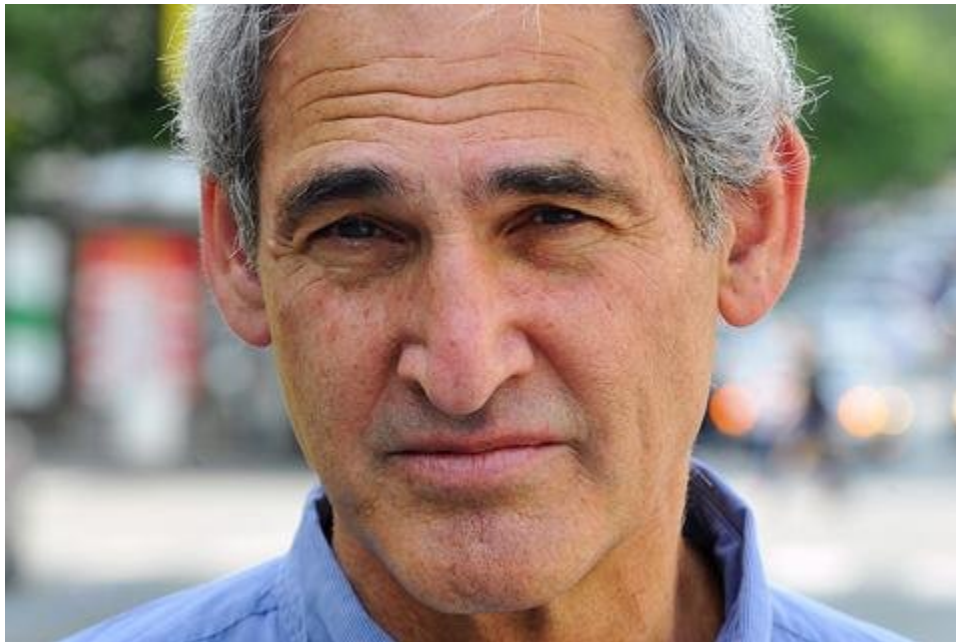


Death penalty advocate speaks

U.S.-based Blecker leads discussion at Prague university

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By Benjamin Cunningham - Staff Writer



Walter Novak

Blecker has spent 25 years interviewing death-row inmates.

Death becomes Robert Blecker.

As a leading advocate of the death penalty, the New York-based law professor makes a highly rational argument in favor of capital punishment, even if the overall rationale for the policy itself remains in question.

Blecker is a retributivist, as in one who argues that certain morally reprehensible crimes are worthy of retribution. He led a discussion on his views at Anglo-American University May 7 following a screening of the documentary *Robert Blecker Wants Me Dead*.

"The typical utilitarian justifications for jailing people are all forward-looking," Blecker said during an interview at Lucerna café. "Retributive justification, which is the only one that plays a role in my justification, is desert, justice, some people deserve it, regardless of whether it will deter [future crimes]. ... The past counts."

The Blecker file

Age: 64

Job: Author, lawyer, professor at New York Law School

Education: Tufts University, Harvard Law School

Blecker argues that prisons have become too soft in recent decades, that the ethos of controlling prison populations is based on granting privileges and then using the threat of revoking such privileges as a means of maintaining order.

"The word 'punishment' does not appear in any mission statement of any correctional department in any state in the United States - not one," he said. "It's not even the suspension of rights anymore. It's the suspension of privileges."

Perhaps the biggest strength of Blecker's argument is that it is immune to many of the traditional arguments against capital punishment, but that doesn't mean he isn't ready to respond.

Asked whether the threat of execution actually serves to limit violent crime, he said, "It's inconclusive."

On the potential for innocent people to be executed, he insists there have not been any conclusively documented cases of false executions since at least 1976. He also argued that "just because someone has been exonerated and had their sentence commuted, doesn't mean they are innocent."

There may be no other person who has spent more time on death row - save for actual inmates - than Blecker. He has spent some 25 years interviewing prisoners, prison guards and other principals in seven U.S. states.

In describing one particular visit, he detailed the conditions under which he often interviews prisoners.

"I was vouched for by convicted prisoners and the guards were called off," he said.

The film *Robert Blecker Wants Me Dead* details Blecker's meetings with a death-row inmate named Daryl Holton in the U.S. state of Tennessee. Holton had been convicted of killing his four children with an assault rifle, purportedly to prevent them from growing up in a public housing project with his estranged wife.

In a particularly powerful scene, Blecker is depicted filling out a form requesting to visit Holton. Blecker is forced to identify his relationship with the inmate. The one that seemingly most applies reads "Friend." Blecker pauses, before drawing an additional box, labeling it "acquaintance" and checking the box.

Blecker is able to provide, in gruesome detail, narratives on particular violent crimes with the potential to anger even the most committed pacifist. This leads to an obvious question: Isn't anybody who would commit a Daryl Holton-like crime just sick in the head?

"It all depends on what you define as 'sick' and whether sickness and evil are fundamentally inconsistent principles or whether they can coexist," Blecker responded. "Is [confessed Norwegian killer [Anders Behring] Breivik sick? He methodically planned it out; he was aware of what he was doing."

In short, Blecker argues for a death penalty that is reserved for "the worst of the worst," one that is universally enforced but much more limited in application than death penalties currently in force.

"It's a function partly of the attitude of the killer and the experience of the victim," he said.

Fresh off a visit to Germany en route to Prague, Blecker does seek to temper some of his rhetoric.

"We retributivists must remember how retributivism can turn into sadism," he said. "I stand for the role of emotion in criminal law."

Blecker recently published a Kindle single. Part memoir, part a discussion of the concept of punishment, *Let the Great Axe Fall* is the first salvo into what will be a fully fledged book titled *The Death of Punishment*.

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