

FORGIVENESS AND THE DEATH PENALTY: THE POWER OF STORIES

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Statistical information adequately demonstrates racial, regional, and social class biases in implementation of the death penalty. Testimonies and stories, however, are needed to portray fully the deleterious effects of capital punishment on families of victims and defendants, on those who implement and witness executions, and on society at large. Narratives also reveal the role of forgiveness in transforming tragedy and providing strength and meaning in the aftermath of murder. Utilizing narratives in teaching about the death penalty helps students analyze the web of relationships in which offenders' behavior and societal responses are embedded.

On March 18, 2009, New Mexico Governor Bill Richardson signed a bill repealing the death penalty, making his state the fifteenth to abolish the death penalty since it was reinstated by the U.S. Supreme Court in 1976 (CNN.com, 2009). Observing that the number of exonerations in the past ten years exceeded 130 (including four in New Mexico), Governor Richardson stated that he lacked "confidence in the criminal justice system as it currently operates to be the final arbiter when it comes to who lives and who dies for their crime." In addition to noting the number of death row inmates who had been wrongly convicted, the governor expressed concern that minorities are "over-represented in the prison population and on death row." In affirming the governor's decision, state representative Gail Chasey noted the state would be relieved of costly death penalty trials, and families would not have to endure the lengthy death penalty trial and appeal process which "reopens wounds."

Meanwhile, in the neighboring state of Texas, my social work students were in the midst of a discussion of the death penalty as part of our unit on the criminal justice system. Taking social work's mission as a starting point, this course in human behavior and the social environment (HBSE) focuses specifically on the impact of social institutions on human well-being. Thus, the course emphasizes "the well-being of society" as a whole in addition to "individual well-being in a social context." We analyze "the environmental forces that create, contribute to, and address problems in living" especially for "people who are vulnerable,

oppressed, and living in poverty" (NASW, 1999). Against this backdrop, it can be argued that the death penalty is detrimental to the well-being of society for at least three reasons.

First, the death penalty raises ethical and legal concerns about whether the state has a right to kill its own citizens and whether the means used to do so are cruel and inhumane. Second, the death penalty reinforces and perpetuates social inequality through racial/ethnic, social class, and regional biases in its implementation. Finally, the death penalty negatively affects the larger community, not only by diverting resources that could be used to prevent crime and help victims, but also through its impact on families of victims and defendants and on the people who implement and witness executions on the state's behalf (Johnson & Rhodes, 2005; Death Penalty Information Center, 2009; MVFR, n.d.; Abramson & Isay, 2000; Diss, 2002). Indeed, examined in light of social work's commitment to human well-being, the evidence against the death penalty seems overwhelming.

But we are in Texas, which leads the nation in number of executions (Death Penalty Information Center, 2009). Each year some students in my HBSE class are adamant in their support of the death penalty. As a social work educator, I respect their right to an opinion; at the same time, my job is to encourage students to think critically in light of relevant research and social work values. Determining the best way to encourage students' critical thinking about the death penalty has been a continuing challenge.

Social Inequality: Statistics Tell the Story

We begin with facts and figures. Students readily grasp the evidence of race, regional, and income inequality in implementation of the death penalty. Race of defendant and race of victim biases are particularly striking. Of 1,165 executions occurring between 1977 and May 29, 2009, 35% of the defendants were Black. Although approximately half of all murder victims are White, 78% of murder cases ending in executions during this period involved White victims, strongly suggesting that the lives of White victims are valued more highly than the lives of Black victims in the application of the death penalty. Over 80% of all executions occurred in the South, and Texas alone is responsible for over a third (37%) of all executions since 1977 (Death Penalty Information Center, 2009). Low-income defendants usually rely on state-appointed lawyers who often have little experience with capital cases (Johnson & Rhodes, 2005).

In terms of the impact on the larger society, the death penalty system costs states more than incarcerating an offender for life without parole. Moreover, although the question of deterrence continues to be debated, leading academic criminologists deny that the death penalty is a deterrent to murder (Death Penalty Information Center, 2009).

Still, despite the evidence the death penalty reinforces and perpetuates social inequality, some students maintain their support of the death penalty for one of two reasons: (1) an ideologically based belief in "an eye for an eye" with respect to murder, or (2) a belief that executing the offender brings "closure" to the victims' families.

