebrate this new life with her husband's family in North Carolina. Upon returning home, she was followed by an escaped convict.

Marie Deans is a paralegal assistant specializing in appellate and death cases for the Virginia Coalition on Jails and Prisons in Richmond.



Marie Deans

By the time we got to her house, the police were setting up barricades. They told us she had been shot, and that we couldn't go into the house because they were collecting evidence. They assured us that paramedics were with Penny. Before long there were detectives, reporters and various onlookers all around us. We stood huddled against a police car that squawked out messages we couldn't understand, and we kept asking the police if we could see Penny, if she was all right. They just kept saying, not yet.

After some time we realized my husband's sister knew nothing of what had happened, so we left his brother there and went to get her. Coming back we were stopped by a police barricade. While a policeman was explaining the barricade, and we were identifying ourselves, the police opposite us let through an ambulance with no warning light. When we got back, my husband asked if Penny had been in that ambulance. "Yes,"

they told us. "We sent her body to the hospital for an autopsy." That is how we learned Penny had died. To this day we don't know exactly when she died or if she was conscious when we got there. Denial is a strong defense. We stayed there until dawn when the police sealed the house and told us to go home.

The morning paper was already on our doorstop when we got home. There were glaring headlines, a picture of Penny's house, pictures of us. It was then that we realized we were in the middle of a sensational murder and manhunt. Reading that paper, we were accosted by horrifying physical details of Penny's struggle and death. And we were accosted by questions.

Why had Penny been on the road alone at night? Why had her killer followed her instead of some other woman? Why hadn't she locked the garage door before unpacking the car? It's called blaming the victim. We felt the first stirring of complicity in the need to defend her.

Naively we thought that would be the last front-page headline, that the story would be moved to the back page the next day, then disappear. We were wrong. The man who killed Penny had killed another woman in his escape in New England. The story became front-page news up and down the East Coast.

The normal process of mourning a loved one was forced aside. Within hours reporters began calling from all over the country. Detectives arrived to question us. We wouldn't talk to reporters, but day after day we went over and over the evidence and background material. We were not even allowed the privacy of a funeral. Total strangers came, asking questions that turned our stomachs. At the request of her youngest son, Penny's casket was left open — until we saw

people turning her head to see the bullet wounds.

When the man was caught, another round of stories dredging up the entire scene, complete with pictures of us, Penny's house and the man, hit the papers and television. Day after day we shook our heads at the man's mugshot and went over the evidence again. For months we lived with Penny's murder, and yet we had no real idea of what was going on. While we cooperated with the prosecutor in New England, we kept asking what would happen in South Carolina. The response was always the same — don't worry. We'll take care of that.

But we could not help worrying. We had found out something of this man's family and their agony and sorrow at what he had done. In South Carolina there was a possibility that he would receive a sentence of death. We had always been opposed to the death penalty on moral grounds, and we, like most who openly oppose the death penalty, had been asked how we would feel if one of our loved ones was murdered. Now we knew the answer to that question.

We could not extend this violence to include yet another family. We could not bear for Penny's memory to be linked to an execution. We could not imagine how we could teach her grandchild that killing was wrong and life sacred if we allowed a human being to be killed in his grandmother's name or in ours. My husband went to the prosecutor in South Carolina and told him we would fight an attempt to extradite Penny's murderer to South Carolina if there was any chance of his getting a death sentence. The man is serving a life sentence in New England, and we have never regretted that decision.

From the night Penny was murdered until today, people have asked us why we did not feel the same anger and need for vengeance so many murder victims' families seem to feel. They imply that we are either saints or emotional freaks. We are neither. We did feel anger and horror and

pain and an almost overwhelming sense of loss. But perhaps our most intense feeling was a desperate need to understand why — why Penny had had to endure so much, why we had had to lose her.

We wanted to know why there is so much violence among us. Why we are so good at passing on violence and so poor at passing on love. We wanted to know why the process of dehumanization went so far beyond the murder. The police had a job to do. The criminal justice system needed to use us like computers, providers of data. They were at best insensitive in their needs. But it is not just the system that is insensitive. The community reacts to murder by making false assumptions about what it feels like to

Church supportive

The Episcopal Church has been a stalwart supporter for the Virginia Coalition on Jails and Prisons, according to Marie Deans, author of this article.

"St. Paul's Church, Charlottesville, gives \$1,000 a year toward our work, a number of priests from the diocese have volunteered to visit death row, and several lawyers have volunteered legal assistance," she said. "Lloyd Snook, chair of our board, handles five cases on death row, an incredible load for a volunteer. This ministry is exercised in an environment where 84% of the people in the state believe in the death penalty. That breaks down into mostly White Christians."

Deans said that each new U.S. execution causes "the blood lust to rise, the ugliness in us to take over. You even see priests, chaplains and attorneys becoming desensitized to the state taking life."

Deans founded a 110-family organization called Murder Victims for Reconciliation after her mother-in-law was killed. She said families of homicide victims need such a group to share grief. Telephone number for Murder Victims for Reconciliation is 804-353-0093.

lose a loved one to murder and what the family needs.

Until victims' families are in so much pain all they can do is scream out for vengeance, the community simply does not listen. For some members of the community, victims' families remind them of their own vulnerability, making them uneasy and fearful. For others there is a sense of reassurance when they see that a neighbor has become a victim. They believe in the statistics of probability. If their neighbor is assaulted, they will not be. And still others feel inadequate to respond.

