

International Protection of Human Rights and Politics: an Inescapable Reality

Interview with Professor William Schabas

by Victor Tsilonis

Abstract: The renowned professor of international criminal law and director of the Irish Centre of Human Rights at the National University of Ireland (Galway), William Schabas, discusses about the invasion of the Israel forces in the Gaza strip, racism in Europe, death penalty, the International Criminal Court (ICC) and international criminal law in general.

In May 2009 I visited the picturesque city of Galway in Ireland in order to attend a conference on “Human Rights and Forensic Anthropology”, which was jointly organized by the Irish Center for Human Rights of the National University of Ireland and the University of Dundee. During that exceptional conference I had had the opportunity to meet many interesting people and have an interview with professor of forensic anthropology Sue Black, which was published in the previous issue. Nonetheless, I did not manage to talk also with the eminent professor of human rights and international criminal law William Schabas, who is the director of the Irish Centre for Human Rights, due to its overtly tight schedule all over Europe at that moment. Quite paradoxically, though, our encounter became feasible a few months after when in September 2009 professor Schabas visited Thessaloniki in order to attend a conference in the honour of the emeritus professor of international law Kalliopi Koufa.

Victor Tsilonis: I read in your *curriculum vitae* that you have commenced your University studies in History. How did you end up becoming a Law Professor?

William Schabas: Well, I never worked in History. I did a degree in History and English though. And the final year I had to choose my major subject so I went to History. But I could easily have gone to English, which I enjoy. And then I worked as a journalist for about five or six years. And that's when I decided to study Law. I wanted to do something more lively and didn't see myself doing that for another 30 years. So I went to Law School and later I started to work as a law professor.

V.T.: What exactly did you do while working as a journalist?

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W.S.: I worked for what we call the business press and edited trade magazines for the public paper industry of Canada, the mining industry of Canada and the toy industry. This was my first job. And then I decided to go to law school and in fact after I started law school I continued to work as a freelance journalist part-time, working mainly for the business press in order to make money and pay my way through law school.

V.T.: That is something one does not read in your CV I think!

W.S.: No, you can see it buried in my *curriculum vitae*. If you look at it closely you can see I worked for a publishing house. It was a very useful first career because it taught me how to write and writing is what I do as an academic. I write quite a lot and when people often ask me “how can you publish so much”, I say it’s because I learned to write in my first job!

V.T.: Actually I wanted to ask you the same because, although I am well aware of your high-quality work in the fields of international criminal law and human rights, I was quite overwhelmed by the number of publications listed at your CV: at least 18 monographs and 200 articles.

W.S.: It’s a skill that I learned. I think many academics don’t learn very well either because they are not taught or don’t work at it or don’t appreciate it. However, when you are a working journalist you have to write a few thousand words everyday or you are not doing your job. So I learned to write well and that is the reason why I am a productive writer.

V.T.: And how do you manage to hold three professorships at the same time?

W.S.: Well, I think right now I only have two because the job I had at Queens’s University is now finished. I have a full time job in Ireland and then some years ago two Universities in the United Kingdom gave me appointments as professor, but they were on a part time-based contract. So I was appointed by Queens University in Belfast but that’s finished now, but I still go to the university of Warwick in the UK in England for several weeks a year and do some teaching and my home university accepts this, since it is not uncommon for an academic to have a second appointment and to do part-time teaching somewhere else too.

V.T.: You have also an interesting blog where you write often, update regularly and upload useful and sometime less known information on international criminal law and human rights. How did you decide to do that?

W.S.: I began the blog about two and a half years ago when I was going on a sabbatical break. I had a sabbatical year after working for eight years in Ireland at my university and wanted a mechanism to stay in contact with my doctoral students. I used to send them material which interested them, and so somebody suggested that a blog would be the best way to continue doing that. Shortly after, I decided to make the blog public so that anybody could read it. And today people read the blog all over the world. I don’t spend a great deal of time on it but in the course of my work I learn things that are interesting and often do find documents or materials that might not be available or that just wouldn’t come to people’s attention in the normal course of events. So I put this material on the blog and sometimes I write my opinions about things. It’s personal,

although I try not to write about myself or put up pictures of my grandchildren and things like this, which I'd love to do! The blog seems to be successful. People appreciate it and the statistics now through Google analytics show that many hundreds of people read the blog every day.

