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TRANSCRIPT OF SPEECH ON RELIGION'S ROLE IN THE ADMINISTRATION OF THE DEATH PENALTY

Dr. Pat Robertson

I'm very honored and delighted to discuss this important topic with you today. I want to talk a little bit about the role of religion and the death penalty, and I'd like to share some personal experiences because they have touched my heart, perhaps more than just a cold understanding of what the Bible says or what Christian ethics say.

About fifteen years ago, I was in the maximum-security prison in Raiford, Florida, and after I had spoken to the inmates, and had several interviews for our television program, I was permitted to go back into death row. It was a very sobering sight because the electric chair was just down the hall from where I was, and you could see that rather grim room. There were two men that they had asked me to talk to. One was a young man in his mid-twenties who had been a contract killer for organized crime. He had dispatched at least twenty people to the next world as a cold-blooded killer. He was there on death row awaiting execution.

The other man was a rather simple soul who had discovered his wife having an affair with another man, at least that's my understanding, and in a fit of rage, he killed her. In the subsequent trial, he had received the death penalty for his action. Both of these men had had profound religious conversions. I know the difference between some jailhouse conversions—and there are plenty of them out there—and something that's sincere from the heart. Both of these men, in my opinion, had been spiritually transformed.

I went into that prison, not so much as a sociologist, or lawyer, or professor, but as a minister to minister to them. I carried with me a clear knowledge of what the Bible had to say about the death penalty. If you go back into the 20th chapter of Leviticus, for example, it chronicles the list of offenses that brought death.¹ Among them were bestiality,² adultery,³ incest,⁴ offering children to Molech and the pagan gods,⁵ and so on. It was a rather comprehensive list and each one of them involved the death penalty. The one who recorded that was Moses, the same one who recorded the Ten Commandments.⁶ People say, the commandment says "Thou shall not kill" and it says "Thou shall not commit murder," and these were offenses.⁷

¹ See *Leviticus* 20.

² See *id.* at 20:15-16.

³ See *id.* at 20:10.

⁴ See *id.* at 20:17, 19.

⁵ See *id.* at 20:2-6.

⁶ See *Exodus* 20.

⁷ See *Exodus* 20:13.

I knew in the Old Testament it says when blood is shed on the ground, the earth is to be cleansed by the shedding of blood.⁸ I also was familiar with the New Testament, where in the trial of Jesus, the Jewish leaders said, “We have a law, and by our law, he needs to die.”⁹ I’m also aware of what happened with the first martyr, Stephen—who was stoned to death because of his religious beliefs—who said, “I saw Jesus, I saw God,” and they stopped their ears.¹⁰ They said he was a heretic and they stoned him to death.¹¹ The apostle Paul wrote in his letter to the Romans, “The civil authority wields the sword and he doesn’t do so in vain, but he’s a minister of God to bring vengeance on the malefactors.”¹² I was aware of all that when I went in to talk to these men.

I went in as strongly pro-capital punishment. Now, I’m going to pray with two men who are facing death in a week. Both of them have had religious conversions and are now my brothers in Christ. So what am I going to do with them? I could pray a prayer, “Oh God, give them grace to be launched into the next world,” or I could say, “Oh God, please commute their sentences so that they won’t face this terrible fate.” I didn’t know how to pray. They were in adjoining cells. I took the hand of one in this cell, took the hand of the other, put their hands through the bars and I held both of their hands, and I said, “Oh God, I don’t know what to ask for, but I ask for a miracle. Amen.” I told them “God bless you and I’ll see you later.”

The next day, the Florida Supreme Court reversed both of their sentences of execution. They were released into the prison population, and the death sentences had effectively been commuted. The One, who in my opinion stands above all the courts in this world, had ruled that in their cases there would be no death penalty. It was certainly not up to me to argue with God, because I didn’t ask Him for anything except a miracle and it was up to Him to decide what to do. I didn’t say to the Lord, “If you just read Leviticus, here’s what it says,” or “here’s what the apostle Paul wrote in the book of Romans.” I didn’t tell Him all those things, because I presume He knows the Bible a whole lot better than I do. I merely asked for a miracle, and that was what He did.

