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President Clinton passes the buck on federal execution

President Clinton's decision yesterday to only delay the first federal execution since 1963 represents a failure of leadership and the triumph of politics over human rights, Amnesty International said today.

"Of course, we welcome that Juan Raul Garza will not be executed as scheduled on 12 December", Amnesty International said. "Nevertheless, President Clinton has missed a key opportunity to live up to the human rights principles he has so often claimed to support during his term in office."

The President effectively shunted the issue of federal executions to his successor. He postponed the Garza execution until June 2001, "to allow the Justice Department time to gather and properly analyze more information about racial and geographic disparities in the federal death penalty system."

In September, the Justice Department released the findings of its review into the federal death penalty which showed that, like its state-level counterpart, it is characterized by arbitrariness and possible racial discrimination.

"This year has seen unprecedented levels of national concern about the fairness and reliability of the US death penalty", Amnesty International said. "Juan Garza's case was an opportunity for President Clinton to send a message to his country that it should rethink its attachment to this fatally flawed punishment, and begin to take the first steps down a path taken by more than half the countries of the world."

"Instead he has decided to let federal officialdom continue to tinker with the machinery of death."

In issuing the stay, President Clinton reiterated his support for the death penalty, and stated that he is not imposing a moratorium on federal executions.

In November, Amnesty International sent President Clinton a 43-page memorandum on the federal death penalty, in which the organization called for commutation of all federal death sentences and a moratorium. The memorandum also detailed the US Government's consistent failure to confront the violations of international standards at state level, as US states continue to pursue a punishment marked by arbitrariness, discrimination, political expediency and error.

In August, President Clinton said that the USA was the leading force for human rights around the world, and had become a "more decent, more humane" country under his presidency. Just two days ago, the White House released a fact sheet trumpeting President Clinton's human rights record. There was no mention of the death penalty.

Amnesty International's memorandum pointed out that the years of his presidency have seen almost 500 executions in the USA. In contrast, the same period has seen 28 more countries abolish the death penalty.

The memorandum also recalled how in 1992, as Governor of Arkansas, Bill Clinton had broken off presidential campaigning in New Hampshire to oversee the execution of Ricky Ray Rector, a mentally disabled man with the mind of a young child. His execution violated international human rights standards, as have many of the executions carried out since.

"The execution of Ricky Rector ensured that no political opponents could accuse the presidential candidate of being soft on crime", Amnesty International said.

"Eight years later, as far as the death penalty is concerned, the outgoing president has shown himself still to be soft on human rights."

Background Information

There have been 84 executions in the USA this year, bring to 682 the number of people put to death since the country resumed judicial killing in 1977. This week alone has seen five more executions. They include three in Texas, the 150th, 151st and 152nd under the governorship of George W Bush Jr, who is still waiting to discover if he will be the next US President.

Juan Raul Garza, convicted in 1993 of involvement in three drug-related murders in Texas, is one of 21 prisoners on federal death row. No federal prisoner has been executed since 1963.

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USA: Memorandum to President Clinton - An appeal for human rights leadership as the first federal execution looms (November 2000, AMR 51/158/00) is available on the above website.

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