V.T.: On top of that you are also the director of the Irish Centre for Human Rights in Galway and I'd like to ask you –I want to be quite provocative on that– how do you feel being the director of a human rights centre in Ireland at a time when strong sentiments of racism have emerged and human rights are often violated due to ‘counter-terrorism reasons’?

W.S.: Well, first of all, the fact that human rights may be violated in a place is certainly not a valid reason for not having a human centre there. I mean one might actually think that it's all the more important to have a human rights centre in a country where there are human rights violations. Ireland has human rights problems like every country and the economic crisis of the last year has made them more serious really. Nonetheless, Ireland has many attractive qualities from a human rights standpoint. It is perhaps the only country in Western Europe which does not have a visible extreme right-wing or racist political party. Britain has that, France has that, The Netherlands have that. I think we are the only country where the nastiest people against immigrants remain ‘below the radar’ as we say and hence are not visible. We don't have them either in mainstream politics or the media; on the other hand I know that here in Greece for example you have these radio hosts like in the United States who can be quite extremist and racist. So this is an attractive part of Irish political life that I like. Of course Ireland is a former colony, and it's left the Irish people with a mark, it makes them different than everyone else in Western Europe. I think, it's this colonial past, this awareness not only of their own suffering as colonized people but also of all people in a weak position, that when eventually they became independent, they were still a nation of immigrants. Not unlike Greece, but I think the Irish diaspora is maybe even more important than the Greek one, at least in modern times. So because they are aware of the racism and the suffering of immigrants they are sympathetic towards them.

V.T.: And Cyprus also was a colony...

W.S.: Cyprus was, of course. But I said Western Europe.

V.T.: Yes, indeed!

W.S.: Well the Cypriots and the Irish have also ties. Back in the fifties they say that the IRA members were jailed together with the EOKA men. They were put in the same jails somewhere in England. So the Irish were very sympathetic towards all the former colonies, particularly the British ones and they were extremely supportive of Indian Independence too. That is part of their tradition. Of course Irish people have a dark, nasty side of them as well. They can be quite intolerant in their own way. And it is a culture they have particularly in Northern Ireland. I want to be careful about painting a picture that sounds rosy because in Northern Ireland there are terrible examples of intolerance in the last 30 years and that continues today and we see the disease of racism particularly there, which has been the main region of the conflict between the two communities, the Catholic and the Protestants. Now that the conflict has calmed down, they turn on other minorities, what the people call the Romanians. I suppose they are of Romanian

nationality but I guess they are really Roma in Northern Ireland. And there were also some terrible examples against Asians, people of Chinese origin in Northern Ireland, who have been victimized too.

V.T.: So, to sum up, it would be accurate one to say that while right now in Northern Ireland the tension between Protestants and Catholics has been quite relaxed, other tensions have emerged against Roma and foreigners?

W.S.: We would like to think that Northern Ireland has been cured from these problems, but maybe it is just like somebody who has had cancer and after having some chemotherapy and all his hair has fallen out, got very sick and the cancer seems to have stopped. But we don't know for sure if it's going to come back or not. And then we see it coming back in the reaction to these other groups. So a lot of people in Ireland are very nervous that Northern Ireland has not solved its problems yet. It seems that in Northern Ireland the racism is so deep rooted because of the confrontation of the last 30 years. It is very hard for them to get over it. But now it is peaceful, which is the main thing.

V.T.: Hopefully people like you who had had much more greater experiences such as being a member of the Truth and Reconciliation Commission in Sierra Leone can assist the state if needed. Can you give us a little insight about this experience?

