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World War II occupation of Norway. So prior to his death on March 28, 2005, Moen named two charitable organizations as beneficiaries of any compensation awarded for his ordeal with Norway's legal system. One of the charities, the Conrad Svendsen Center, operates homes and cares for deaf and blind adults. The other charity, The Signo Foundation, sponsors programs that aid the deaf.

On Moen's behalf, Elden filed an application for compensation under Norway's Criminal Procedure Act. After a period of negotiations, in April 2008 Justice Minister Storbegerget announced that the two organizations would share a posthumous compensation award of \$4 million to Moen.¹⁰ Storbegerget said, "I will tender an unqualified apology and regret in regard to Fritz Moen and those who were close to him, for the injustice he was subjected to. There is no forgiving for so much suffering and injustice as Fritz Moen was subjected to. This must be avoided in the future."¹¹ It is the largest wrongful conviction compensation award in Norwegian history.

Role of three Supreme Court justices in Moen's case questioned

The Norwegian Parliament's Control and Constitution Committee recommended on February 5, 2008 that a commission investigate the circumstances surrounding the Su-

preme Court's denial of Moen's petition in 2003 to reopen his convictions in the Finstad case. The committee also said the commission should determine if the three justices involved in the decision should be prosecuted for impeachment. The judges were severely criticized for their conduct during the Norwegian Parliament's debate about the committee's recommendation. Nevertheless, on May 27, 2008 the case against the Supreme Court justices was closed without indicting the judges.

Nemesis: film about the Fritz Moen case to premiere in November 2008

A Norwegian film about Moen's case is scheduled to be released to theaters in Norway on November 7, 2008. The docudrama is titled *Nemesis*.¹² The film weaves the improbable three-decade long series of events that began with Heggheim's 1976 murder and ended with Moen being recognized in 2006 as a national symbol of a person terribly wronged by imperfections in the judicial system.

Aftermath

The response of Norwegian officials to Moen's case is put in perspective by the fact that it is greater in scope than the repercussions from any wrongful conviction in the United States of a living person – much less someone who has passed away.

It has been suggested that a bust or statue of

Moen should be erected in front of the Ministry of Justice building in Oslo as a symbol of the responsibility of the criminal justice system to seek the truth.

Acknowledgments. Although Fritz Moen's case is one of Norway's most prominent criminal cases, there are few details available in English. So I want to thank Janne Kristiansen, Chairperson of the Norwegian Criminal Case Review Commission, for her assistance by translating the Commission's 5,000 word decision in the Fritz Moen case into English for *Justice:Denied*, and providing other information about the case. I also want to thank John Christian Elden and Tore Sandberg for sharing their first-hand knowledge and insights about the case, and Sandberg for reviewing this article for factual accuracy.

Endnotes:

- 1 Murder convict may be cleared after 23 years, *Aftenposten* (Oslo), October 15, 2003.
- 2 Decision by the Norwegian Criminal Cases Review Commission in *Fritz Yngvar Moen v The Public Prosecuting Authority*, Case no. 200400198, June 15, 2006. (English translation)
- 3 *Id.*
- 4 *Id.*
- 5 *Id.* at 15.
- 6 *Id.* at 15.
- 7 Norwegian title: *Fritz Moen og norsk strafferettspleie*
- 8 "Police Kill" ("Politiet slaktes"), *Nettavisen*, TV 2 (Norway), June 25, 2007.
- 9 Amnesty International Prize goes to Tore Sandberg, *The Magazine* (Oslo, Norway), No. 3-4, Dec 2006-January 2007, Vol. 14-15, p. 90.
- 10 Fritz Moen was awarded 20 million Norwegian Kroners, and on the day the award was announced, April 17, 2008, the exchange rate to the U.S. Dollar was .20070. So Moen's award converts to \$4,014,000. Moen's application was for compensation of 28 million Kroners (25 mil. general compensation and 3 mil. in damages).
- 11 "Apology, compensation to unjustly convicted 'murderer'", *Aftenposten* (Oslo), April 18, 2008.
- 12 *Nemesis*, Norwegian Film Institute website, <http://www.nfi.no/english/norwegianfilms/show.html?id=825>

One of Scotland's darker historical events took place in Prestonpans, East Lothian from the end of 16th century until well into the 17th Century: women and men were persecuted, tortured and executed for being so-called witches. Prestonpans is about 10 miles east of Edinburgh.

The Prestoungrange Arts Festival shows respect for the memory of those who were put to death by conducting a Witches Remembrance each Halloween. The Remembrance is comprised of a play that brings to life the stories of these unfortunate people who were accused of witchcraft, and a memorial event at the Witches Gestalt, an item of public art in Prestonpans that tells the story from the passing of the Witchcraft Act by Mary Queen of Scots in 1563 right through to the 1944 imprisonment of Helen Duncan, the last person convicted of witchcraft in the United Kingdom.

The annual Witches Remembrance started in 2004 when the Baron of Prestoungrange granted an Absolute Pardon to 81 individuals (and their cats) convicted in Prestonpans of witchcraft and executed

Prestonpans Witches Remembrance

By Kelly M. Ross

between 1590 and 1679. Those unfortunate people were identified in Scottish historian Roy Pugh's 2001 book, *The Deil's Ain (The Devil's Own)*.

The Baron also commissioned Roy Pugh to write a trilogy of Witch plays. I first learned details about the witches of Prestonpans when local theatre director Malcolm Watson asked me to play Gelie Duncan in the second of these plays, *The Cauldron*. Duncan was executed for witchcraft in 1591.

After the matinee performance on October 31, 2007 of *The Devil's Craft*, the final play of Pugh's trilogy, Mary Martin, granddaughter of Helen Duncan, joined the Remembrance ceremony. Mary laid the first Healing Herb on the ledge underneath where the 81 executed people are listed on the Witches Gestalt.



Kelly Ross in front of the Witches Gestalt in Prestonpans

After Martin spoke, John Lindsay, a local poet, recited his poem honoring the people executed as witches. His poem begins:

Death invites us all
but surely not THAT way
damned to a fate
of terror, torture and dismay
The ignorant destroyed
by those more stupid still
and led like flocks of hobbled sheep
to die on Castle Hill, where
hurt, damned, shamed as heretics
they were torched
by star-crossed laws of yesteryear.
....

The fifth annual Remembrance Ceremony will be held on Halloween 2008.

About the author. Kelly M Ross lives in Prestonpans, Scotland. She has produced a series of narrated videos filmed around Prestonpans relating the area's history of prosecuting alleged witches. The videos are on YouTube.com, and can be found by searching on the terms "Prestonpans" and "Witches".