We have rituals we depend on to get through tragedies. With murder there is no supporting ritual to fall back on and learn from. Even the cliches don't work. You can't say "She's better off — out of her misery." And it is pretty hard to say "It was God's will." The only rituals we have to respond to the violence of murder are not healing rituals but those, like executions, that only respond to the fear and anger by extending the violence.

Worse, victims' families like mine who oppose the death penalty elicit hostility from the community. We deny the community's rationalization for vengeance. In doing so, we become a new target. Long ago I lost count of the number of threatening letters and phone calls we have received and continue to receive. And long ago I began to believe that homicides and other violent crimes *can* be reduced if we, as a people, decide that life is truly sacred.

I came to that conclusion in my search for the why of Penny's murder and other violent crimes. That search took me to death row. In the past six years I have worked with over 200 death-sentenced prisoners. The details of their stories are different, but it is in the similarities that reasons are found.

They are *all* poor. They are disproportionately made up of minorities. All but a few were abused, molested, neglected or institutionalized as children or youths.

They turned to drugs and alcohol to numb the pain of their own brutal lives. More than half appear to be mentally ill to some degree. In many cases their families sought help again and again. They gave out clear signals that they were in trouble. None received the help they needed. They were society's throwaways long before they murdered.

We did not help them. They ended up committing murder, and now we will murder them back. It is an American way of death. The way of Penny's death and thousands upon thousands more. It is a way of death that not only says the offender is expendable, it very clearly says the victims are also expendable.

It is violence feeding on itself, dehumanizing us all and denying to victims and offenders alike the process they need to go through in order to survive — the process of reconciliation.

Murder is wrong, not because you do or do not have a permit to kill. Murder is wrong, because life is sacred. The result of denying that is to continue the cycle of violence and brutalize more and more people. That brutalization is creating a new mood of vigilantism, and victims' families are a growing part of that mood. Yet one of the rationals for the death penalty is that it will prevent vigilantism.

I believe there are three reasons why victims' family members are susceptible to this new mood. One is the natural guilt of survivors. A second is the trap of becoming the primary victim. The pain and anger of the loss becomes so overpowering that the focus is fixed on "my loss" rather than on the person who was killed. Grief is blocked by anger, and healing never begins. The third reason is that our society gives out the clear message that what it expects and finds acceptable from the victim's family is the need for vengeance.

All these reasons are used to exploit the victims' families into helping prop up a criminal justice system that is totally bankrupt. That system and our political leaders know very well they have no solutions to our reactions — fear, anger, pain and desire for revenge. In addressing these reactions, they feed them, and in feeding them, they destroy our ability to heal, regain our humanity, learn to forgive and empathize with one another. They destroy the process of reconciliation and in so doing, our sense of community.

In such a society, human life has no intrinsic value. Our values become so skewed that in the week the courts cleared the way for Texas to kill James Autry and North Carolina to kill James Hutchins, a court order came down from a Superior Court in North Carolina giving a stay of execution for a dog that had killed a man, because "Our society should refrain from killing animals unnecessarily."

It is not just victims' families and offenders and their families who need reconciliation. Our society is desperately in need of the process of healing, regaining our humanity, learning to forgive and empathize with one another. Without reconciliation, we cannot and will not grow individually or collectively.

At a church service in Virginia on Oct. 12, the night Linwood Briley was killed, a large banner was unfurled. It read: "We Walk For Life. No More Victims in Our Names." Twenty-seven people with cards bearing the names of the men on Virginia's death row and the murder victims walked behind that banner followed by about 250 others.

Across the street a group of about 300 people carrying signs reading "Fry, Negro, Fry," and "It's Time to Bring Back Lynching" chanted racial slurs, swung nooses and set off firecrackers. Between the two groups hundreds of people drove by on their way home from the movies, bars, card games and dances.

Each of us has a choice. We can support violent death, either by advocating it or turning away from it, or we can "Walk for Life." I hope you will choose life and walk behind that banner with me.

Capital punishment:

Current resolution

Following is the 1979 General Convention resolution (reaffirming the 1958 legislation) in opposition to capital punishment:

Whereas, the 1958 General Convention of the Episcopal Church opposed capital punishment on a theological basis that the life of an individual is of infinite worth in the sight of Almighty God; and the taking of such a human life falls within the providence of Almighty God and not within the right of Man; and

Whereas, this opposition to capital punishment was reaffirmed at the General Convention of 1969; and Whereas, a preponderance of religious bodies continue to oppose capital punishment as contrary to the concept of Christian love as revealed in the New Testament; and

Whereas, we are witnessing the reemergence of this practice as a social policy in many states; and

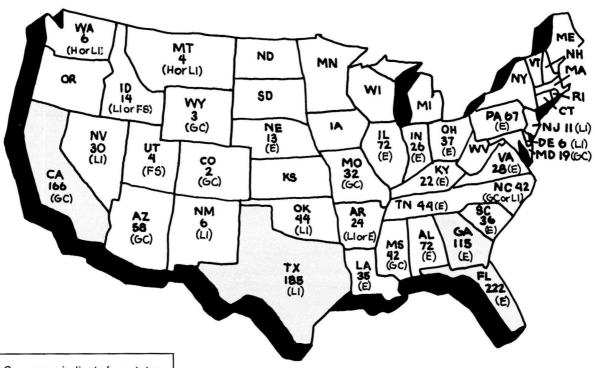
Whereas, the institutionalized taking of human life prevents the fulfillment of Christian commitment to seek the redemption and reconciliation of the offender; and

Whereas, there are incarceration alternatives for those who are too dangerous to be set free in society; therefore be it

Resolved, the House of Bishops concurring, that this 66th General Convention of the Episcopal Church reaffirms its opposition to capital punishment and calls on the dioceses and members of this Church to work actively to abolish the death penalty in their states; and be it further

Resolved, the House of Bishops concurring, that this 66th General Convention instruct the Secretary of General Convention to notify the several governors of the states of our action.