W.S.: Well, I spent two years of my life in the Truth and Reconciliation Commission of Sierra Leone (2002-2004). The Commission was set up on the model of the South African Truth and Reconciliation Commission, since the situations were almost identical. They didn't have Apartheid in Sierra Leone, but they did have civil war through the '90s. And so it was agreed when the war ended to set up a Truth and Reconciliation Commission. The justification or the rationale was very similar to that of South Africa, since it was a substitute for criminal prosecution. They gave amnesty to everybody in Sierra Leone too. But they said that "we can't just have amnesty, we have to establish some way of providing accountability for what has happened". And so they set up the Commission. There were four Sierra Leone members in the Commission and three foreigners and I was one of them. The other two were Africans, so I was the only non-African in the Commission. I worked there for about two years. And we issued a report in 2004 which had a limited impact, because the president at the time was rather dismissive of the report, since the recommendations went against his policies. For example, our first recommendation was that they should abolish the death penalty, but the president refused. However, his party lost the last presidential elections and the new president has said that his policy is to implement the recommendations of the Truth Commission. So I am optimistic that this will happen. Sierra Leone is a country in a terrible situation; it is one of the poorest countries in the world. And the people themselves are quite demoralized, very depressed in an intellectual sense and unhappy about how their country has turned out. So we worked on that too and did overall our best but it is still a hard situation.

V.T.: So the Truth and Reconciliation Commission issued a report in 2004, but its findings have not been implemented thus far!

W.S.: That is correct. A large part of the report was simply providing an analysis of the conflict and to some extent giving the people of Sierra Leone a narrative, an explanation of their own

conflict. An explanation of what they had been through, so that they could understand it and move forward as a nation. And I think the Commission has probably provided that already for Sierra Leone. But many of the specific recommendations like the abolition of capital punishment for example, which was the first one on the list, have not been implemented yet.

V.T.: Moving away now from the African continent, how do you feel about the latest developments in Japan concerning the abolition of death penalty?

W.S.: Well, I am very pleased of course. Japan has not abolished the death penalty. But there were elections in Japan in late August 2009 that led to a new government. The new government appointed a justice minister, a person who is opposed to the death penalty. And everybody is very confident now because in Japan the minister of justice is the one who ultimately decides if the death penalty will be imposed. So the judges may continue to sentence people to death, but the minister will refuse to impose it. And this is how many countries have moved towards the full abolition of death penalty. In January 2009 I was invited by the Japanese federation of bar associations, the lawyers' organization in Japan to speak to them about capital punishment, because there has been a very surprising increase in the last two years in the number of executions. And it was very troubling because everywhere else in the world the death penalty was in the decline. So we were very concerned about that, but now it looks like there is a bright light, although Japan has not fully abolished the death penalty yet.

V.T.: But if I still remember well, there have also been other times in the recent past when Japan had 'frozen' the death penalty for a little while and then it actively imposed it again. Is there something that could make us more optimistic about this?

W.S.: Yes, because now we know that it is because of a political decision by the people in power not to impose the death penalty. There is a signal from the government that the death penalty will not be imposed because they are opposed to it. Whereas in the past we didn't know when the death penalty would be imposed in Japan. And so this is the positive thing.

V.T.: You have written a quite authoritative book on the death penalty which has been edited many times and updated. Are there any plans for a new edition in the future because of the Japanese development or other developments internationally?

W.S.: Well, the book you are referring to was actually my PhD thesis. And it is in its third edition now. It is about international law on death penalty. I don't know now if I will do another edition. I am currently working on a report for the United Nations. The United Nations does a very authoritative report on the status of the death penalty worldwide every five years since the 1970's. They do this every five years and so this year they've asked me to be the consultant to prepare the report. So I am working on that report right now. And it will be issued shortly. And they've been doing this every five years since the 1970's. It's certainly a good way of tracking the progress towards the abolition of death penalty.

V.T.: Nevertheless, your latest academic book is not about death penalty but genocide.