The latter view is no doubt influenced by media interviews with victims' families during the peak of their anger and anguish. But does this snapshot tell the whole story of the process of grief and healing? Does "an eye for an eye" serve the interests of victims' families and society as a whole? What are the social costs of executions? Who, besides the convicted defendant, is victimized by the death penalty? Facts and figures can reveal injustice, but stories are needed to convey the full impact of the death penalty on families, executioners

and witnesses, and indeed, on society as a whole.

Victims of the Death Penalty

To help students grasp the effects of the death penalty, I ask them to listen to the audiotope or read the transcript of *Witness to an Execution* (Abramson & Isay, 2000), a Peabody award-winning documentary which first aired on National Public Radio on October 20, 2000. Narrated by Warden Jim Willett, the documentary takes the listener inside The Walls, a maximum security prison in Huntsville, Texas, which encompasses the small brick building where executions are carried out. Warden Willett "wonder[s] whether people really understand what goes on down here and the effect it has on us," and listeners are introduced to the warden's grim reality as guards, chaplains, and journalists describe the inmate's final hours and their own roles in the execution process.

Prison guard Terry Green says his work as a member of the "tie-down team" (those who strap the inmate onto the gurney for the execution) is "just another part of what I do as a correctional officer." He adds, "It's what the vast majority of the people want done," thus distancing himself from the process and assigning responsibility for his actions to society.

Kenneth Dean, another tie-down team member, says, "It's a very unique job...Not many people are willing to do this or can do this. I do believe in what I do." Yet other statements belie this apparent confidence. He reports that after inmates are strapped onto the table, some will "look at you in the eye and tell you 'Thank you for everything that you've done.' And you know, that's kind of a weird feeling...It's kind of hard to explain what you actually feel, you know, when you talk to a man and you kind of get to know that person, and then you walk him out of a cell and you take him in there to the chamber and tie him down. And then a few minutes later he's...he's gone."

Obliquely referring to how tie-down team members cope, Dean notes that participating in executions is "something that everybody has to deal with...in their own way." The doubts,

discomfort, and strain reflected in their descriptions of their duties are too unsettling for these prison staff members to acknowledge openly or express directly. It could be argued that rationalizations and justifications are psychological survival mechanisms that make it possible to continue participating in the execution process.

The journalists who cover executions for the news media have their own coping strategies. After witnessing her first execution at age 26, Leighanne Gideon "felt numb" but discovered, as she was assured she would, that the numb feeling "goes away." John Moritz added that "at some point there's a detachment." Wayne Sorge finds that "it's easier now" and wonders whether he was "right to make part of my income from watching people die." Nevertheless, his job is to "hold up a mirror to people of what their world is" and "capital punishment is part of that." Thus, the journalists also use distancing strategies and rationalizations to come to terms with their involvement in executions.

Most unsettling to the journalists are the mothers' reactions to their sons' deaths. Journalist Michael Graczyk said that he "had a mother collapse" right in front of him. Wayne Sorge agreed, saying, "I've seen them fall into the floor, totally lose control." And Gideon added, "You'll never hear another sound like a mother wailing whenever she is watching her son be executed."

Not everyone can maintain psychological and emotional distance from what they are actually doing. Former chaplain Carroll Pickett said, "I've had guards—lots of guards quit...Some of them couldn't take it."

Apparently Fred Allen, a former member of the tie-down team, did not quit soon enough. After participating in about 120 executions, he was working in his home carpentry shop one day when "all of a sudden something just triggered in me and I started shaking." He began to cry uncontrollably and explained to his wife that he suddenly saw in his mind's eye the person he had helped to execute a few days earlier; soon he was seeing the eyes of all the men he had tied down over the years. Fred thinks his experience was a form of

"traumatic stress" and believes that sooner or later, "everybody has a stopping point."

Warden Willett concludes by acknowledging his own discomfort and ambivalence: "I'll be retiring next year and to tell you the truth this is something I won't miss a bit. There are times when I'm standing there, watching those fluids start to flow, and wonder whether what we're doing here is right. It's something I'll be thinking about for the rest of my life."

