

# RIGHTEOUS INDIGNATION BY CHAPLAIN MICHAEL ZOOSMAN

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## **Righteous Indignation by Chaplain Michael Zoosman**

*To Americans who are not Death Penalty Abolitionists,*

*I have tried to make soft appeals and to be respectful. I have tried to remain logical and “neutral,” bereft of emotion.*

*That approach has failed.*

*And so, here we are in the year 2021 in the United States of America and we still have the death penalty on the books. 70% of countries in the world have seen the light and realized this is barbarism and insanity exemplified. We still have not, and continue to live in the moral dark ages. We fail to realize that the death penalty says infinitely more about the society that allow it than the human beings condemned by it. Indeed, it's very existence condemns us ALL.*



And yet, ethics, morality and logic are not strong enough arguments for you when it comes to abolition of the death penalty. When we cite countless studies about how the deterrence factor is a fallacy (<https://deathpenaltyinfo.org/policy-issues/deterrence>), it falls on your seemingly deaf ears. Constant reminders of the racist nature of the application of the death penalty (<https://deathpenaltyinfo.org/policy-issues/race>) appear not to move you. All too many of you are blinded by your gross and lethal misunderstanding of the Biblical idea of “**eye for an eye.**” (**Exodus 21: 24**) You have not done your homework and fail to realize that rabbinic law effectively legislated capital punishment out of existence - they made it impossible to carry out. You ignore the fact that much of the Jewish world stands against the death penalty (<https://deathpenaltyaction.org/jewish-action/> see also “**L’chaim! Jews Against the Death Penalty**” on Facebook) and that it is anathema in many Christian traditions, including Catholicism and growing numbers of Protestant denominations (see Red Letter Christians and <http://executinggrace.com/> as well as <https://deathpenaltyinfo.org/facts-and-research/religious-statements>)

You are at best ignorant of the fact that many victims’ families do not want state-sponsored murders to take place in their loved one’s names. This was true in the case of Quin Jones, the last to be murdered via execution in this country as of this writing on May 19th, 2021, and countless others. Or perhaps you simply do not care about the fact that state-sponsored murder retraumatizes these families?



You refuse to acknowledge the historical fact that the most common form of execution in our country - lethal injection - is a direct legacy of the Nazis. You cannot accept the fact that it was first developed by Hitler's personal physician Dr. Karl Brandt and used by the Nazis as part of the infamous Aktion T4 protocol to kill those deemed "unworthy of life." You reject this factual connection - you reject history itself. If you do believe it, you immediately say that anyone who brings up Hitler is comparing the executions to the Holocaust and you try to shame us for that. You refuse to recognize that scions of Holocaust survivors like myself are the very people pointing out this connection and that we are NOT equating the two. Now, we see states like Arizona, Alabama and others refurbishing their gas chambers with the intention of using hydrogen cyanide gas to kill people - the same cocktail used at Auschwitz. And yet, you still refuse to acknowledge any Nazi legacy. You fail to understand that there is no humane way to kill human beings against their will. By definition, there is no viable way!

Finally, perhaps most egregiously, you do not care about the fact that there are indeed individuals on death row who are innocent of their crimes. For testimonies from a few of these human beings, watch this five minute video: <https://www.witnesstoinnocence.org/who-we-are?fbclid=IwAR2XOTswUvgQ0Z-W3MsKgMQ6bEWWguh9DCrjlJKoYT6moRJYE9pgGoU3Aog>. If this short clip is not enough to change your mind about the death penalty, I suggest you immediately seek out soul-treatment to repair your spirit. And yet, unfathomably, some of you still make statements implying that innocent human beings killed in this manner are just collateral damage - the necessary consequence of adhering to rule of law, even when that law gets it wrong. You feel that it is more important to kill innocent people than to end the abomination of capital punishment. You are addicted to killing - and to death.



It would seem that all of the above approaches so far have failed to motivate you to eject the Angel of Death from our land.

Then again, perhaps you are among those who recognize that there are problems with this system of killing, but you feel it does not concern you - that it's not your issue. You would be wrong...*dead* wrong!

Indeed, by your very inaction, you have chosen to become tantamount to the executioner. How, you ask? The death penalty would not exist in this country without people like yourself who fail to speak up. Lives would be saved if it were not for your collective inaction.

If you believe in the death penalty, then in my opinion you have a human responsibility to become what Jewish tradition calls “nogeiah badavar” - someone who is personally connected to the matter. When you decide to become a killer, and if you claim to be in the right morally and ethically, then at the very least you need to learn about your victims and why you wish to kill them. This same holds true even if you disagree with the death penalty yet continue to sit in silence and tolerate its existence despite having misgivings about it.

In either case, you have a responsibility to reach out and connect directly with individuals on a death row near you. You have an onus to learn for yourself directly about the people you wish to kill or allow to be killed in your silence. You may think it is enough to learn about the horrible crimes of which they are accused and of which they are often (though not always) guilty - and of the horrific impact of those crimes in shattered lives of loved ones. That is, of course essential, and to be encouraged... but it is not enough. You need to learn directly about the people you are killing by your pro-death support or inaction. You need to correspond with them.



You need to correspond with them. You may think that this should be left to the legislators, judges, and lawyers involved in their cases and in making laws. Again - you would be wrong. All of these roles are but aspects of what Supreme Court Justice Harry Blackmun called “the machinery of death” that is capital punishment. They only exist because of people like you allowing the death penalty to persist. These professionals cannot stop the death machine - only you can. Change will only come from the ground up and that starts with YOU. If you still feel we should be killing our own citizens, then YOU need to communicate with these future victims yourself in order to be confirmed of this. Anything less is irresponsible and reprehensible.