Well, I had another very profound experience some years later, fairly recently, that dealt with a woman whose name was Karla Faye Tucker.¹³ Now, Karla Faye, as a young girl—I presume she was a teenager or just into her very early twenties—had been involved in a hippie lifestyle, a heavy user of drugs, and had taken up with a boyfriend who himself had been a drug dealer.

While in a drug-crazed state, the boyfriend said, “Karla Faye, there’s a man in

⁸ See Hebrews 9:22.

⁹ John 9:17.

¹⁰ See Leviticus 8:57-60.

¹¹ See *id.*

¹² Romans 13:4.

¹³ See Sam Howe Verhovek, *Execution in Texas: The Overview; Divisive Case of a Killer of Two Ends as Texas Executes Tucker*, N.Y. TIMES, Feb. 4, 1988, at A1.

an apartment who has cheated me in a drug deal and we need to take vengeance on him.” So they planned to go and take severe vengeance. They took with them a pick-ax to punish this person, and I presume, kill him. Well, it just so happened that this man, this reputed drug dealer, was now in bed with the wife of a citizen of Dallas who had been put out of her house. Her husband, a rather brutish gentleman, had rejected her entreaties to let her return to her home, and he literally threw her out of the house. He wouldn’t let her come back even though she asked her children to ask daddy to let her come home; he wouldn’t do it. So, through his actions, and perhaps through her will, she was now in harm’s way.

Karla Faye and her boyfriend broke the door down to the apartment, came upon this couple in bed and brutally murdered them with a pick-ax. There was blood all over the place. It was just an absolutely heinous crime that was committed by these people, as I say, under the influence of drugs. They were tried—duly tried—the evidence was clear. They were guilty of the crime, there was no question about it, and they were sentenced to the death penalty.

In the process, there were thirteen years of appeals for Karla Faye to get her sentence commuted in some fashion. During that period, she had a profound conversion experience, and when we sent a reporter down to talk to her, we didn’t find some wild-eyed hippie, we found the most beautiful Christian woman we had encountered . . . sublime, if I can use that term, a lovely spirit. The person who had committed those crimes really wasn’t there anymore. She was like a different person, and when we interviewed her and showed her testimony on television, and others did the same thing, they found a person who was absolutely radiant. It was so impressive, actually, that during her time of incarceration, she married the assistant chaplain of the prison. Even though they couldn’t have any physical contact with each other, they got married anyhow, because there was a bond of love between them.

We did everything we could to see if there wasn’t a possibility of mercy in that case. What we were dealing with was not justice; it was vengeance. We said, “Is there some way that her sentence can be commuted?” Well, Texas has a rather unique prison system in terms of the pardon and parole board. They are supposed to be a deliberating body, but they don’t ever meet to deliberate. As a matter of fact, we found that up to that time, they had never had a meeting where they all got together in one place. They communicated by mail with each other. They sent reports when somebody was coming up for the possible commutation of sentence or pardon and they decided by mail. Up to that time, they had never commuted anybody’s sentence for anything. So, it was very difficult.

We also put a great deal of pressure on Governor George W. Bush, and he said, basically, “My hands are tied; I can’t do anything about this.” We said, “But there’s got to be an escape valve in the law for some type of mercy.” He said, “The law is clear in Texas. The governor cannot commute a sentence unless it’s on the recommendation of the pardon and parole board, and this board has voted not to

commute Karla Faye's sentence.¹⁴ She was duly tried and they did not determine that there was going to be any mercy." So the execution went forward. The brutish individual who had thrown his wife out of the house and put her in harm's way was quoted as saying, "[k]ill the bitch," talking about Karla Faye. Outside the prison, it was like a Roman circus. There was bloodthirstiness out there, they were cursing and cheering and chanting for her to be executed—this beautiful person that we had grown to love. When we showed her on our show the day before her execution, there wasn't a dry eye in our place, but there wasn't a thing anybody could do about it except through that particular board.