Inmates on death row: 1,479 as of 3/1/85



Gray areas indicate four states with 100 or more inmates on death row. States without capital punishment statutes are Alaska, Hawaii, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, New York, North Dakota, Rhode Island, West Virginia, Wisconsin, and the District of Columbia. Electrocution (E) is the most frequently used method of execution, followed by lethal injection (LI), gas chamber (GC), hanging (H) and firing squad (FS).

Breakdown of condemned

Race		Sex	
White	752	Male	1460
Black	619	Female	19
Hispanic	84		
Native American	18		
Asian	5		
Unknown	1		

Source: Legal Defense Fund/NAACP

Ministering to ex-offenders

by Thomas C. Shepherd

The Friends of Prisoners, working and ministering on Cape Cod at the Barnstable House of Correction, demonstrates one way the Christian Community can respond to meet the needs of prisoners and ex-offenders.

For several years, the Rev. David Yohn, chaplain of the House of Correction, had sought to raise the consciences of the community to see that a man released from detention with little or no resources would be left with few alternatives and would in all probability return to his former way of life. This might well be avoided if some concerned Christian people would be willing to take an active role in befriending him while incarcerated and help him find housing and employment upon release.

In the fall of 1982 a few members of the Social Concerns Department of the Cape Cod Council of Churches began to meet to discuss the problem. It was immediately obvious that the best intended Christians can be frightened and feel they must be better prepared before undertaking such a ministry. Some were uneasy about entering a jail and were plainly scared about what it might mean to know and associate with an ex-offender on the outside without the security of bars and correctional officers. We had very little money and were doubtful about what community resources would be available. Many would object to an ex-offender living next door or working in their shops or restaurants, and we knew it would take

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raw nerve just to approach employers and rooming house owners with our ministry.

Fairly soon it seemed that we were just meeting to meet and agreeing that now was not the time. Frequently heard were statements like "We will start in a few months or next year, when we have the money, housing and some employers lined up." Of course, we did not have a single ex-prisoner to help at this point so we were only guessing at what the needs would be. But then we should be ready with something for the eventual day. And so it went — which came first — the problem or the solution?

Early on it was decided that we would not be another social agency, nor an extension of the parole or probation departments, or for that matter any aspect of the criminal justice system. No one had any complaint against the "system" (at least not at this point), but all wanted simply to try to respond to our Lord's words, "when in prison you visited me". (Matt. 25:36) Therefore, we adopted the name, Friends of Prisoners.

Among those who had volunteered were an attorney, two clergymen, a drug counsellor, a social worker, two school teachers, and a school psychologist — expertise that would come in handy later on.

Interestingly, most of the volunteer Friends were women and all the prisoners seeking help would be men. Women are not incarcerated in the Barnstable House of Correction. We learned that competition and confrontation can exist between the male prisoner and the male authority around him, i.e. the police, the judges and the correctional officers. We

assume this authority problem has never existed for us because so many of our number are women.

Although we were insecure about taking the first step we began to feel good about our goals and priorities and we were beginning to get a sense for what this ministry would be, but there remained one huge stumbling block.

Chaplain Yohn informed the group that the inmate records were sealed and would not be available to us, which meant we would not know, perhaps never know, the crime of the person we were befriending. The chaplain repeatedly made the point that the Friends did not need to know the prisoner's crime, if they were simply following Jesus' words and if the prisoner was asking for help. What difference did it make what he had done? He was a person willing to attempt to turn his life around. Not all of the Friends agreed, and we still have long discussions and arguments over this matter. But to this day we have taken nearly 80 men out of the House of Correction, never having seen the record of one man, and frequently never knowing the exact truth about his crime. However, for the sake of protection and liability of those who house our ex-offenders we are told when a man has been convicted of a crime of violence. In fact, only a very few have.

The Friends discussed having a candidate for the program sign a waiver permitting access to his records. This probably will never happen because most of us seem to prefer accepting the concept that asking for help and being willing to change should be enough. If that is where the inmate is at, what good is his record? And anyway, what kind of a friend de-

mands access to one's private records.

After some months went by, word somehow leaked out to the "House" there was a group out there that would help, and the requests came. We knew we were not ready for this, but it soon became obvious that if we refused this request for help, that individual would be on the streets within a few days with little or nothing. Not all agreed, but the majority said, "Let's do it!" We did not know what he needed, what work he could do, and whether or not he needed housing, but we soon found out.

Perhaps, it was well we were not prepared — we are not prepared two years later. On the plus side, this means that no offender who comes into our program becomes part of a *process*, but each is helped as specific needs dictate.

Apprehensive and unsure, we met this first young man and handed him a sum of money to help with his problems. We felt good about this. (That it was so near Christmas had something to do with it.) But we did not feel good that he spent most of the money on drugs. At a subsequent meeting we invited the parole officer. To our surprise, he applauded our effort, but cautioned that we might be acting like a runaway train. We had a lot to learn.