In class discussions of this documentary, several points are crucial. By allowing capital punishment to persist, we as a society are contributing to the psychological pain and conflict experienced by the people who must implement and witness it. Desensitization and a degree of callousness may be unavoidable for those who are directly involved in executions. Detachment and desensitization are methods of coping with an overwhelming event, but at what cost? Separating mind from emotions may protect the self in the short run, but in the long run this strategy is emotionally deadening and devastating to relationships. The effects of executions on prison staff members and witnesses reverberate in the lives of their families, communities, and social networks.

"But what about victims' families?" my students often ask. "Don't families have a right to a death sentence for the person who killed their loved one? Doesn't the execution bring closure?" Indeed, some murder victims' families may believe that revenge will quell their anger, calm their minds, and facilitate healing. In reality, however, many victims' families argue that an execution accomplishes none of these things.

"The death penalty is such a false thing to offer to victims' families. We have to ask ourselves, 'What really heals a human heart?'" This question, posed by Sister Helen Prejean (Diss, 2002), is important for social workers to consider. Prejean, author of *Dead Man Walking* (1993) and leading opponent of the death penalty, speaks from her experience of working with families of both defendants and victims, beginning with her service as spiritual advisor for defendant Patrick Sonnier. Prejean reports that the father of one of Sonnier's victims said that continuing to hate the

murderer “would eat away at his soul.” He told Prejean: “They killed my boy. I wasn’t going to let them kill me” (quoted in Diss, 2002).

This father’s perspective is echoed by many other victims’ families who jointly assert that healing is not achieved by executing or hating the offender. Murder Victims’ Families for Reconciliation (MVFR), founded in 1976, “is a national organization of family members of victims of both homicide and executions who oppose the death penalty in all cases.” The members endeavor to “help their friends, co-workers, media, and policymakers understand the negative impact that capital punishment has on the families of murder victims and the executed” (MVFR, n.d.).

When the death penalty was repealed in New Mexico, it was replaced by a sentence of life in prison without parole. Clearly there is consensus in our society that those who commit murder should be held accountable and that the community should be protected from harm. The question is: How can we accomplish these goals without perpetuating violence? What role, if any, can forgiveness play in healing individuals and society in the aftermath of murder?

To help students think about these questions, I turned to an award-winning video documentary. *The Power of Forgiveness* (Doblmeier, 2007) draws upon diverse faith traditions and scientific research to explore forgiveness in contexts ranging from interpersonal relationships to national and international conflicts. Two segments, in particular, offer compelling, life-affirming perspectives on murder and forgiveness.

Murder and Forgiveness

“It is not possible to achieve by vigilance in anger and revenge what the soul is longing for. The soul wishes peace.”

The Reverend James Forbes in
The Power of Forgiveness

What do we mean by “forgiveness,” and what can it possibly accomplish in the wake of a brutal murder? Psychology professor

Everett Worthington, whose story is depicted in *The Power of Forgiveness*, had been conducting research on forgiveness for about five years when his mother was brutally murdered by an intruder in her home on New Year’s Eve, 1995, in Knoxville, Tennessee. Although a young man was apprehended and confessed to the crime, the physical evidence in the crime was found to be contaminated. Thus, the young man recanted his confession and was released from custody. In Worthington’s account of the crime and its aftermath, he explains that “within a month” he and his siblings

“...independently forgave the murderer. Furthermore, in honor of Mama’s memory, we wanted to do what she had taught us—to honor life rather than dishonor it. Independently, each of us decided that if evidence could be uncovered so that the youth could be prosecuted, we would not advocate the death penalty” (Worthington, n.d.).

In an article reflecting on his experience in light of his research, Worthington (n.d.) elaborates on the meaning of forgiveness, especially in response to heinous crimes. In his view, forgiveness does not “change anything about the crime, its morality or moral consequences, or the perpetrator. The murderer would still be accountable to God and to civil authorities.” Thus, forgiveness does not ignore or deny that a real offense has occurred and that people have been harmed. Instead, forgiveness transforms the one who forgives. According to Worthington, there are two levels of forgiveness. The first “is a decision about one’s intention for future actions toward the offender, with the possibility of renouncing vengeance and advocating benevolence.” The second “is an emotional change from negative, unforgiving emotions like resentment and hatred to either a neutral state...or a positive emotional state.”