W.S.: Yes. This is also a book that is in the second edition. I did this book on the Genocide Convention which was published in 2000 and the second edition was issued earlier this year. It takes account of the years since 2000 and records much important legal development. The new edition includes all the important judgments of the international courts, such as the International Court of Justice, the International Criminal Tribunal for the former Yugoslavia and the International Criminal Court (ICC), which have been published since the first edition. So my book dealt with that process. Actually my latest book, which is about to appear, is a very detailed commentary article by article on the Rome Statute of the International Criminal Court (ICC).

V.T.: Before going to the ICC, I would like to ask you a little more about genocide. Did you ever think before updating the book and making the second edition that it's a topic about which too many books and articles have already been published and that this fact might constitute a significant 'obstacle'?

W.S.: When I did the first edition of the book in 2000 there had not been a single book on genocide from a legal perspective since 1959, i.e., for 40 years. There had been many books about genocide by historians and social scientists but the lawyers had largely ignored this subject. There had been a few journal articles but no one had written a book. So my book was really the first attempt in 40 years to write on the subject. So it became quickly kind of a reference point for the ongoing debate. And then all of the judgments after 2000 on the issue of genocide referred to my book. So they were discussing my book in the Yugoslavia Tribunal, the European Court of Human Rights, the International Court of Justice. And then it was my turn to come back and write about the judgments. So I was part of the law making process really, contributing as an academic. Following the reflection of judges and how judges see the question, it was the right time to have a new edition of the book. And it's true that since 2000 many people have written about genocide, including a few books on the subject, but since mine was the first book in the modern period, it was now my turn to revise the book in light of the new cases.

V.T.: Now, moving forward to the issues surrounding the International Criminal Court, when I read your views on ICC and the Sudan arrest warrant of the president of Sudan, Omar Hassan Ahmad al-Bashir, I was overtly surprised to realize that you agreed on this issue with 'crazy', 'heretic' people like the famous on the internet historian, Webster Griffin Tarpley, who stress that the ICC's focus on Sudan underscores its political agenda.

W.S.: Let me say first that while I am supporter of the International Criminal Court, I am critical of some of its actions and particularly concerned about its political orientation. I think that most people who work for the Court or are around the Court would say that the Court has no political agenda, that it is not a political body. Many people contend that the Court is a great improvement over the previous international criminal tribunals (Nuremberg, the Yugoslavia Tribunal and so on) because these earlier institutions had a political dimension. So, according to their opinion, Nuremberg was a flawed effort because it was the victors who were prosecuting those who were defeated. When the Yugoslavia Tribunal was set up people said it was an improvement because it was not created by the victors. But everybody knows that it had nevertheless a political agenda because it was created by the Security Council. It created a Tribunal for Yugoslavia but it did not create a Tribunal for Israel, for example. This is the political dimension of the contemporary

tribunals. You know, the Security Council does not create tribunals when they conflict with the agendas of its permanent members.

So people now say the International Criminal Court is really a major improvement, because it is immune from politics. It has an independent Prosecutor, they say, so it is not governed by political agendas. But I don't believe that. I think that there are political decisions to be taken, and the Prosecutor has taken them, about which countries to focus on and within those countries whom to focus on. So, in Uganda, for example, the Prosecutor has gone after the rebels but not after the government. And in the case of Sudan, I think these were political choices as well. I think frankly that there is nothing more political than going after the president of a country and I wasn't satisfied with the prosecutor's explanation when he was interviewed in July of 2008 by CNN. He said "I am a prosecutor who investigates the case and follows the evidence." As if he was like a modern Sherlock Holmes, who would follow the clues to find the murderer. And this is inaccurate. What's happening is the Prosecutor is making political determinations of targets for prosecution. So I don't think it is logical to pretend that this is not what is happening.