We began to pay rooming houses directly, and to give enough money to meet food and personal expenses for two or three days at a time. Helping the exoffender to establish short goals is best. In the institution he made no decisions for himself. The outside world and all of the problems he left are still there plus all of the concerns associated with his new life.

Soon after release, one young exoffender called to say that he was going back to stealing which he perceived as easier than completing a simple form in the local welfare office. Adding to his anger and frustration was the fact that the cost of transportation to his job training program was going to cost four times

what he had expected. His announced return to crime was a cry for help, and within the hour his Friend met him on a street corner. The anger and frustration was talked through, and the accepted short term goals reassessed. He would be through that training program within a few months and he was anxious to start at what he saw as a real vocation. The Friends of Prisoners paid the extra transportation cost for one week, after which another individual in the training program offered a ride in his car. A call to the welfare office revealed there was no real problem. The social worker, now understanding the situation, was anxious to help and the ex-offender returned the following morning to complete the application.

A recovering alcoholic recently said that he had once come to the place where he could no longer believe in God, and during that time he took his sponsor's God. The Friends seem to accept the idea that maybe the Christian's God and resources sometimes must be lent to help the ex-offender, but hopefully his borrowing and dependence will end as he finds his own God and makes use of the resources within himself.

However, the Friends are convinced that for the program to work help must be requested by a prisoner who sees his condition and wants to change and go straight. For this reason, we never seek out a prisoner.

When Bartimaeus, the blind beggar, shouted, "Son of David, Jesus, have pity on me!" Jesus asked, "What do you want me to do for you?" (Mark 10:46-52) Is it not likely that Jesus already knew what Bartimaeus needed? Why then did Jesus ask? Perhaps for the healing to begin it was necessary for Bartimaeus to reply,

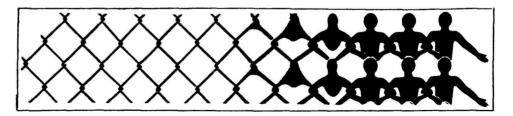
"Master, I want my sight back." The pathway to health may well begin as we announce we are not whole and then seek out that resource that can help us.

Soon after help is requested the Friend begins visiting at the House of Correction and an honest attempt is made to establish a bond of friendship. This is difficult, for while the prisoner looks forward to visits he has learned to trust very few people. He is suspicious and slow to let down the barriers. Prisoner language for not presenting one's true self is "fronting." There may be a lot of "fronting." but in time the barriers begin to come down, and the Friend wonders if the crime of the prisoner, whatever it may be, is dwarfed by the evil that has happened to him, by his disabilities, and by the abuse and neglect he has suffered.

Many of those we have helped so far have long histories of abuse, mental illness, learning problems, and family backgrounds that reflect considerable violence and neglect. Quite often professional help is needed and possibly sometimes a residential treatment program is called for. When this is necessary the Friend finds that help within the community.

As the visits continue positive Christian social and spiritual values are reinforced, but the prisoner gets no judgment from us about his negative attitudes and behavior. If he comes to the place where he rejects that part of his life, we join him in that rejection. Sometimes we do not speak Christ, which means we do not evangelize in the strict sense of the term, but we hope that our actions and words reflect Christ.

The day of release is always tense. The time is 8 a.m. and the Friend makes a point of being there. There are documents to sign, personal clothing to be



collected, and possibly a small sum of money for those who were part of the work program.

On his own, there would be the long walk down the hill to something or to someone from his past life reaching out to claim him again. With his new Friend this last scene is not played out, but rather this now labeled ex-offender goes off for coffee to discuss what happens next, and then on to where he will be living, and possibly a job interview or two.

Friends of Prisoners rented a property recently to serve as a half-way house. It accommodates six and a part-time resident manager. All residents are given free room and board for three weeks, and involved in a program tailored to each individual's need.

Most ex-offenders look to being reunited with family, when and where this is possible, although many want to avoid contact immediately upon release. They say they want to get themselves together first. They will need strength to cope with what may have been a nearly impossible relationship, but kin is kin, and reunions do happen, even if relationships are tenuous.

The next few weeks are tense also, trial and error, goals discarded to be replaced by better ones, and always those collect phone calls to the Friend for ideas, advice, reassurance.

For certain the Friend finds it difficult to hang in as he watches one poor de-

cision and error in judgment after another, but slowly there are better decisions, better judgments, and little by little, independence.

The question we are asked most often: How successful are you?

We are not exactly sure how success is measured when one responds to the words of Jesus and reaches out to another, but probably we would say that success is partial.

A man may leave his prison cell to return to an abusive family and he may not always be winning the battle with alcohol, but he does not return to crime. Success is partial indeed! But by the grace of God and by visiting Christ in prison, a healing process has begun.

Klan trial underway

n Nov. 3, 1979, my youngest son came running into our house in Greensboro, N.C., and announced in panic that the Klan had shot four people to death near the area where he was playing soccer. The terror on his young Black face pierced my very soul. It would be weeks before he slept soundly again.

Within a matter of hours, our entire family saw the shootings replayed on the TV news. What happened could not be denied. On Aug. 4, 1980, we saw the trial begin of six Klansmen and Nazis on murder and rioting charges before an all-White jury. Some three months later the six were acquitted and all charges dropped by the state.

