

# My History/Story with Kelly Gissendaner on Death row<sup>1</sup>

*Jürgen Moltmann*

Translated from German by Jan Jans

After having been on death row for 18 years, on 30 September 2015 Kelly Gissendaner, was put to death by the State of Georgia in the USA, executed by lethal injection. During her execution, she was singing the hymn “Amazing grace...”

I will first tell you my history/story with her, next I will express my thoughts on guilt and penance/atonement, and at the end I will say something about the mystical spirituality of prison inmates.

## **1. Pen-palship with the death row inmate**

I got to know Kelly Gissendaner by chance or providence, which is very much the same, in the year 2005. I gave lectures in Charlottesville, Va, and came across Jenny McBride in Charles Marsh’s Bonhoeffer House. She had just written an excellent dissertation on Bonhoeffer and was asking my advice about what to do after so many years of academics. My advice was: Go to the “Open Door Community” in Atlanta and work for a year with jobless and homeless people and with prisoners. I knew this Christian community since many years and was friends with the founders Murphy Davis and Ed Loring. Every time I went to Atlanta to lecture at Cancler School of Theology, Emory University, I also visited “the other America” at Ponce de Leon Street. Here, Jenny McBride entered the theological program for inmates of the seminaries and faculties in Atlanta. In addition to prison chaplains, there is a theological program for inmates, mostly in Biblical Studies and Pastoral Care. This serves the development of a Church behind barbed wire. Jenny McBride taught Bonhoeffer and Moltmann in a women’s prison. Kelly (Gissendaner) wrote a seminar paper on the ethics of Bonhoeffer and Jenny (McBride) sent it to me for assessment. I found it astonishingly good, comparable with a proseminar (undergrad) paper in Tübingen. Then Kelly asked if she could write to me, and I received her first letter. With this, a pen-palship began on theological themes and personal faith experiences. We have not been writing on her “case”: confessions belong to confession, not to letters. And for this, the prison chaplain was more appropriate than me in faraway Germany. I admired Kelly’s strong trust in God with such a stone of guilt on her shoulders. Apparently, she had fomented her friend to kill her husband. My interest was to educate her as a theological and pastoral care worker for her fellow prisoners. And indeed, she transformed from a bitter and self-centered human being to a compassionate and caring mother figure for her fellow inmates. She was called “Mother Kelly” and took care of prisoners suffering from nervous breakdowns and who were suicidal.

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<sup>1</sup> The German original has “Toteskandidatin”, a word for which there is no direct English equivalent. A literal translation would be “candidate for death”.

In October 2011, I was invited to speak at the Graduation Ceremony in Arrendale Women's Prison. Ten inmates had finished the course work successfully and received a certificate just as in an American college. For the first time, I saw an American prison from the inside: no inhuman signs but no human signs either. The prison was surrounded by barbed wire of 3 meter high (about 10 ft) and guarded by watchtowers and dog lanes. In order to prevent friendships, the inmates are only allowed to shake hands for 30 seconds; during the night, they are counted twice; over the weekend, there is no hot meal; etc. Because it was a State Prison, the graduation ceremony began with "trooping the colors" and the US national anthem. Next I spoke about "the Church behind barbed wire" as I had experienced it as a prisoner of war in 1945-1948. And after this, Kelly Gissendaner spoke about what theology meant to her.

"From the start of the theology class I felt this hunger. Never have I had a hunger like this. I became hungry for theology. ... My reality is that I am the only female now on Georgia's death row. Theology is about growing in truth. ... I have placed my hope in the God I know now, the God whose promises are made know to me in the whole story of the life, the death and the resurrection of Jesus Christ. ...

I implore you not to allow prison to rob you of your dream and vision nor your dignity or self-worth. ... Know that suffering can be redeemed. There is only one who can bring a clean thing out of something unclean, or turn tragedy into a triumph, and a loser into a winner-. When this miracle occurs ... our life is not wasted".

For her theological examination, Kelly wrote a pious book, *The Journey of Hope in Faith*. She gave a copy to me when we were able after to ceremony to speak with each other for two hours in a room without door handles. She was allowed to have books in her death cell and so I sent her my English translations. And she made comments on what she did or did not understand. I have received about 30 letters from her. And of course, it was not just about theology ; also personal questions were raised about the destiny of her three children and the spirituality of convicts and especially those on death row.

Then came the end – or the beginning -. In December 2014, she was informed about the date of her execution: 25 February 2015, at 7.00 pm. I wrote her some words of consolation and sent her one of my handkerchiefs with the words: "And when the tears are coming, take my handkerchief". She responded that this was the most heartfelt thing she had received during her 18 years in prison. Then came February 2015. The Board of Pardons and Paroles had ruled "clemency denied" because the family of the murdered man had demanded retribution and retributive justice. The children asked to at least let them their mother after they had already lost their father. The fellow inmates in Arrendale Prison testified that she was a person transformed and testified on the care which Kelly had given broadly. Even the prison wards made a petition on her behalf. All of this was in vain: rightly, the US Bible Belt has been named as "death-belt" and the state of Georgia emulates the State of Texas in the number of executions.