Just for your edification or information, there are twelve states in the U.S. that do not have a death penalty.¹⁵ Fifteen states have unilateral clemency power given to the governor who can pardon who he or she sees fit. Virginia is one of the states that gives the governor that power.¹⁶ Some states have a clemency board whose decisions are not binding on the governor. In nine states, the governor can commute a death sentence only on the recommendation of the clemency board. That is the case in Texas, as in Arizona, Delaware, Florida, Indiana, Louisiana, Montana, Oklahoma, and Pennsylvania. Three states have only a clemency board, cutting the governor out entirely: Connecticut, Georgia, and Idaho, and then there are three others that have the governor as a member of the pardoning board—Nebraska, Nevada, and Utah.

Apparently, in most states there is some kind of relief from the death penalty. In Illinois, they've suspended the death penalty because there have been so many people, apparently a large proportion of whom are poor blacks, or African-Americans, who have been unjustly accused and unjustly tried and who have been sentenced to death on charges that are not supported.¹⁷

In the last ten or twenty years, politicians were concerned with what seemed to be a rising crime wave in America. They passed a sentencing bill which itself has become a nightmare.¹⁸ The United States has perhaps as high a percentage of its population incarcerated as any other country, with the possible exception of Communist China. It is a shocking fact that in certain federal prisons some prisoners spend thirty years, even forty years in prison. In Virginia, we've passed a law that takes away the privilege of parole, so except in rare occasions, there's no

¹⁴ See Christy Hoppe, *Board Unanimously Rejects Tucker's Plea for Clemency; Federal Courts, Governor Could Delay Execution*, N.Y. TIMES, Feb. 3, 1998, at A1.

¹⁵ Those states are Alaska, Hawaii, Maine, Massachusetts, Michigan, Minnesota, North Dakota, Rhode Island, Vermont, West Virginia, and Wisconsin. See Death Penalty Information Center, at <http://www.deathpenaltyinfo.org/firstpage.html> (last visited Sept. 11, 2000) [hereinafter Death Penalty Information Center].

¹⁶ See VA. CODE ANN. § 53.1-229 (Michie 2000).

¹⁷ See Ken Armstrong & Steve Mills, *Ryan Suspends Death Penalty; Illinois First State to Impose Moratorium on Executions*, CHI. TRIB., Jan. 31, 2000, at C1.

¹⁸ See U.S. SENTENCING GUIDELINES MANUAL ch. 1, pt. A (1999).

parole opportunity.¹⁹ When politicians go before the voters, the voters say, “[w]e’re sick of this crime wave, we want something done about it.” The next push, of course, was not just to lock people up for a long time. They said in order to show harshness against crime we have to put a barrier against crime, and this is the death penalty.

In 1976, the Supreme Court brought down what is called the *Gregg* decision, and they re-instituted the death penalty for capital crimes so long as there was a dual track system of justice and some other appropriate safeguards.²⁰ In 1972, the Supreme Court had banned capital punishment entirely, saying it was cruel and unjust punishment.²¹ Now, they came back and changed their mind. Since that *Gregg* decision in the United States, we’ve had over five hundred executions since 1976, including sixty-eight in one year a couple years ago.²² Thirty-one states, most in the South, conducted executions.²³ Texas topped the list with twenty in 1998 and thirty-seven in 1997.²⁴ Nationwide, we now have 3,517 people—that was as of last year—awaiting execution.²⁵ So, there’s been a dramatic increase in people who have been convicted and sentenced to death.

I’m under the impression that in Ohio alone, there are over one hundred people who are now awaiting sentences of death.²⁶ I don’t think that really speaks well for our society because we’re looking at vengeance, or we’re looking at capital punishment, as a way to mitigate against the fact that we have taken many of our moral standards away from our young people. We have an epidemic of drugs and broken homes and out-of-wedlock births, and young people are growing up without proper influences in their lives. The stopgap is that if people don’t conform, we’re going to put them in prison or we’re going to execute them.