Our first reaction was disbelief, followed by anger, then tears. We could not believe what we had just seen on TV. The

The Rev. Canon Henry L. Atkins, Jr. is the Episcopal Chaplain to Rutgers University at New Brunswick, NJ. Canon Atkins has a long history of antiracism activity. same people we had seen gun down five others (four died instantly, the fifth sometime later) were set free. The price of justice had just gone up in Greensboro. How high it has gone still remains unclear.

After the state trial, a federal grand jury indicted nine of the Klansmen and Nazis in April 1983. A year later the nine were acquitted of the charge of violating the victims' civil rights — the decision handed down, once again, by an all-White jury.

A new civil suit filed by those widowed, injured, or falsely arrested during the 1979 demonstration is now in progress in federal court at Winston-Salem, N.C. This time 63 defendants have been named: 16 are Klansmen or Nazis, 30-40 are Greensboro police officials, and the remainder are FBI and ATF (Bureau of Alcohol, Tobacco, and Firearms) agents.

This trial is the last possible chance to

by Henry L. Atkins

prosecute the Klansmen and Nazis who shot and killed Dr. Michael Nathan, Sandi Smith, Bill Sampson, Cesar Cauce, and Dr. Jim Waller almost six years ago. It is the first time the Greensboro police and officials of the FBI and the ATF may be held accountable for their actions. These officials appear to have aided the Klan and the Nazis and refused to protect the demonstrators and the Black community. The Greensboro police, for example, despite notification of the demonstration, were not present when the Klan and the Nazis came and gunned down the demonstrators.

The people who were killed at the peaceful demonstration in Morningside Homes, a Black community in Greensboro were well known in the larger community. The victims included two Jews, one Afro-American, one Hispanic and one White. Nine other people, including an Afro-American woman who was eight months pregnant, were injured by the Klan-Nazi attack.

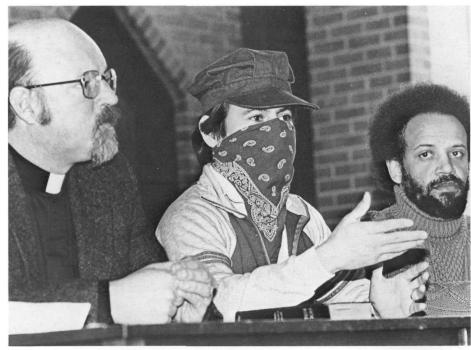
Three of the murdered — Jim Waller, Bill Sampson and Sandi Smith — had worked to organize Black and White textile mill workers, many of whom suffered from the occupational disease of brown lung. Jim Waller, a doctor, gave up his medical practice to organize full-time in the mills. After leading a strike, he was elected by his fellow workers to be president of the union local. Bill Sampson organized at a textile factory owned by Cone Mills, one of North Carolina's largest textile manufacturers. He was running for union president at the time of his death. Sandi Smith, former student body president at Bennett College, a United Methodist Black women's college, organized in the mills after graduation. She led woman workers to fight for a union and against sexual harassment on the job.

Cesar Cauce organized among the hospital workers at Duke Medical Center. Dr. Mike Nathan was a pediatrician at a clinic in the Black community. He was involved in collecting medical supplies for the liberation forces in Zimbabwe (then Rhodesia).

The loss of these labor organizers and community leaders was a tragedy not only for their families but for their communities and co-workers. Immediately after the murders, armed guards were placed around the textile mills. Those workers most active in organizing for better conditions were fired from their jobs.

Since the 1980 acquittals, there have been over 130 documented incidents of racist-motivated activity in North Carolina. These figures are for the years 1980-83, and include examples such as a Black man killed by shotgun blasts for driving too slowly on a rural highway, cross burnings, and the opening of paramilitary training camps by at least one of the men involved in the killings in Greensboro.

At the time of the shootings, I was serving as the Episcopal Chaplain and



The Rev. Henry Atkins, longtime social activist and author of this article, is pictured with Ramon Flores (not his real name) a Salvadoran refugee in sanctuary at his church. At right is Quentin Smith, of African Heritage, supporting Atkins in his stand of refusing to surrender the family to INS authorities who requested they apply for political asylum. Atkins explained at a news conference that 97% of such applications are refused, and the petitioners deported to torture or death in their homeland.

an instructor at the University of North Carolina in Greensboro. Because of my pastoral concern for the widows of the men killed and my willingness to speak out, I received telephoned death threats and had a cross burned in my front yard. Neither the death threats nor the cross burning were dealt with by the Greensboro police in a satisfactory manner. The first newspaper report of the cross burning quoted a member of the Greensboro police department who considered the action a "prank."

Many in the Greensboro community attempted to dehumanize the victims by pointing out their interest in Marxism. Thus they were convinced it was less of a crime to kill a "Commie," and sadly enough many members of local churches agreed. The "Red-baiting" silenced a good number of clergy.

But not all church people were taken in. Several local church people spoke out against the killings, and they received support from the National Council of Churches, Clergy and Laity Concerned, and Bishop Thomas Gumbleton of the Roman Catholic Diocese of Detroit.

Carolyn Coleman, Coordinator of the North Carolina NAACP, said recently of the present suit, "Justice is on trial here. If we fail to see that it prevails, we will have lost our most valuable resource in seeking full equality for all people. We must support this trial with our presence and our concern." Echoing Ms. Coleman's words, I urge all concerned people of faith to pay close attention to this trial. We must, as a people, recommit ourselves to the struggle for racial justice and hope that the price is not now too high.

