

**Don't Kill for Me
Rev. Tony Lorenzen
Pathways Church
Southlake, TX
Sunday, January 10, 2010**

The state of Texas is scheduled to execute Gary James Johnson, this Tuesday, January 12, 2010. Did you know? Do you care? Gary James Johnson was convicted in 1986 for killing two men at a ranch near Huntsville, TX. The two men surprised Johnson and his brother Terry who were robbing the ranch, a place that had previously employed them. Johnson's brother Terry received a life sentence in exchange for testimony against his brother Gary. That's fortunate for him because according to the Law of Parties in Texas, anyone that is a party to a capital offense can be tried, convicted and executed as if they had actually been the person who committed the crime (TX has executed five such people since 1985). Maybe it helps to not care so much because Gary James Johnson is probably guilty as was Kenneth Mosely, who the state of Texas executed last Thursday for killing a police officer during a bank robbery in

Garland in 1997. Mosely is easy enough to dislike. A drug addict with a long history of robbery and sexual assault.

But what about Cameron Todd Willingham? Unlike Gary James Johnson and Kenneth Mosely, you may have heard about Cameron Todd Willingham. Willingham's case made national and local news last year.

The state of Texas executed Cameron Todd Willingham on February 17, 2004 for setting fire to his house in Corsicana in a 1991 arson murder that killed his three young daughters. The state of Texas' case fell apart under investigative reporting by David Grann in the New Yorker magazine.¹ Grann's report, published in the September 7, 2009 issue destroys any case Texas had for executing Willingham, pointing out that all the evidence, including the forensic arson investigation was terribly flawed and worse, just outright wrong and incorrect. Willingham always maintained his innocence, even refusing a plea bargain of guilty in exchange for a sentence of life in prison.

¹ http://www.newyorker.com/reporting/2009/09/07/090907fa_fact_grann

The New Yorker article, says the annual report of the Texas Coalition Against the Death Penalty,

came on the heels of a report filed with the Texas Forensic Science Commission in August by fire scientist Craig L. Beyler. The commission was created in 2005 by the state legislature to investigate allegations of professional negligence or misconduct in forensic analysis. In 2008 it agreed to a request from the Innocence Project to examine the possibility of forensic misconduct in the cases of Willingham and Ernest Ray Willis and it hired Beyler, an independent expert, to review the evidence. In his report, Beyler found that the investigators in Willingham's case had a "poor understanding of fire science" and relied on outdated theories to justify their determination that the fire had been set deliberately. Beyler's report confirmed the judgment of eight other fire experts who have examined the

case since the time of conviction and determined there was no evidence to support the finding of arson.

This has now become a political football because Gov. Perry doesn't want a commission the state set up to go public with information that exposes many flaws in the system.

But I don't want to talk about the politics of capital punishment, and I could. I've talked the politics of the death penalty for a long time. In 1989 while doing my senior college internship for Amnesty International I helped organize the first national student conference on the abolition of the death penalty. Over 500 high school and college students from over 30 different states attended at Northeastern University in Boston along with all the heavy hitters in the field including Hugo Adam Badeau and Sister Helen Prejean. I could go on at length about how the death penalty is not a deterrent, how it costs more than life imprisonment, how it is applied disproportionately to the poor and people of color, but I don't want to talk politics this morning.

I want to talk about capital punishment from a Unitarian Universalist perspective. I want to give witness to this issue from my faith perspective this morning, and from this perspective, as a Unitarian Universalist, an American and a Texan, I want to ask the state of Texas to stop killing for me – because that's what going on. I need to withdraw my consent from state sanctioned killing because I believe in the dignity and worth of every human being, even those who seem to have lost their dignity and worth. My Universalism is a very difficult calling.

I need to oppose the execution of the innocent and of the guilty, not because of the type of people they are, but because of the type of person I become if I condone it. It gets far too easy to let state sanctioned violence become routine and commonplace. It may sound selfish, but I believe it goes to the heart of what kind of people we are that our first thought has to be what do I become when the state kills for me? The only answer is: a murderer.

I look upon our executions in Texas a mark of our collective, societal failure. We have no other solution than to kill those we most fear and can't understand. I have no doubt that if someone violated and killed my family I would want to kill them. But then I am acting out of my need for revenge. I don't want to be vengeful. I want to be just. Revenge may feel good, but I don't believe it's the right way to act, or the way to achieve justice, which is giving everyone what they deserve, not just a criminal, but the victim and their families, and society.

An eye for an eye not only leaves the whole world blind, it originates as a limit on taking revenge. Do not take more than an eye for an eye or a tooth for a tooth. In the cultural context of the Ancient Near East, and this phrase almost certainly predates the Hebrew scriptures, the source from which most people today are familiar with it, vengeance and honor cultures predominated. If you kill my brother, I kill your family, and you kill my village and we

attack your tribe. In this context, an eye for an eye limits revenge and puts a brake on the endless cycle of retribution.

We do live in a culture of retribution. We practice a retributive justice system. Justice is not served until someone is served the proper punishment in proportion to the crime. Yet how do we put a value on some crimes? Are there not some crimes for which no punishment is sufficient? Like a priceless work of art or moment of awakening, for which no value is great enough, how much retribution is ever going to be enough for the pain, loss, violation and suffering caused by some crimes?

