

## **The Global Campaign for the Abolition of the Death Penalty**

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**Keynote address by Mario Marazziti**

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**Excellencies, Ministers, Secretaries of State, Governors, Mayors, Authorities, Religious Leaders, Ladies and Gentleman, People of Goodwill, fellow Activists for Human Dignity, it is a honor for me to be here. I come from a country where the death penalty was first abolished by a State, that coincides with part of Italy, the Grand Duchy of Tuscany, in 1786.**

**It is a historical moment, today. We have under our eyes an incredible image of how this Asian part of the world is changing. The quality of the intervention, the incredible mix of people, the beautiful organization. But also what we have just heard from her excellency Ms De Lima. She shows us a way of embodying leadership standing for what is right. It is inconsistent with Philippines identity to be for the death penalty. There is no need to wait for polls, asking if the majority of people wants hanging or not. This is not democracy, but just a sort of imitation of democracy, a polls democracy, and this is not leadership. Because it becomes fellowship. My fellow American friends may be a little envious of such a leadership that rarely is so clear on such sensitive issues, in their country.**

**Actually if there was a poll asking people: “Do you want taxes are completely abolished?” probably we would have 80 per cent of “yes”. And if we ask: “Do you agree at make taxation meaningfully lower?” Probably we would get close to 100 per cent. But our country would go bankrupt and the header that would listen to that would be a terrible leader. Leadership has the responsibility to do what is useful for the whole country also against the bad mood or the instincts of large parts of the population, when it goes to crucial points, such as the value of life and human dignity.**

**The Death Penalty has accompanied the life of states and human beings forever. Millennia. Nevertheless, over last fifty year, and namely over the last twenty years the world is dramatically changing. The death penalty is becoming a tool of the past. 140 countries do not use it any more, while they were just 20 in the mid Seventies.**

**The death penalty is more ancient than the modern world. In the Bible, we know, the Bible contains many references to killing and to crimes punishable by death. But even the famous an-eye-for-an-eye code was a way of reducing revenge and punishment from “seventy times seven”, the infinite, to a more proportionate measure. And the seal on Cain’s forehead to protect him from physical vengeance, after he killed his brother, showed a second line of teaching that culminated in the Book of Job, where life and the soul are in the hands of God and no one else can have power over them. Life is a breathe in the hands of God. Not of human beings. Thus, no state has the authority to take life away.**

**Finally, the commandment to love one’s neighbour and the Gospels’ call to break down walls between the enemy and the brother, as in the parable of the Good Samaritan, and the invitation to forgive and not even to say a bad word to the one who offends us, are just some of the many reasons that the taking of human life has been considered incompatible with Christianity.**

**From its beginning, the Christian church was marked by a strong rejection of the death penalty and of violence. Nonviolence was part of the moral framework of the first generations of Christians. This included refusal to serve in the army and was connected to refusal to honour the Emperor as a divinity.**

**But things were to change fast.**

**In the fourth century AD, Roman Emperor Constantine legalized Christianity and established a special link between religion and politics.**

**Beginning with the Council of Arles, military service was no longer banned; rather, to refuse to serve in the army caused exclusion from the sacraments.**

**Not long afterwards, St. Augustine introduced the concept of *just war*.**

**The legitimization of the death penalty continued in the Middle Ages. St. Thomas Aquinas argued for it, introducing the concept of a higher good for society, which may require the acceptance of a lesser good or an evil.**

**Centuries later, Martin Luther argued that the power of life and death that is in God's hands had been delegated to the political authorities. He opposed the use of the death penalty for ecclesial crimes, so as not to mingle the gospel and human rules, in which regard he differed from other Protestant thinkers such as Calvin and Zwingli, who considered heresy a crime with political consequences and as such punished by ordinary laws.**

**With the Second Vatican Council, the Catholic Church came closer to the original spirit of Christianity and contributed to Europe's process of relinquishing the death penalty. Paul VI abolished the death penalty in the Vatican State in 1967. Its full elimination from the Penal Law was carried out by John Paul II in 2001.**

**Since then, there was a consistent moving away from the death penalty in the teaching and in the government acts of Pope and Saint John Paul II, Benedict XVI and now Pope Francis.**

**Also other churches as the Church of England have become consistently anti-death penalty, no exception.**

**Pope Francis reminded us in 2014 that our world still asks for "human sacrifices" and "laws allow to do so." And last week has called for a worldwide effort of Christians and people of good will to abolish it everywhere, and to work for human dignity respect also in prisons, mentioning also the need to humanise life imprisonment.**

**But it is a long walk. And we walk now on this beautiful land, the Philippines, that have seen suffering and a courageous decision – confirmed by a back and forth – to erase capital punishment among the penalties of a civilized society. And a brave mayor, here in Mandaluyong, Benjamin, "Nem-Hur" Avalon, and a special leader**

**active in human rights and justice, such as Hon. Leyla De Lima, on the invitation of the Community of Sant'Egidio.**

**Sant'Egidio: artisans of Peace, Reconciliation and Dialogue, such as in Mindanao, after Mozambique, Burundi, Ivory Coast, Niger, Gunea Conakry.**