In other words, forgiveness involves a decision that individuals can make. We can

choose to “renounce vengeance and advocate benevolence.” The second aspect of forgiveness, which involves letting go of negative emotions, may seem more challenging. Sometimes when people are harmed, they feel as though they can’t forgive; they can’t let go of their anger. In reality, however, taking step one in the forgiveness process by making the decision to renounce vengeance makes it more likely that corresponding emotions will follow those positive behavioral intentions. In addition, it is possible to train our minds to focus attention where we want it to be. Withdrawing attention from negative emotions and focusing instead on a spiritually meaningful word or phrase is a well-worn path to peace of mind (see Easwaran, 2008, 2009). Online resources emerging from research on forgiveness are also available to help people release negative emotions and practice forgiveness (see, e.g., www.loveandforgive.org).

Forgiveness is a sign of strength. The person who forgives is in control of his or her own emotions, initiating a positive response to an offense, rather than simply responding or reacting to the actions of the offender. As Worthington (n.d.) explains, forgiveness does not short circuit the grief process, but it does provide strength to the grieving person. According to Worthington:

“Part of grieving is telling a story repeatedly about the loss. If the story is spiced by bitterness, resentment, and rage, the griever makes his or her self-image more negative. But if the griever can rise above the suffering to forgive, he or she sees the self as a stronger person. Grief will not be shortened but one’s sense of self will be different.”

In recent years the concept of restorative justice has been promoted as a more satisfying alternative to typical criminal justice procedures for the purpose of remedying harm done by criminal offenses. Restorative justice addresses what Worthington (n.d.) refers to

as the “injustice gap” because it “advocates restitution to the victim by the offender” (Maiese, 2003, p. 1). In so doing, restorative justice makes explicit the idea that offenses have been committed against people rather than the state, and that the harm affects family members and the community as well as the primary victim. The general aim of restorative justice is restoration of healthy relationships rather than revenge (Maiese, 2003).

Forgiveness is often part of the process of restorative justice. Through dialogue, the offender offers an apology, makes restitution, and may receive forgiveness from those who were harmed. Although restorative justice may include forgiveness, it should be emphasized that forgiveness can occur quite apart from restorative justice. Indeed, as described by Worthington (n.d.), forgiveness involves the victim’s decision not to seek revenge and to let go of negative emotions toward the offender. Thus, forgiveness can occur regardless of whether the offender is apprehended, apologizes, or makes restitution. In this perspective, forgiveness is not dependent on the actions of the offender.

Through testimony and narrative, *The Power of Forgiveness* (Doblmeier, 2007) makes three crucial points about forgiveness. First, Buddhist monk Thich Nhat Hahn, who is featured in the documentary, explains that “forgiveness will not be possible until compassion is born in your heart.” Through compassion we see offenders’ vulnerability and are more able to forgive. Second, forgiveness is essential for the well-being of the one who forgives. As the documentary explains, a growing body of scientific evidence demonstrates the physical and emotional health benefits of forgiveness. Finally, forgiveness can soften the heart of the offender and set in motion a process of transformation.

All three points are beautifully illustrated in a true story depicted in *The Power of Forgiveness* (Doblmeier, 2007). On January 21, 1995, 20-year old Tariq Khamisa delivered pizza to a home in San Diego where four adolescent boys had been drinking and taking drugs. When Tariq refused to relinquish the pizza without payment, one of the boys, 14-year old Tony Hicks, shot and killed him. Tony,

who had been abandoned by his parents and had witnessed a fatal shooting at age nine, was living in San Diego with his grandfather, Ples Felix. When Tony killed Tariq, Ples felt betrayed and was "burdened with guilt." Tearfully confessing to the murder in the courtroom, Tony said that he prayed that Tariq's father would forgive him.

Azim Khamisa, Tariq's father, did indeed forgive Tony. Despite their overwhelming loss and grief, Tariq's parents perceived their son's death as part of the larger tragedy of children killing children. Azim said that from the beginning he saw that there were "victims at both ends of the gun: my son a victim of his assailant; his assailant a victim of society." Through the lens of compassion Azim saw the effects of an oppressive society on Tony as a young African American. As a Sufi Muslim, Azim completed a 40 day period of grieving and then his spiritual mentor advised him to do a good, compassionate deed. Azim established the Tariq Khamisa Foundation to "stop kids from killing kids" and asked Ples Felix to help him. Ples saw this request as an answer to prayer because he was eager to do whatever he could to support the Khamisa family.