We live in a different world now. The world that retribution and its justice system served has passed away. Our village is global. Our relationships are interdependent not independent. Our Justice must grow with us, we must find ways to restore what was damaged, repair what was lost. If no punishment is really sufficient, how can we repair the hurt and the brokenness of the criminal and their victims? I don't know, but I am certain that it is there our

efforts lie, and the repair we seek can not involve more killing because more killing only involves more brokenness, more hurt, and more death.

In his last book, *The Cathedral of the World*, in an essay titled *the Commonwealth of God*, Forrest Church writes, "Given human nature and history, to propose a relational, cooperative, and fraternal or kinship based ethic fashioned to strengthen the interdependent web of being may seem idealist and naïve. In fact, it is desperately realistic. Interrelatedness is not simply a theological concept; it is a new truth."²

Ella Cara Deloria paints an incredible example of this type of ethic and of restorative justice in 18th century Dakota society in her novel *Waterlily*. Deloria is a Dakota woman and an ethnologist. Her novel is set in the mid-18th century, in a time before the Dakota had much contact with white people. In a scene late in the novel, there has been a murder in the Dakota encampment, a jealous lover has killed his rival and vowed to kill the woman who is in hiding.

² Forrest Church, *The Cathedral of the World: A Universalist Theology* pg 68

Around the community fire on an autumn night one of the community's elders, named Yankton, speaks about how the evil of one Dakota killing another has been handled in the past or in other camps. He tells of trial by ordeal where the guilty party was made to ride a wild horse or jump a series of high hurdles. If he succeeded then Wanka, the Holy, was thought to want him to live, and if he failed, then it was thought the Holy Spirit wished him dead in retribution. Then Yankton tells a story in which he recounts the Kinship appeal.

The enraged relatives of a slain man debated the kind of punishment they ought to mete out to the slayer, who was still at large. As they debated, their eldest relative, a man of great influence in the entire tribe sat listening as though in accord with them. After they had all talked themselves out, he began to speak...

My kindred – cousins, brothers, sons, and nephews all – today we have been made to weep without shame, men though we are. Someone has dared to do us an injury in slaying our young relative. Has he not

thereby grossly insulted our family, our pride and our honor? Our kinsman was young; he too loved life. He was not ready to die – yet he is dead. Should we not vow that his slayer too shall die? And should we not go out forthwith and kill him? Very well then, why do we sit talking here? Why not go out and give the murder his due at once?

...And yet, and yet my kindred there is a better way. That fire of hate may burn on in his heart or in ours, we shall take that better way...

Though he has hurt us, we shall make him a relative to us, in place of the one who is not here. Was the dead your brother? Then this man shall be your brother. Or uncle or cousin? As for me, the dead was my nephew. Therefore his slayer shall be my nephew. And from now on he shall be one of us. We shall regard him as though our dead kinsman returned to us.

Yankton and his host smoked a while. Then he said, “My friend that was tremendous proposal, would you not say?”

"Indeed it was," his host agreed...for it required each man to undergo inner battle with himself and to master his pride and anger first. That is not easy. I take it they all did so?"

"Yes, they accepted what their elder kinsman said because they saw it was right. They saw it was easy to fight violence with violence. Killing was the work of a moment, but to take the murderer as a relative, after what he had done, and to live in sincerity and goodwill with him, day in and say out to the end of life, that was something else."³

The Dakota in this story are Universalists. They forsake the easy road of revenge to take the difficult road of accepting everyone, even one who has killed one of their family as brother, sister, son, daughter. This is our extreme calling, the open umbrella of universalism where everyone is saved and welcome, even those most difficult to put on the guest list.

The Rev. Dr. Martin Luther King, Jr. who we will celebrate next Sunday, would tell us that the Dakota are showing us how to love

³ Ella Cara Deloria, waterlili

our enemies. In his November 17, 1957 sermon "Loving Your Enemies," King points out that it's very significant that Jesus does not tell us to like our enemies, but to love our enemies. King says, *"Like is a sentimental something, an affectionate something. There are a lot of people that I find it difficult to like. I don't like what they do to me. I don't like what they say about me and other people. I don't like their attitudes. I don't like some of the things they're doing. I don't like them. But Jesus says love them. And love is greater than like. Love is understanding, redemptive goodwill for all."*

Love is the restorative justice solution proposed by the Dakota in Deloria's story. The death penalty isn't a crime for a punishment so much as a punishment in search of a crime. It is a political tool, not a tool for justice in creating a more caring, loving and less violent world.

As a Universalist, most political issues, especially ones related to social justice, issues that beg the pulpit's voice speak to them, come down to this for me: who is my brother and sister? The

answer is everyone, including people who are difficult to like, people who have robbed and raped and killed. I could make you a dozen political arguments against the death penalty; I've been doing that for years. My witness as a Unitarian Universalist is a witness to abolish the death penalty because that's how we create the beloved community; that's how I live out my witness that everyone is my sister and brother, that's how I stand up for the dignity and worth of every person. Please, with all the love I have, don't kill for me.