**And artisans of human dignity. Sant'Egidio willingly rebuilds, restores dignity in human life. You are putting the Philippines at the service of a larger movement and battle, as a platform for Asia Pacific. I thank you all for being here and for your work.**

**I just said: it has not always been like this, as it is now. When I started myself this battle for life, no exceptions, the countries that had abolished the death penalty were much behind the half of the countries of the world that are at the UN. The grass-roots movement was completely divided, between those who were covering one case and those who were involved in the more general battle, between those for a moratorium and those for abolition, suspicious of those who were calling “just” for a moratorium. And the world was divided into different countries, and areas, each of them thinking that what was going on in the world was not up to them. Each state was thinking and human rights activists too, were thinking that “we are a different case”, America has nothing to do with what happens in Europe, or “our Asian culture is different and the death penalty is part of cultural difference”. Often, also in authoritarian states, not just in democracies, ruling classes were hiding behind the sentence: “the majority of people wants it”.**

**I have been working, the Community of Sant'Egidio started to work with the know-how coming from long years of experience in putting together states and guerrilla men, fighters and politicians, sides that had long suffered sorrow and pain, in civil wars. From Mozambique to countries with the scars of genocide, like Burundi. And step by step some miracles happened. The method of “synergy for good”, putting together all the levels of people of good will, including institutions and ruling classes, States, Super states like the EU, Parliamentarians, started to change this world. Not only humanizing death rows: and here we met so many good people like Arthur Laffin, professor Kain. But Promoting the birth, with others, of the World Coalition Against the Death Penalty, working hard with EU and other states so that the first Resolution for a Universal Moratorium could be approved at the UN in**

**2007, and dialoguing with countries, promoting international conventions of Ministers of Justice, from retentionist and abolitionist countries as well to promote a positive cross-impollinating process. This is how countries like Gabon, Mongolia, Uzbekistan, Kirgystan, Turkmenistan, Benin and others got to the abolition. Or, in the US, New Jersey, New Mexico, Illinois, Maryland, Connecticut.**

**All the actors working together: from law enforcement bodies, to judges, media people, teachers, NGOs, EU, countries like Switzerland, supporting a new way of thinking and of lobbying and of accompanying rulers in their change. Civil societies re-activated: this is the meaning of the long term innovative case of the World Day of Cities for Life, that in Asia sometimes becomes Cities for Light. The Colosseum, symbol of death, in Rome, has become the living testimonial of a world network of cities in the world, more than 1,600, where gatherings, awareness events, University events, take place and speak to the people, even in countries that are ambivalent about the death penalty. As this beautiful city of Manila, starting from Mandaluyong. Thank you Mayor “Ben-Hur” Abalos and all the mayors for their courage. I hope that hundreds of new cities from asia will join the movement.**

**So, the world moves. I come from Japan, where we had an impressive event inside Japanese Parliament and where a League of Parliamentarians, the Bar Association, the religious different bodies and denominations, the NGOs, some media are breaking the silence and starting to ask for a moratorium on executions and the revision of the judicial system. Mr Iwao Hakamada, released from death row last March, after more than 46 years on death row on the basis of false accusations, is becoming a question mark on all the Japanese system: that is starting to know that Japan, between the IX and XII century had abolished the death penalty when any other countries in the world, namely in Europe, were ruthlessly using it. So, even in Japan the death penalty is not a distinctive chromosome of the Japanese DNA.**

**Today 98 countries have abolished the death penalty for all crimes. Some have it in the war codes and many others have it in their penal codes: but these countries have stopped to use it for decades. We can say that at least 140 countries are not using it any more. 7 times what was happening 50 years ago.**

**In 2007, when the death penalty moratorium Resolution was first**

adopted by the United Nations General Assembly, it was supported by 104 states. In the most recent vote, in 2012, it was supported by 110 states.

While this is ground for optimism, there are also reasons for concern. In 2013, there were at least 778 documented executions in 22 countries. Compared to the numbers for 2012—at least 682 executions in 21 countries—this amounts to a 14 per cent increase in executions.

Then we have to add China that by itself probably counts for 3,000 executions, but it also the country that is faster reducing the number of the executed people, about 5,000 - according to observers - just few years ago.

But what are we speaking about? Death must never be a penalty, also because life can never be restored in case of mistake. Life must never be taken from a human being because it is not in humans' hands but only God's. In any case, also in a secular society, if the state kills, it kills in the name of society and lowers all society to the level of a killer and of a serial killer. And it involves, at least, also those who totally disagree.

A friend of mine, Curtis McCarthy, 20 years on death row, in Oklahoma, answered me once, when I asked him: "Are you angry for all the years of your life that they stole you? He said: "Hatred? No, Mario. No hatred. If I would hate anyone, I would just be a prisoner again. I would be like them and this is a prison that can last your lifetime if you do not break the chain of revenge and hatred".