I myself was disappointed because I had hoped for her. Each day, I had prayed for her. I wrote a letter of consolation to prepare her spiritually for death and on February 25, I lighted a candle and prayed for her. The surprise came next morning. Overnight, there had been a snow storm in the state. She could not be transported to the men's prison in Jackson where the facilities for execution are located. The execution

was postponed to Monday, March 1. Again, I lighted a candle and prayed for Kelly. The next morning, I received the message that the execution had been postponed to an undetermined time: the lethal injection had been contaminated. Kelly wrote: “O God is so good, so good”. Twice she had received a so-called last meal – Hamburger with Coca Cola – and she had been waiting for her death in chains for four hours.

After this, an offensive of indignation began to change her death penalty into “life sentence”. My name was used to bring this case into the public forum and the *New York Times* published a good article: “A deathrow-inmate finds common grounds with theologians”. The *Süddeutsche Zeitung* put out the whole story on page 3 under the title “Die slowly” (*Stirb langsam*). Eben the *Schwäbische Tagblatt* [in Tübingen, Prof. Moltmann’s home) ran this story. In the USA, all the bishops and clergy protested in Atlanta. Pope Francis travelled through Mexico and the USA and spoke out against the death penalty; the Nuntius in Washington intervened at the very final day. On the Internet, a front of thousands was building against this execution. Also, the US criminal justice system was highlighted. In the southern states, women are more severely punished than men: in the case of Kelly she got the death sentence as being the so-called “instigator” - but the factual murdered will be released in 6 years, being sentenced to only 25 years. This may well go back to Eve, the seductress of that poor man Adam. The judge, who at that time sentenced Kelly Gissendaner, expressed openly his doubts about the past judgment. But the Board of Pardons and Parole merely heard all of these interventions and upheld 7 against 2 the judgment: “clemency denied”. They also did hear the children, but had the execution carried out one hour later. The children were not able to say good-bye to their mother. On 30 September 2015 at 11pm, Kelly Gissendaner was executed. During the execution she was singing out of the freedom of her faith:

“Amazing grace, how sweet the sound,  
that saved a wretch like me.  
I once was lost but now am found,  
was blind but now I see”.

At the second verse, her voice failed; the deadly poison took effect.

At 10 October 2015, the United Church of Christ in Atlanta held a religious service “Celebrating the Life of Kelly Renee Gissendaner” at 47 green balloons were lifted, one for each year of her life.

“Kelly was a mother, a counselor, a student of theology, and most of all, a child of God. Like all of us, she was in the words of Martin Luther, both a sinner and a saint”.

## **2. Guilt and atonement**

Newspapers usely entitled Kelly Gissendaner as “murderess”. Was she a murderess or did she instigate a murder? Does the murder of her husband 18 years ago belong to her being or to her having?

If the murder is part of her being [habitualized being], then since that moment she is always and everywhere a ‘murderess’. This act characterizes her whole person. Everybody has to treat her as a “murderess”. Everybody has to expect more murders from her, if she really is a “murderess”. A human whose being is characterized by murder, cannot be different from committing “murder”. The death penalty frees society from a “murderer” and frees him/herself from further crimes. A person who is a “murderer” must disappear, being made harmless and non-existent.

However, not every act of stealing is an act of kleptomania, and likewise, a murder is not necessarily a case of a continuous desire for murder. Therefore, a murder that someone has committed or has brought about does not belong to his/her being, but to his/her history. This is a part of his/her acts, which she has to carry with him/herself. However, one could object that once a person has been involved in a murder, this is now a real possibility for this person. The normal inhibition for killing has once been suspended - and could it not happen again? Such a person is in a special way in danger and can become dangerous again. Often, however, such a person is raising a special repugnance against this possibility which has become real: this should never happen again to me. In this way, the inhibition to kill becomes especially strong.

The weighty act stands in between having and being; this history characterizes the person because this person has made or lived through this history. This is the chance of conversion, which has also been named penance and which by Dostojewski in *Raskownikoff* is named as “Resurrection and new life”.

In the confessio oris, the guilty one steps into the light of truth: s/he confesses him/herself guilty, s/he accuses him/herself. I am guilty. I am a murderer. This is what happened. It was me. S/he is not looking for pretexts or excuses in the particular circumstances in these events. S/he reveals him/herself. This means that any kind of dignity and self-esteem is getting lost – objectively. I accuse myself. At the same time, however, this person is going across him/herself and s/he becomes the subject of the accusation and the confession of guilt.

