



# Crime & Punishment

James Alan Fox on criminal behavior and the justice system

CAPITAL PUNISHMENT

## Surviving homicide without vengeance

Posted by James Alan Fox, Crime and Punishment February 9, 2011 11:00 AM

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I continue to be amazed at the arrogance of some people who insist that I would abandon my opposition to capital punishment if a loved one of mine were murdered. These folks apparently believe that they can anticipate how I would respond -- what would be in my heart and in my head -- even better than I can.

There is nothing automatic about becoming pro-death after surviving the tragic loss of a family member. Ultra-punitive know-it-alls who believe otherwise might take a lesson in civility from a Connecticut group that has signed a [letter](#), urging repeal of the state's death penalty statute, to be delivered today to the legislators in Hartford.

It is not a constitutional argument that these residents of the Constitution State are advancing. Rather it is their shared wisdom about capital punishment -- a wisdom that has little to do with some liberal mantra or an ivory tower perspective. The experience linking these opponents of state-sponsored killing is that they all have lost a family member to murder. They see the downside to killing, no matter who is doing it and under what authority.

Anyone who has ever invoked the "think about the victim's family" argument in support of capital punishment should think about Murder Victims Families for Reconciliation, a national organization founded in 1976 that campaigns for the end to the practice of executing criminals. Right-wing ideologues might view these homicide survivors as the ultimate in moonbathhood. Even the justice system treats their perspective as less relevant, if not less worthy. For example, in the trial of Timothy McVeigh for the Oklahoma City bombing, families opposed to his execution were barred from giving victim impact statements before sentencing.

It is much more than compassion for murderers that drives homicide survivors against capital punishment. They do not want the memory of their mother, brother or child tarnished by the taking of another life. Nor do they wish their pain on others, including the family of the person who murdered their loved one. At the same time, these survivors manage their grief by letting go of the bitterness that destroys so many others who walk in their shoes but down a very different path.

Of course, none of us should judge the response of any person who has suffered such a tragic loss. Many grieving families expect that an execution will bring them closure. Whatever closure means in practical terms, it is typically less satisfying than anticipated. Even witnessing the murderer die for his crime

doesn't really bring the victim's family an end to their pain. The only thing that would truly restore them - to have their loved one back -- is, of course, impossible.

While surviving victims desperately await some kind of emotional transformation in the days and hours leading up to an execution, their injury is compounded by the insulting attention afforded the condemned. The media exploits the occasion by featuring sidebars on the condemned's background, his choice of last meal, and his final words of explanation or excuse. The entire execution ritual does a disservice to the slain victim.

So if the unthinkable were ever to befall my family, I would hope to work through the short-term visceral response and desire for vengeance. I would hope to have the decency and wisdom of the Connecticut families. I would hope that the state would not compound my pain by furthering the cycle of killing.