I think we’re going at it the wrong way. From a religious standpoint, what we need is to bring moral values back into the schools and into the home. What we need to do is to strengthen families, and particularly to make sure young people have some kind of an intact family where they can identify their fathers. Young boys in particular need fathers—they need a parental influence. When they don’t have that, they’re going to tend to move into gangs and crime.

In many of the inner cities—I’ve worked a great deal in the inner cities of America—I have found that there’s a sense of hopelessness among many of these young men. They don’t have enough education—we’re not teaching them how to

¹⁹ See VA. CODE ANN. § 53.1-165.1 (Michie Supp. 2000).

²⁰ *Gregg v. Georgia*, 428 U.S. 153 (1976).

²¹ See *Furman v. Georgia*, 408 U.S. 238 (1972).

²² As of July 1, 2000, there have been 654 executions in the United States since the *Gregg* decision. See Death Penalty Information Center, *supra* note 15.

²³ See *id.*

²⁴ See *id.*

²⁵ As of July 1, 2000, there are 3,660 people on death row in the United States. See *id.*

²⁶ See *id.*

read and write properly in the schools. They can't succeed in a high-tech society because they don't have the learning skills that they need, so they tend to be bored in school, then they drop out of school at an early age, and they hang around on street corners. Crime and drugs are major opportunities because, after all, if you can make \$100 a day selling drugs, why should you take a job at minimum wage doing some unpleasant task? So many people are moving in that direction, and they're the ones who are arrested, and they're the ones who often commit the violent crime.

We have in our society the need for something far, far more profound than merely executing three thousand people. That's not going to solve society's problems. And if the death penalty is going to be effective at all, it needs to be swift and certain. But it's not swift and it's not certain. In the case of Karla Faye Tucker, she waited thirteen years on death row in the anguish and agony of not knowing what's going to happen tomorrow, through endless appeals, where there was absolutely no certainty and there certainly were no deterrents to crime. It does not seem to have deterred any crime whatsoever from what we can gather, in this era. The only thing we can say about the death penalty, as it's currently being applied, is that it does keep society from having to pay for hardened criminals for the rest of their lives, and a year in prison costs about what an education at Harvard would cost. Having gone to Yale, I'm not sure if they're comparable in their value or not, but nevertheless, it's very expensive to incarcerate people.

Perhaps you don't realize the religious roots of the term "penitentiary," but the early Puritans and others thought that if somebody had broken the law, then by putting him in some kind of confinement that he would become penitent—that he would become sorry for his sins and he would ask God's forgiveness. That's where the word penitentiary comes from.

I don't think that there are many people locked up in penitentiaries today who are exactly sorry for their sins, and who are in their cells praying. I think there's a great deal more training now in violence, and they've become hardened and skillful criminals when they come out.

But there's something else, and I want to commend His Holiness John Paul II on his stand in relation to life. I think it's very important. I do believe, from Protestants and Catholics alike, that we must recognize that life is a seamless whole. It is very hard for those who are of the liberal political persuasion to say, "Well, we oppose the death penalty of hardened criminals because this is a barbaric act, and yet we applaud the slaughter of—now it's almost forty million unborn babies—through abortion." We can't have it both ways. We can't have [Dr. Jack] Kevorkian and people like him advocating euthanasia of the elderly and creating a culture of death, while we say, in this one particular discreet segment of our population, those who really have done things that are wrong should be let go and kept at society's expense for the rest of their lives.