Confronting the S. African police

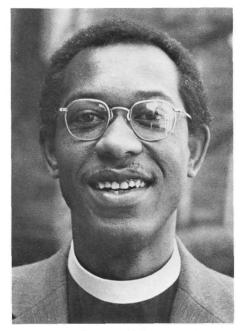
A Black Episcopalian priest experienced the repressive nature of apartheid when he was detained for almost two hours by the South African police and security police during his trip to Johannesburg for Bishop Desmond Tutu's enthronement.

He is the Rev. Chester Talton, mission officer of Trinity Church, New York, and member of the Board of the Episcopal Church Publishing Company. Talton described the circumstances of his detention to THE WITNESS:

"I had noticed the South African police park a van one block from the Cathedral each day and randomly stop Blacks to check their pass books," Talton explained. "All Black South Africans must carry these books. Johannesburg looks integrated by day, but by evening it turns into a White city. I knew that all Blacks had to leave the city after work hours because I watched them coming out of the train station every morning and returning at the end of the day. St. Mary's Anglican Cathedral, where Bishop Tutu presides, is about a block from the station. Large numbers of Blacks pass in front of the Cathedral, going to and from work.

"On my final day in South Africa, while I was taking photos in front of the Cathedral, a young Black man ran by me, chased by a policeman. I took their picture. Two policemen came over and said, 'Give us the film and we'll forget about it.' At this point I should have been thinking like a South African, but I said, 'What do you want it for?'

"They took me to the police van and asked for my passport. I think they were willing to let me go when they saw I was



Chester Talton

an American, but when I told them I was there to attend the enthronement of Bishop Tutu, that really made them mad. 'Tutu!' one shouted at the top of his lungs, and ordered me into the van."

So began an ordeal during which Talton was never told that he was under arrest, which would give reason to contact the U.S. Embassy. He was transported first to the police station, then to security police headquarters for questioning. His fear was that no one had seen the incident, and that he would not be missed by the other 12 members of the U.S. delegation.

Talton said he tried to find out where they were taking him, from the six Black men in the van, but "no one would talk to me." He was told at the station he had to "see the lieutenant." After about 15 minutes two police returned and put him in the back of an unmarked car.

Talton thought he was being returned to his hotel, but was driven instead through the city, to the end of downtown Johannesburg where the security police are headquartered.

"I knew that this was the place some walked into but never walked out," Talton said. "A man came into the office to question me. He was not in uniform. Why was I in the country? Was I there alone? I told them I was with the Bishop of New York and the Bishop of Washington, and they were waiting for me. I think that's what began to convince them to let me go. Being a U.S. citizen helped somewhat, but that I was leaving that day and would be missed was the determining factor.

"As he puzzled what to do the phone rang. He spoke in Afrikaans, but when he hung up he was very friendly. He apologized for the inconvenience and I was taken back.

"When I got to my hotel room, I broke into sweat and my knees were shaking. I realized no one knew where I was, no one had missed me. They could have said anything, or nothing, and I could have disappeared.

"I have heard Bishop Tutu say many times that he prays for the South African government to let his people be free. If changes do not come soon, he fears a blood bath. I have been to South Africa myself now, and while I can't pretend to know the country in its complexity, I do know that Bishop Tutu's words are true. I have experienced South Africa for myself," Talton concluded.

U.S. dimension missing at Tutu enthronement

by E. Nathaniel Porter

B ishop Desmond Mpilo Tutu, winner of the 1984 Nobel Peace Prize, called for an end to all forms of oppression at his enthronement as Bishop of Johannesburg Feb. 3, — an event attended by more than 1500 people — but, curiously, not by an official representative from the U.S. Presiding Bishop's office equal in rank to the Bishop-elect.

In the face of this significant historical moment, the missing U.S. dimension was unfortunate. Bishop Tutu had been invited to this country and had given generously of his time and talents to deliver a courageous message about Christian social justice. What he gave was above what he received from the U.S. church. Through this act of omission, the U.S. church failed to affirm fully the prophetic, pastoral, pioneering leadership of Bishop Tutu.

According to Derrick A. Humphries, Washington, D.C. attorney and noted Episcopal layperson: "In my opinion, this was a major opportunity for the Episcopal Church leadership to make a dynamic statement to support justice and the right of freedom of religion and expression. Our national leadership apparently failed to understand and act upon this opportunity. This must change."

The delegation representing Presiding Bishop John Allin consisted of the Revs. Edward B. Geyer, Jr.; Earl A. Neil, Harold T. Lewis, and Charles Cesaretti of the Church Center staff. The Rev. Robert E. Hood, professor at General Theological Seminary and Bishop Tutu's special assistant during his recent sab-

The Rev. E. Nathaniel Porter is Episcopal/Anglican Chaplain at Howard University, Washington, D.C.

batical there, was also a part of the New York contingent. Two U.S. bishops from the United States were present — the Rt. Rev. John Walker of Washington and the Rt. Rev. Walter Dennis, suffragan of New York, but not as official representatives of the Presiding Bishop.

The Cathedral itself was populated by the full body of the local Anglican community — Africans, Afrikaaners, Indians, Coloreds. Parts of the service were done in the indigenous language of the various worshipers. It was evident that each group was familiar with the other's language by their enthusiastic participation in the Gloria and Nicene Creed, sung in Xhosa. The Old Testament was read in Sotho; the New Testament Lesson in Afrikaans, and the Gospel in English. The entire service was printed in English.