Together Azim and Ples visit schools, tell their story, and show children that there is an alternative to violence. They are introduced to school children with the words, "This man's grandson killed this man's son," and as Azim explains, "this is the first time in their young lives they've actually seen an alternative to violence. Mostly what they see in our culture is an eye for an eye." Addressing the middle school children, Azim asks: "Would revenge bring Tariq back? Would revenge stop the pain and the grief that I feel?...Forgiveness is something you do for yourself...If I did not forgive Tony I would be very angry...and if I am angry who does it hurt? It hurts me...because anger is not good for you." Azim urges the children to reach out to forgive and to think about how to heal relationships when there is anger.

Meanwhile, Tony is serving a prison sentence of 25 years to life, but Azim has asked that the sentence be reduced and has offered Tony a job at the foundation when he is released. Tony says that he had never known

forgiveness prior to this experience and that Azim's forgiveness was not something he expected. "I had a man forgive me for taking the life of his son. The least I can do is forgive people who have wronged me or not been there for me in my life." Ples explains that in forgiving Tony, Azim began a healing process, but in addition, Azim's forgiveness "had the unintended benefit of helping Tony because Tony was burdened with guilt." Ples adds, "The long-term benefit of that forgiveness is that Azim and I are brothers."

The experience of these two families demonstrates that any differences can be overcome to resolve conflicts. Azim explains, "Ples grew up as a Baptist from the South, and I grew up a Sufi Muslim...This is not Mother Theresa meeting the Dalai Lama...If he and I can come together in spite of all of these differences, we can all do it...Stretch your imagination. If all the conflicts in the world could be resolved like Ples and me, what would our world look like?"

Viewing this story with my HBSE students, I hoped that the words and images would seep into their minds and hearts: "Victims at both ends of the gun...an alternative to violence, to an eye for an eye...long-term benefit of forgiveness." This story did not involve the death penalty, but it did revolve around a heinous crime. The type of transformation that Tony experienced does not always happen, but forgiveness stops the cycle of violence and facilitates the healing process. In this instance, forgiveness made it possible to transform tragedy into hope not only for one troubled young man (Tony Hicks) but also for all the young people who learn an alternative to violence through the testimonies of Azim Khamisa and Ples Felix.

In social work terms, the stories in *Witness to an Execution* and *The Power of Forgiveness* demonstrate the interdependence of individuals, families, and the larger society. To foster "individual well-being in a social context and the well-being of society," social workers must consider the entire web of relationships which produce violent behavior and shape reactions to it. Neither murders nor executions occur in a vacuum. Their effects reverberate throughout society. We are all

implicated in creating conditions that make aggressive behavior likely to occur, and we share responsibility for responding to aggression with penalties and procedures that do not perpetuate violence.

Abolishing the death penalty would not change the offenders' accountability to victims' families or to society. However, by refusing to respond to violence with violence (through killing perpetrators), we are acknowledging that behavior has multiple determinants and that offenders are also victims of society's failure to create the conditions necessary to inhibit aggression and foster pro-social behavior.

After sharing the narratives in *Witness to an Execution* and *The Power of Forgiveness*, I did not survey the class to determine whether attitudes toward the death penalty had changed. Anecdotal evidence indicated that students were quite moved by both documentaries, and I did not want to take advantage of their emotions to change their opinions. I preferred for students to simply reflect on the stories and allow their messages to take root in their minds. What I hope will emerge is a conviction that as social workers and members of society we are all responsible and accountable for cultivating the soil in which kindness and compassion flourish while hatred and violence wither and die.

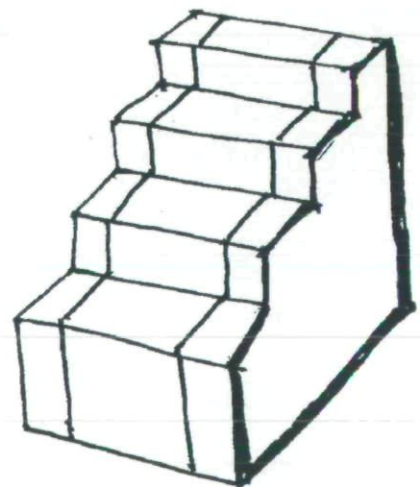
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