Hence I think that one of the problems with international justice right now, and particularly with the International Criminal Court, is that there is an unavoidable political dimension to it. I think the claims that we can avoid it and the whole idea that our goal should be to remove the political dimension from the international justice is a mistaken one. I do not think we can remove the politics or that the fact that it is a political enterprise makes it lose its value. I can accept that Nuremberg was a political venture, but I appreciate the Nuremberg trial and to me it's not a criticism to say that the victorious allies wanted to have a trial to address the crimes that were committed by the people they have defeated. I don't have a difficulty with that. I don't see that as a flaw. And I don't think that it's a flaw to say that there was a terrible conflict going on in the former Yugoslavia and we need to address that with a tribunal. Or, for example, in Rwanda, we set up a tribunal because the first great genocide of the 20th century since the Genocide Convention, since the Holocaust, took place there and it was important that that genocide was being addressed by a transitional judicial mechanism like the International Criminal Tribunal for Rwanda which would bring justice. Now people are saying "Well, the Ruanda Tribunal has to prosecute the other side, the Tutsi, the Rwandese Patriotic Front." Human Rights Watch is calling for this. They say they need to do this so that justice will be done to both sides and be in a sense 'depoliticized'. But I don't agree with that. I think it is perfectly acceptable to say: "A genocide took place and we need to have a tribunal to deal with the offenders of this heinous crime." We shouldn't have a problem with that.

V.T.: But isn't this 'one-sided' justice?

W.S.: I don't have a problem with 'one-sided' justice because there is a political dimension to this kind of justice. And it is inevitable that we will make political choices in deciding whom to prosecute. I don't think that it would have been satisfactory to say at Nuremberg: "we will first have a tribunal for 24 leading Nazis and then a tribunal for 24 leading Americans and later a tribunal for 24 English leaders." I think that this would have been a distortion of justice. International Justice is different than national justice. In Thessaloniki, for example, you assume and accept that all serious crimes will be dealt with in an even manner and this is correct. This is what national justice is needed to do: that every murder that takes place in Thessaloniki will be

investigated and prosecuted. But we can't and won't do that at the international level because we make political choices. What I want is to have us acknowledge that these are political choices and then discuss the political values that animate those choices. That is my only point. But I think to pretend that they are not political, which is what we are doing today, leads us into a *cul de sac* and this is a mistake. That's my view about the Court. Hence, I believe that pretending the prosecution of Sudan is not political is a mistake too. Of course it is political. Why are we going after the president of Sudan for Darfur and not the president of Israel for Gaza? Because of politics.

V.T.: A report has been published by Professor Goldstone concerning the Gaza invasion and you have published some information on your blog about it too. What do you think about this report?

W.S.: Well, I am very supportive of the report. I know all of the people who were on the commission and have great respect for them, particularly Judge Goldstone, who is a very honorable man of great integrity. And they did this investigation under very difficult conditions, in particular without any cooperation from the Israeli authorities and they have come up with a report that is not a judgment, but a finding that there is a likelihood serious crimes were committed by both sides in the conflict and that they should be dealt with by a justice system. I think that when we look at all the crimes committed in Gaza during the conflict at the end of 2008-2009 we find that they are probably not, on a Richter scale of atrocity, at the top. And there are many places in the world where worse crimes have been committed. Sri Lanka, for example, in March or April of 2009 was much more serious in terms of the atrocities and loss of life that was committed. So there is a tendency I believe for us to think that Gaza was the worst crime. I think that in terms of war crimes, I agree with the findings of the report which make sense to me. But probably, as I say on the overall scale of things, these are not the worst atrocities that have been committed. I think the reason why many people in the world are so upset about the atrocities in Gaza is not because of the bombardment of facilities in Gaza in January and in December of the last year but because of our unhappiness about the general political situation there. It is because the people of Palestine are still being denied their right of self-determination. And so, we mix our dissatisfaction with the situation of the Palestinian people in Gaza and the West Bank where we have this terrible wall that has been built and the settlements which continue being built even if Obama has told Netanyahu to stop. And certainly all these are a violation of international law and absolutely unacceptable. So we mix the issues of self-determination with the very specific war crimes committed in December and January, which were obviously serious but are not on the same scale as the war crimes that are being committed in Afghanistan, or were committed in Sri Lanka, and so on.