Love, justice and the end of apartheid were the themes of the sermon delivered by Bishop Tutu, who cannot vote in his homeland and whose passport is stamped, "Citizenship undetermined." Bishop Tutu said he would not travel for the next several months so that the people of the diocese could get to know him better. He noted that a significant segment of the diocese had been influenced by newspaper, radio and TV reports and considered him to be "a horrid ogre, someone many White South Africans love to hate."

Bishop Tutu emphasized that he has not called for disinvestment in South Africa at this time, but for increased foreign investment *under stringent conditions*, and called for a moratorium of two years wherein the conditions might be fulfilled.

The provisions for investment, as he outlined at the South African Council of



Nat Porter

Churches National Conference, are:

- Housing of the work force in family units near the place of work of the breadwinner.
 - Recognition of Black trade unions,
- Recognition of the right of the worker to sell his labor where he can obtain the best prize for labor mobility, and the scrapping of influx control,
- Enforcing fair labor practices and increased government investment in Black education and training.

The enthronement concluded with the first spiritual act of blessing of the people of the diocese and the city of Johannesburg. "Go in peace," Bishop Tutu said.

Jobless rise

Joblessness continues at an unprecedented rate for Americans, despite indicators of an improving domestic economy. According to a recent report by the Council on International and Public Affairs, 15.5 million people in the United States wanted jobs in December 1984, but could not find them.

The study, "The Underbelly of the U.S. Economy," arrives at figures differing from those of the government Bureau of Labor Statistics. The Council, unlike the BLS, counts "discouraged workers" who want jobs but have given up looking after weeks of not finding one. The BLS counts part-time workers, even those who only put in one hour a week, among the fully employed. Many of the jobs created during the recent recovery are both part-time and low wage.

- Soiourners 3/85

Continued from page 11

tern is emerging.

Most state courts are making only pro forma reviews of death case appeals. They pass all of the real questions to the federal courts. The elected judges of state courts feel the appointed federal judges must accept the responsibility for any delays or reversals. The federal court judges respond to the U.S. Supreme Court which has, by a 7 - 2 margin, resolved each of the legal issues in favor of executions. The federal court judges also seem to be responding in irritation to the way the state courts are "shucking" their own responsibility and placing it all on the federal level. With pressure from "above" and from "below," federal courts have also begun dealing with these cases with quick pro forma reviews.

In Louisiana, the governor appoints five people to the State Pardon Board. The board has the power to recommend mercy. The governor has the power to grant a reprieve and, if the Pardon Board recommends it, to commute a death sentence to life imprisonment without benefit of parole. It is at this stage that, according to theory, five people can objectively look at the whole picture without being trapped by legalities and technicalities.

In fact, the governor and the Pardon Board are more vulnerable to political pressure than anyone else in the entire process. At present, the voters are clearly in favor of capital punishment. Governor Edwin Edwards has stated that he is personally opposed to the death penalty, but that as a public servant, he feels he must execute the will of the people. Knowledgeable politicians in Louisiana (and supporters of the governor) have revealed that the Pardon Board would not refer a case to the governor without his request! Hence, the governor and the Pardon Board have each publicly declared that they will not "interfere with the legal process unless there is clear new evidence of innocence." The courts are the proper forum to present new evidence. If this was not the case there would be no Pardon Board or gubernatorial reprieval power.

Some Moral Reflections

Through the centuries of Judeo-Christian tradition some broadly accepted moral principles for the application of punishment have evolved. One should compare these standards to the death penalty issues which have been identified. Following the lead of the largest single denomination (in La Civilta Cattolica), I suggest the following standards:

- (1) All human life is sacred. God alone is master of life and death. We should repudiate sinful behavior, but recognize the human dignity of the sinner, who remains a child of God, one created in His image.
- (2) The goal of punishment for the sinner and the community remains the same even when the most grevious sin has been committed: reconciliation spiritual, emotional and behavioral.

Punishment is administered for the sake of justice. Justice, in relation to punishment, is the restitution to the degree possible of what was lost to the victim. It is the restoration of the violated order. It is the redemption of the offender. It cannot be vengeance.

- (3) Human beings are never to be used as a means to an end, but must always be an end in themselves.
- (4) Evil means should not be employed even to pursue ends which are considered good.
- (5) Punishment is never to be more harsh than is necessary to be effective for the protection of society. Nor is it to be incompatible with or counter-productive to the humanizing of society.
- (6) Punishment is to be equally administered without regard to race, color, creed, sex, or social standing.

These are the salient Judeo-Christian criteria according to which decisions are to be made in the process of adminis-

tering justice. They have strong theological traditions and broad ecumenical support. The particular decisions being made within the legal community for capital punishment fail miserably.

Capital punishment is not being administered equally to the poor or to minorities. Perhaps the death penalty could be rendered equally and fairly in heaven, but not in this world where the effects of prejudice and privilege are inevitable. Nor is it possible to administer punishment fairly and equally when the selection of who dies from amongst the many thousands of legally qualified persons is so dependent on chance circumstances and coincidences. It is a veritable lottery of death.