The Philippines have the authority today and the credibility to encourage the abolition process in Asia, and to have a pro-active role for the approval of the new Resolution at the UNGA this coming November for a Universal Moratorium. Philippines have the authority and the status to do it, because they were somehow among the leaders of the retentionist front and it was not an easy process to get out of it. Philippines abolished the death penalty in 1987, reintroduced it in 1993 creating the largest death row in Asia (if we do not count China), executed 7 men of the 1,100 on death row in 1999 and January 2000,. Then the Philippines announced a moratorium in 2000, for the Great Jubilee, discussed about how to reintroduce it, under Gloria Macabab Arroyo presidency, but then all this turned into a new abolition, in 2006 after the largest commutation ever, signed by the same president

**Arroyo, 1,100 death sentences commuted on Easter 2006.**

**Why to abolish it? In the US the Innocence Project showed, through DNA cases, how often wrongful convictions happen. 250 cases overturned, 17 capital cases. One out of 3 was a sentence based on “eye witnesses”, fake. Many others on “confessions”. This means that it is a virus. Even when we may think that the evidence is so clear that no doubt can be raised, instead, more than in case out of 3 it can be a “mirage” of justice and not justice. Fake justice.**

**In democratic states it costs more than ordinary detention. In California, with more than 700 people on death row and few executions, it is absorbing one third of all the time of the Supreme Court and reducing the efficiency of the whole justice system in the country. There is no support for deterrence. The serial or worst killers are not impressed by death, and no statistics shows a reduction of the most heinous crimes when the death penalty is reinstated, or is in place, or a growth if it is lifted.**

**Many societies believe in principle in restorative justice. For sure Western countries and countries where the Enlightenment and Christianity have played a role. Or Muslim countries, where mercy and families forgiveness has a role. But in practice many societies or states apply only a justice based on retribution. The say: “ it is to give justice back to the families who have had a loss”. And to punish crime.**

**But there is no closure for families. The wound remains open for long years of appeals and detention, and of course freezes in hatred when closure is really needed. There are now strong movements of victims’ families saying, as Journey of Hope here, : “Not in my name”, “ Only forgiveness heals”.**

**Death row is de-humanizing. It is part f the system, because it is to say to the system itself that to kill a detainee is different than to kill. As to kill an insect, a sub-human. The amount of mental torture that is inside waiting, the rituals, is for sure “unusual and cruel punishment”.**

**It is never clear why some first degree murder defendants are brought with capital charges and other no. It often depends on geography, more than on crime, even inside the same state. It is unequal administration. It is what Justice Stevens, a Supreme Court member in America stated**

**when the death penalty was re-introduced in 1976/77: and he had been in favor.**

**The death penalty legitimates at a top level, the level of the state, that life can be destroyed. It reaffirms a culture of death and not a culture of life. While, supposedly, it wants to fight for life and justice. In all countries in any case it affects the weakest part of societies, whatever reason, and dis-proportionately social, religious, ethnical minorities, when it does not hit political opposition or finds scapegoats to cover ruling class corruption in opaque justice systems.**

**To whom who say: “the death penalty always existed”, why to change? Or to those who want to reintroduce it, I answer that also slavery and torture were considered normal till recent years. But now the world conscience rejects them, even if they are not eradicated.**

**The time has come to make the death penalty like an old heavy big television set, a nice item for a museum, at the time of i-Phone watches.**

**Europe has become the first death penalty-free zone of the world. Because Europe has seen too many million casualties, for centuries. Then the First and Second World War.**

**Now as Italy, that is leading the EU, and as head of the Human Rights Committee of the Italian Parliament, I want to invite all of you to consider how to make grow the number of cities for life, to make the movement a pandemic-for-good.**

**I appeal to the governments to play a pro-active role in the next approval of the UNGS Resolution. I appeal to the MPs to create a formal League of Parliamentarians against the death penalty. It is growing worldwide. From Morocco to Japan. It is a program that is inside the activity of the Parliamentarians for Global Action network. And we can help fellow-members in Parliaments who are dealing with the issue of changing laws. The Community of Sant’Egidio has opened the way, organizing every year and international convention of ministers of justice from different parts of the world, both from abolitionist and retentionist countries as well. To all of you, as said to our Japanese friends few days ago: to work to make a Far East Coalition Against the Death Penalty exist and live.**

**We have to ask ourselves a question. The simple question of a ten year**



**old boy that echoed before me: “They will kill him because he killed someone else. Then, after they kill him, who have we to kill?”.**

**The death penalty always creates a new generation of victims: the children, the relatives o a person sentenced to death, innocent or guilty. There is a stigma that lasts forever and we know for sure that all these people are all innocent.**

**Yes, the death penalty is a “travesty of justice”. Gives the feeling of justice, dos not help the victims of crimes, sometimes it turns the executed person into a martyr, in any case it makes judicial mistakes irreparable.**

**Therefore, I suggest to believe together that there is “no justice without life” and to work to make at Asia, as soon as possible, a new death penalty free area in the world.**