This is the situation in which the wording “Your sins have been forgiven” changes the whole person. S/he must live with the guilt, but it is a guilt forgiven by God. The guilty one is released from his/her guilt. The act retreats back from his/her being into the act. What is evil should not be removed from people who are good in themselves. This would mean an excuse. The guilty one has to be liberated from his/her guilt. By forgiveness, s/he dies from the claims of guilt and s/he is born anew in a new life. This is what during the Middle Ages was called contritio cordis, but it is not just remorse, it is also resurrection. The whole Sonja is reading the story of the resurrection of the deceased Lazarus to Raskolnikoff and goes with him to Siberia in order to resurrect with him in a new life. Kelly Gissendaner has confessed her guilt before the court. For many years, she has agonized with her own history until she did not recognize herself anymore in the way she had acted in the past. She wrote to the family of her husband and regretted her being a partner in crime. According to friends and old acquaintances, Kelly Gissendaner became a fully new and profoundly faithful person on death row. The Americans speak about a spiritual transformation: “Inmates who were placed on suicide [suicidal] [which] were often put near her because she was able to

speak to them about faith and the sacredness of life”. In this way, in her lack of freedom she accomplished the third condition of reversal, the satisfactio operum.

My rejection of the death penalty goes back to experiences of the Nazi dictatorship. For anything or nothing, people were murdered by the death penalty. The German *Wehrmacht* put to death 21.000 soldiers; that is the number of two divisions. A democracy should not compete with a dictatorship in the number of executions. My reasons for the rejection are:

1. Since Jesus suffered from the Roman death penalty and was being resurrected by God, the death penalty is no longer a Christian option. Christ died “for the sins of the world”. We condemn the sin but love the sinner, because this is our Christian experience of God.
2. A democracy is “the government of the people, by the people and for the people” (A. Lincoln). The people are called to the commandment: “Thou shall not kill”. This also applies to the sovereignty of the people.
3. People can change. Nobody has to stay for the whole life a “murderer”, or “thief”, or “criminal”. In trusting God, for all and always there is hope for a new beginning of life, whatever how young or old she or he is.

### **3. The mystical spirituality of prisoners/inmates**

The monk’s cell and the prison’s cell have a lot in common, and what is lived and experienced there, looks very much the same. After secularization in Europe, many abandoned monasteries were transformed into state prisons. One can see this at old prisons. What does happen there with human beings? What caught my eye is the external similarity with the mystical spirituality that came into being when I was asking myself which spirituality or which spiritual life convicts are developing in order to survive and find God.

When a person on death row – I am speaking about the USA – is brought to the prison, all personal belongings are taken from him/her. S/he received the prison uniform. S/he is isolated from all personal contacts and becomes lonely. S/he is robbed of his/her name, s/he becomes a number which is printed on the back. S/he is forced into life- long celibacy. In solitary confinement, s/he is convicted to silence, nobody speaks to him/her. Friendships in prison are prohibited. The prisoners are not allowed to shake hands for more than 30 seconds. The prisoners is no longer the master of his/her own life, s/he is subjected to the discipline of the prison. In the loneliness of the cell, s/he is thrown only onto God or the demons of his/her soul. The Korean poet Kim Chi-Ha, who spend 10 years in solitary confinement, told me: “After 5 years, one is becoming to get crazy – then the walls are moving”.

The mystical way always was a way of the soul remote from the world, in loneliness and in silence, in the stripping of all things and in the absence of all humane relationships. In the emptying out of all earthly things and the inner emptying of all spiritual things, the soul is looking for God and encounters “the dark night of the soul”. This has been described by John of the Cross, and the evangelical/protestant mystic Gerhard Tersteegen has described this “inward Christianity” in an inviting way: “Close down the doors of your senses/and look for God deep inside”.

Before the mystics, the martyrs stand, with whom the mystics are trying to identify. And before the martyrs stands the abandoned Christ of Gethsemane and the dying one on Golgotha. Erik Paterson pointed out the connection between the apostle and the martyr. What they have in common, is “the suffering of Christ”, in which the presence of the resurrected Christ is experienced. I have pointed out earlier this connection between mysticism and martyrdom in order to remove mysticism out of the modern touch of esoterism. Today, I am asking myself about the spirituality of deathrow inmates and those prisoners who are subjected to this mystical discipline involuntarily. I lived in Nancy, France, in an abandoned Carmelite cloister and was pointed out the bars which were lowered behind the Carmelite sisters, never to be raised again.

The spirituality which I have come to know from Kelly Gissendaner, a straightforward woman, exists first of all in external discipline:

1. Set fixed time for prayer by day and night and keep those.
2. Set in your cell fixed times for physical exercise; eutonic exercises are important for the soul.
3. Learn many Psalms and songs by heart and recite them for yourself or sing them.
4. Read daily a passage of the Bible.

Next, in the inner experience: give yourself and your inner history out of your own hand and have trust in God; he will visit you in your prison cell. Christ will set up his home in you cell and the Spirit of Life will conquer your thoughts of death.