Put that discussion aside. Put aside any generalized theological understandings of the sacredness of each human life, of the wrong in deliberately killing someone as a means which is justified by a good end (deterrence, retribution, etc.) of the inability to effect restoration of the victim, of the inability to achieve rehabilitation and reconciliation with an executed sinner, of the cruelty in calculated and ritualized killing. Consider only how the specific legal proceeding as actually carried out exemplify these theological insights. The results are no less repugnant to our nation's political credo than they are to our religious imperatives.

Our moral principles are demonstrated most precisely in the legal process where the actual decisions are made. Perhaps this essay has helped to clarify to some degree the issues about capital punishment and what is really happening. The highest ideals of our society have been twisted into supporting a barbaric practice which, in turn, only serves to demean our collective dignity and tear at our nation's soul.

(The above article is excerpted with permission from Blueprint for Social Justice, published by the Institute for Human Relations, Loyola University, New Orleans, La. 70118.)

Letters... Continued from page 2 made us painfully aware of the challenges of peace education that lie ahead.

Edwin H. Gragert Executive Director International Christian Youth Exchange

Lauds editorial formula

I want to take this opportunity to say how wonderful THE WITNESS has been and that (little as I can accurately judge) you have discovered a near-perfect formula for balancing politics with institutional religious concerns. In past years, I never had an adequate material base to free me for the precision editing that you do; I'm trying to make up for lost time by editing books.

If I spend more time around New York City this year, I hope I might run into Bishop Paul Moore sometime. What a guy! (See "Meditation for a Nuclear Age," January WITNESS.) He has one of those soaring imaginations I'd like to consult as I try to expand a 50-page essay on Liberation Theology into short-book length.

Paul Buhle Providence, R.I.

Prisoner salutes editorial In response to Barbara C. Harris' editorial "Bishop Tutu and the Christian Response" (December '84): thank God a magazine has finally been allowed us here with writers in it having the courage, and an Anglican sense of responsibility required to express truth — freely; and in these days and times, without fear of stepping on White House administrative toes. I salute her, for both candor, and a fearless presentation.

THE WITNESS is also to be commended in that in my absence of funds for a subscription, it continues to provide me regular issues. Rest assured when I become solvent again, that kind consideration will not be forgotten.

Few people are inclined to give prisoners a chance, and for the most part we have ourselves to blame for it. Be that as it may, we seldom get good magazines, let alone truthful news in here, so please know that we genuinely appreciate THE

WITNESS.

Perhaps some of your readers will be moved to share other interesting periodicals with us. I would consider it my calling, and a privilege, to effect the distribution of books, booklets, and such throughout the cell house. I don't think society as a whole is aware of how desperately in need of truthful communiques a prisoner can be, or the effect of having received them, will have upon his or her re-entry back into that society.

Brandon W. May Box 3877, H-2-22 Jackson, GA 30233

Sends love from prison Greetings of peace and hope from Allenwood Federal Prison.

I just learned of the plight of the five conscientious Grand Jury resisters from the *Catholic Agitator*; their courageous witness humbles me. In comparison, my willing sacrifice pales. I would very much like to express my solidarity and love to them, but as you may know, federal prisoners are not allowed to correspond. While this would not ordinarily hinder me, I do not wish to complicate their ordeal. So, would you please in your communications with the five, express my admiration and solidarity? And thank you for the work you are doing.

I am glad I learned of their situation; have a mite idea of what they are going through, and I truly feel for them. Know

Correction

The editor of THE WITNESS and Beatrice Blair and Patricia Wilson-Kastner, authors of "Abortion: A Pro-Choice Commentary" (October 1984 WITNESS), apologize for not giving proper credit to Paul D. Simmons for material which originally appeared in Birth and Death: Bioethical Decision-Making (Copyright [©] Paul D. Simmons, printed by The Westminster Press, 925 Chestnut St., Philadelphia, PA 19107.) Appropriate credit in an earlier draft of the Blair, Wilson-Kastner article was inadvertently omitted.

that I am circulating the news among my circle of correspondents.

Karl Smith, 01268-052 Grifiss Plowshares 7 Montgomery, Pa.

(The Rev. Richard W. Gillett, contributing editor to THE WITNESS, has been collecting funds for families of Maria Cueto, Steve Guerra, and the other prisoners of conscience. To date more than \$3,000 has been received from various sources, and we are grateful to WITNESS readers who responded to our Advent letter about the five. We are most touched by peace activist Karl Smith's letter of solidarity. He is serving a 3-year sentence for pounding with hammers on the bomb bay of a B-52 being fitted to carry cruise missiles.)

Right time never comes I was shocked by the letter concerning

ordination of women by Eric W. Kemp, Bishop of Chichester (December WIT-NESS). The fact is Christ radically changed the status of women. The only person Christ ever said "I am the resurrection and the life" to was a woman. The Scriptures tell us "for God so loved the world" — are not women also part of that world? The Scriptures tell us to go to all nations. Are not women part of all these nations?

As for waiting for the right time, did Isaiah or Micah wait for the right time to tell people to beat their swords into plowshares or spears into pruninghooks? Did Amos wait for the right time to say "I hate and despise your feasts"? Did Jesus Christ wait for the right time to speak to the Samaritan woman at the well? Or did Jesus Christ wait for the right time to refuse to condemn the women taken in adultery?

Ronald Pajari St. Paul, Minn.

Seek administrator

The Diocese of Michigan announces that a new position of Diocesan Administrator has been created. Interested clergy or lay persons may write Ms. Gail Weltsek, 3730 S. Darlington, Birmingham, Mich. 48010 for details. Deadline for applications is May 1.

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