I think that if we're going to deal with this matter, we've got a much, much

larger scene that we need to address. And, that is the question, are we going to be for life? The Pope is for life, and so he says, "I'm opposed to the death penalty." That's fine, because he's also opposed to the killing of innocent unborn babies. So, it's a seamless whole, and I believe that we need to address that if we're going to grapple with the whole question of the dignity of life. I, frankly, stand before you as one who is in favor of the death penalty. I'm not opposed to the death penalty as such for somebody like Charles Manson who's a vicious killer, who has brutally murdered people, who apparently is crazed enough that if he's let back on the streets he would kill again. I'm not sure society needs to be burdened with somebody like that. I don't think there's anything morally wrong, there's certainly nothing biblically wrong about an execution. I'm not opposed to it personally, and I don't think the Old Testament, which is the rule of faith and practice of most of the Christian denominations and the Jewish faith as well, opposes it. We can say that there's a moral biblical basis for just doing away with the death penalty and not having it. I think people can come to the point, as I have, that we must temper justice with mercy.

There has to be the concept of mercy. There has to be the ability of legislators, governors, judges, to determine when mercy is applicable and not be bound that certain things have to be done—that there has to be a sentence of death, or that there has to be this killing. The last thing that we need in our society is the Roman orgy and spectacle of an execution where people are cheering and applauding the killing of somebody. We don't need that sort of thing in our society. We need to have a society based on love, a society based on compassion, a society based on mercy.

Having said that, I also want to say that hardened killers and career criminals and those who would use the system to continue lives of crime, are not necessarily candidates for a great deal of mercy in society. In a state like Virginia, where we just had an execution, I talked to the governor about it. The condemned man, Lonnie Weeks, had shot a Virginia state patrolman.²⁷ He asked for one basic thing: he wanted to be able to speak to the relatives of that patrolman, to ask forgiveness because he had taken the life of their loved one, and he was being prevented from doing that by the prison system. I interceded with the governor, and I think he said, "I don't want to get into a big public relations battle," and I don't blame him for that. They did arrange for Lonnie to call the patrolman's sister living in California. They didn't want to arrange a visit because they didn't want a circus and these things become circuses if they're not careful. In that case, again, Lonnie Weeks said, "I have made peace with God, I have done something wrong, and I just want to ask forgiveness of those that I offended." I think he died at peace with God.

I think that all of us in our society are somewhat ambivalent about how to deal with the raging crime wave. We have organized crime pushing crack-cocaine,

²⁷ See *Trooper's Killer Executed in Virginia; Officer Was Slain During Stop on I-95*, WASH. POST, Mar. 17, 2000, at B2.

heroin, amphetamines, barbiturates, and designer drugs on the young. They're destroying the lives of millions of people, ruining the futures of young people, and I think society wants to deal with that. At the same time, I believe that the sentencing guidelines that are currently in effect, that have been passed by Congress under this anti-crime wave fervor, need to be amended. The law just has to be changed to give judges discretion again. We don't want people to get slaps on the wrists if they've done something terrible, but at the same time, judges have to have discretion so that he just doesn't put someone in jail for ten years or twenty years, or thirty years or forty years, for a relatively minor offense.

On a broader basis for our society, we need, in my opinion, a vast public relations campaign to change the hearts of our nation toward mercy, toward a respect for life, toward a culture of compassion, and not a culture of death. The root cause of the crime wave is not just a few miscreants. I think we have a problem throughout our society. We had it in Columbine. We had it in other areas where young people have felt alienated from society. They have gone out and committed terrible acts. They have killed their fellow students, have gone on shooting rampages, and there has to be something that touches their hearts. They have to be changed from within.

I believe that in this nation, we need to return to some of the basic biblical values: the Ten Commandments,²⁸ the Sermon on the Mount,²⁹ some of the things that would show respect for God, that we should honor Him and love Him. Our society cannot exist strictly on a materialistic basis, because when we give ourselves over strictly to humanism, and strictly to materialism, we find the situation that we're in. I believe that what society is doing to stop it is really not the right way. I would argue for more mercy. I would certainly argue that in the state legislatures, in the laws that are currently on the books, that something be done to ameliorate the harsh edge of justice and bring about—as in the case of Karla Faye Tucker and others—the mercy that this situation cries out for so desperately.

²⁸ *Exodus* 20:1-17.

²⁹ *Matthew* 5:1-16.