V.T.: How do you view the Moreno Ocampo's course? Do you think that we would have gone a different way if another person was the Prosecutor?

W.S.: I don't know. It is clear that the first years of the International Criminal Court have been difficult and many people have been disappointed with its progress or lack of progress. There are probably several explanations for this. And one maybe is that we were not blessed with the best Prosecutor. But I don't know whether a better Prosecutor would have been able to do a better job. Because I think that the explanation for the difficulties of the Court is complex. It has to make difficult decisions. I know it is surrounded by a very good, competent staff, so I am reluctant to

blame the Prosecutor because I know that there are a lot of very serious good professionals in that office who are trying their best to make this institution work.

V.T.: What do you believe about the first case of Thomas Lubanga Dyilo?

W.S.: The trial is under way. I think again it's probably not the most serious crime to be prosecuted. But it's a beginning. It's an accomplishment to have this trial, it shows that the Court is working, and this is a forward progress. But after all the work and the energy that has gone into creating the International Criminal Court over the last 50 years, if all it can do is prosecute the recruitment of child soldiers in Central Africa, then it's probably disappointing.

V.T.: I read professor Cassese's view on this issue who argues that Lubanga's case is similar to the first case of the International Criminal Tribunal for the former Yugoslavia, the Tadic's case, in the sense that Tadic was just a soldier, but on the other hand Thomas Lubanga appears to have killed thousands of people.

W.S.: Well Lubanga is not charged with ordering the killing of anybody right now. He is charged with recruiting child soldiers. I think that professor Cassese's analogy is simply making the point that sometimes a tribunal needs to start with an easy case because it has to build up to the more difficult cases. And maybe it's not a sign of weakness that the International Criminal Court has begun its work with a case that may not be the most serious one.

V.T.: How do you view the possibility that new charges could be added?

W.S.: It makes me uncomfortable because of my concerns for what that does for the rights of the accused. I think that the whole case has been one of the issue of child soldiers and the defense counsel is prepared to fight the case on the issue of child soldiers. It shouldn't be transformed in the middle of the trial into a rape prosecution. I think the accused person should know before the trial begins what he has been charged with. So, I believe that is a troubling development, because if he was to be charged for rape, we should have that right at the beginning. And so far the judges have not said that he will be charged with rape but that he should be aware of this possibility. I don't know a legal system that works that way. I don't like that.

V.T.: If we dare predict the development of the International Criminal Court for the next decade, what could we say about its future?

W.S.: I can't predict the course of the International Criminal Court. In the 1990's I was amongst the most optimistic people for the Court. And I think my optimism was proven to be correct. The Court was created much more quickly than most people expected. It was an extraordinary success. Both in terms of the legal development of the Rome Statute, which surpassed most people's expectations, and the rapidity of the support for the Court, the fact that it obtained 67 ratifications within 3 years and 8 months was astonishing. But since the Court began actually its operation, since 2003, its progress has slowed down. Speaking about international criminal justice as a phenomenon of international law, it is something that has grown in stages. And you had a very exciting period at the very beginning in 1919 at the Paris Peace Conference that continued for a while and then it stopped. From about 1921 until 1943 there was almost nothing in international

criminal justice. And then there was another period from 1943 until 1954 and then it stopped again for about 35 years. So, my question is: “Is this cycle going to repeat itself? Is this a cyclical process or have we finally resolved all the difficulties and now we are on a line of straight progress?” History suggests that international criminal law does not proceed in a straightforward constant progression. So I am concerned that we may see the institution facing more difficulties in the future. I don’t know the answer. Mark Twain, the famous American writer once said that “nothing is more difficult to predict than the future.”

V.T.: What do you think about Barack Obama’s policy? After his election, it seems that the US has changed its behaviour towards the Court.