Once you do begin to write to them, I have no doubt that you will, like me, see the Light. For I, too, used to be like you. I used to support the death penalty in certain cases and just tolerate it in others. Then, I became a prison chaplain and I got to meet individuals like the ones I would be killing. It was then that, like the Biblical Job, I decided to “retract my words, and repent in dust and ashes” for my former views. (Job 42: 6) I realized that there is a life story behind each person who commits heinous capital crimes, one that often includes horrific childhoods, mental illness/intellectual disability and everything in between. This does not excuse their behavior. Rather, it transforms them from the monsters many of you think they are into real human beings. And we have a responsibility to learn from individuals who commit such atrocities so that we can help ensure that we are doing all we can to stop others from repeating these actions. Killing them will not help us learn. Providing restorative justice opportunities is the only way forward. This is the only way to prevent history from repeating itself. It is the only way we can learn and grow.



How can you initiate this communication? If you live in a pro-death state, you can reach out easily to the human beings under the charge of your state's "death row" by looking up their mailing addresses in your state's online death database. If you live in a state that does not have capital punishment, you still live in a country that has it on the books and that killed 13 human beings in all our names on federal death row just this past year. Reach out to one of their surviving fellow survivors on the psychological torture chamber that is death row. You can easily find their mailing addresses online by looking up the federal death chamber in Terre Haute, Indiana. I should know. I was in touch with 3 of the 13 individuals killed by the federal government. I reached out to them as a federal chaplain to apologize for what our government - my employer - planned to do to them in all our names.

I now communicate with two other human beings on federal death row. I am also am in regular correspondence with many Jewish and non-Jewish individuals on death rows in states throughout the country, including Florida and Texas - the greatest offending localities when it comes to state-sponsored murder.

In my correspondence, I have met people like Christopher Vialva and Orlando Hall, both fully repentant of their federal capital crimes committed decades prior, and both very different people than who they were when they committed their crimes. Like everyone else with whom I correspond, they were more than the worst thing they had ever done. I also met Dustin John Higgs, who was - as many people believe - innocent of the charges that put him on federal death row. All three of them had found comfort in their faith traditions. All three of them were killed...once again, in all our names.



The individuals who are actually guilty of capital crimes are just that - guilty. Killing them will not change that fact. Killing them will not undo what they have done and bring our loved ones back to life. It will only continue to perpetuate the cycle of violence.

If indeed you still feel that these individuals are at the lowest level of humanity - however you wish to measure that - then consider **Gandhi's** wisdom:

**"A nation's greatness is measured  
by how it treats its weakest  
members."**

If Gandhi fails, heed the experienced words of **Bryan Stevenson**:

**"The true measure of our character is how we treat the poor, the  
disfavored, the accused, the incarcerated, and the condemned."**  
(Just Mercy: A Story of Justice and Redemption)

If Stevenson falls short, try **Fyodor Dostoyevsky** on for size:

**"A society should be judged not by how it treats its outstanding citizens  
but by how it treats its criminals."**

If Dostoyevsky is not enough, how about **Oscar Wilde**:

**"One is absolutely sickened, not by the crimes that the wicked have  
committed but by the punishments that the good have inflicted."**

And if Oscar Wilde too is not enough, then how about this revelation from **Albert Camus**:

**"But what then is capital punishment but the most premeditated of  
murders, to which no criminal's deed, however calculated it may be, can be  
compared? For there to be equivalence, the death penalty would have to  
punish a criminal who had warned his victim of the date at which he would  
inflict a horrible death on him and who, from that moment onward, had  
confined him at his mercy for months. Such a monster is not encountered  
in private life."**



**Camus'** point is one that will particularly strike you once you start communicating with the people you wish to kill. You will witness first-hand the psychological torture that you are enabling as these individuals are made to count down their days to the moment of their killing - all by your indirect hand. You will feel the guilt and shame of this torture being carried out in YOUR name.

The death penalty is the most egregious aspect of a fundamentally broken penal system in our country. It is founded upon an entirely false sense of moral equivalency and has no place in any society that intends to call itself "civilized." If you are wondering what should replace the death penalty, it is simple: NO death penalty. Take the option off the table and then begin the discussion. I defer to the wise words of the late **Bill Pellke**, of blessed memory, founder of "**Journey of Hope: From Violence to Healing.**" Bill successfully petitioned for the state of Alaska to remove his grandmother's murderer from death row. "**The answer,**" said Bill, "**is love and compassion for all of humanity.**" Killing people is the exact opposite of love and compassion. And you indeed are killing people by your silence and inaction.

Get on the right side of history, for G-d's sake, if not for your own! Tell your elected officials to remove the Angel of Death from our land. You owe it to your soul and to the soul of this potentially great nation to act...NOW! As for me, I plan to continue chanting as loudly as I can. I plan attend the 27th annual Fast and Vigil to End the Death Penalty this summer. There, from the steps of the US Supreme Court, and while Texas is killing yet another human being, I intend to intone Kol Nidrei - the consummate Jewish prayer asking for forgiveness - for the national sin that we continue allow to be carried out in this country - in all our names. Will you join me...or will you remain lethally silent?! After all, the very soul of our nation is at stake...

L'chaim - to Life!

Chaplain Michael Zoosman

Founder, "L'chaim! Jews Against the Death Penalty" (912 members as of June 15, 2021)

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