W.S.: Actually the change in the US position towards the ICC began before Obama’s election, in the final years of the Bush administration. I think that the Americans have become more and more supportive of the Court. As long as the Court is focused on Central Africa and particularly their enemies, like Sudan, the Americans have become more and more enthusiastic about the Court. Nonetheless, at the same time as the Americans have become more and more enthusiastic about the Court, the continent that was initially the most enthusiastic about it, Africa, has become more and more cool towards the Court. I think there is a relationship. It’s like a refrigerator, in order to make ice inside the refrigerator has to release heat. Or an air conditioner which has to let heat off in order to make a room cool. This is the thermodynamic principle of heat exchange. And I think we have this with the Court too. The warmer the US gets about the Court, somebody else gets cooler. Personally, I liked the Court better when Africa was warm towards it and the US was cool.

V.T.: My last question is again about the death penalty. How would you respond to the position that if one can think of even a single person over the course of human history who would deserve the death penalty, then that means that one is not truly against death penalty? This question haunts me since I was a postgraduate student, when at some point I came too close to get an AMICUS scholarship for an internship at a death-penalty case in the USA but eventually didn’t because this publicly expressed personal thought made the Amicus organization to decide not to offer it to me. For example, there are many people in the UK who say “we are against death penalty but we have one exception, Osama bin Laden”. What would you say about that?

W.S.: I thought we would mention only Israel. Because Israel in its history has only carried out the death penalty once, in the case of Eichmann. Israel is still not a strictly abolitionist country because they still are for the death penalty but have only used it once and I think they have imposed it, they have pronounced it in one other case but then they found that the man was innocent and released him. Well, I am opposed to the death penalty from a human rights standpoint, so I think that if you consider the death penalty to be contrary to human rights, you cannot make distinctions about that. I think that in practice many people oppose death penalty not because they are opposed to it on grounds of principle but because they see that the function of the death penalty is unworkable. For example, in the United States you have many people, perhaps a growing number, who would say that they are not opposed to the death penalty in principle but it is impossible to apply the death penalty in such a way that we can be confident that innocent people are not being executed. And there is a recent story in the US, a case of a man in Texas who was executed some years ago who was clearly innocent. His conviction was based on just wrong

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forensic evidence. So many people in US say that you can't have a death penalty because of the danger of executing an innocent person. And I think this is a good argument. And as long as there is a danger, it doesn't mean it is wrong to execute a guilty person. But you have to have that as a principle. You can't use it if you think that there is a danger of executing an innocent person. I know that other people have different reasons, but the point I am trying to make is that countries which abolished the death penalty and people who are opposed to death penalty do not always oppose its imposition in principle but because they realize that there are practical difficulties in imposing it. And eventually this leads to the abolition of death penalty in many counties. My own view about the death penalty is that we should oppose the death penalty because it violates our dignity as a society. There are things we don't do as a society and as individuals because of our own sense of our own dignity. And I think that our own sense of our dignity means that we don't murder other human beings. I personally don't want to be part of a society that murders another human being, no matter how much they may deserve to be murdered. Certainly there exist extremely terrible people and the world would be better off if they weren't with us. And if they were to walk out of this hotel today and be hit by a truck I wouldn't even send flowers to their funeral, but for me it would be undignified to just kill them. For me that's the best argument. Other people have different arguments and I don't want to romanticize murderers either. Some people in the abolitionist movement can be quite romantic. They romanticize the terrible criminals and I don't want to do that. But I do think as well that we should be aware that even people who have committed terrible crimes for which they deserve terrible stigmatization, may change and surprise us with useful contributions to society. One of the Nuremberg defendants escaped execution. He was very charming and managed to seduce the judges into giving him a 20 year sentence. So, he served 20 years in Spandau prison in Berlin. He was released in 1965 or 1966 and he went on to write a very interesting and useful book about the Nazi regime. If he had not been in jail but executed, he would not have written this book which provided us some insight into the Holocaust. Society may always lose things when we execute people. Why should we do that?