

Capital Punishment

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Capital punishment, or the taking of human life in punishment for crime, is legally authorized in 38 states, and more than 3,500 persons are on death row in these states. After a moratorium on executions from 1967 to 1977, Gary Gilmore was executed by firing squad in 1977. Since then, over 500 persons have been put to death for their crimes against society in the United States. The death penalty is inflicted by means of the electric chair, hanging, firing squad, gas chamber, or lethal injection. In some foreign countries, death is administered by beheading.

For many years, various organizations (such as the National Coalition Against the Death Penalty) and individuals have sought—using political pressure and tactics—to abolish the death penalty, arguing that state executions are simply another form of murder; that the deterrent effect (that is, preventing further murders) of capital punishment is low or nil; that a truly civilized people do not use such pre-modern methods to punish crime; that capital punishment is cruel; or that sociological research on the matter does not warrant support of the death penalty.

Some evangelicals, such as Ron Sider and Evangelicals for Social Action, argue that capital punishment is incompatible with a consistent pro-life ethic. Their point is that to be truly pro-life, one must oppose the death penalty as well as abortion and mercy killing. John Whitehead, president of the Rutherford Institute, a Christian legal advocacy group, believes capital punishment is inconsistent with grace and forgiveness. Peace-oriented Christians often attempt to make the Sermon on the Mount apply to issues related to civil government, including capital punishment.

Other conservatives and evangelicals take a position which essentially favors the death penalty as a God-ordained sentence that does restrain evildoers, that cannot be eliminated without dire social consequences, and that must be carried out to uphold the high value of human life. Chuck Colson, founder of Prison Fellowship, formerly opposed capital punishment, but now (after an interview with John Wayne Gacy, the

pedophile who murdered 33 young men and boys) says, “Justice in God’s eyes requires that the response to an offense be proportionate.” Some are vocally pro-death penalty to the point of rejoicing in another’s death. More recently, some have softened their position favoring capital punishment, if the criminal has made a credible profession of faith in Christ. Some Christians, known as Reconstructionists, even seek to establish societal laws and punishments according to the Law of Moses, with the death penalty instated for over eighteen different crimes.

In this article, we briefly consider the Scriptural background of the death penalty and answer several questions. Does the state have the right to take the life of a criminal? What should be the nonresistant Christian’s attitude toward the death penalty? Should Christians enthusiastically support the death penalty, or energetically lobby and march against the death penalty? How do we reconcile the Old Testament concept of justice with the New Testament emphasis on forgiveness and redemption without doing violence to one or the other or both?

Old Testament Background

Depravity, or the tendency to sin, permeates mankind. Sin began in the Garden of Eden when Adam and Eve chose to rebel against God’s command. God ordained the penalty for sin to be death. Since then, sin has come to dominate the life and thinking of their descendants. The evil effects of sin were clear very soon when Cain murdered his brother Abel out of envy. To Cain’s credit, he did feel some kind of sorrow for his deed, and appealed to God to ease his punishment, which God graciously did. Yet God has not canceled the death penalty for sin.

Lamech was the first murderer who boasted of his murders (**Genesis 4:23-24**). His outrageous flaunting indicated the lack of regard for human life that had developed. The pre-Flood civilization was highly developed with sophisticated music, advanced technology and genetic development of livestock. But it was a cruel culture. By the time immediately preceding the Flood, murder was a way of life to earth’s inhabitants. This was the prime reason behind God’s decision to eradicate all human life and to begin again (**Genesis 6:13**). The low regard for human life today—with as many as one in three humans dying at another’s hand through abortion, war, and euthanasia—is a sign that the return of Christ is near. “But as the days of Noah were, so also will the coming of the Son of Man be” (**Matt. 24:37, NKJV**).

When Noah and his family came off the ark, they immediately offered sacrifice and worship to God. God issued a new covenant with Noah and his descendants—the whole human race—restating His command to multiply and fill the earth (**Genesis 9:1, 7**). God allowed animals to be used for human food (**Genesis 9:3**) and issued the decree that

the taking of human life was to be met with the ultimate penalty—the forfeiture of the murderer’s life (**Genesis 9:5-6**).

Why did God issue this command? Not as a deterrent, but because of the importance and dignity of human life; humans are made in God’s image. Human beings, alone among all the Creation, reflect God’s image in the ability to reason, love, make moral decisions, etc. Humans are the only earthly creatures God made to have an eternal relationship with Him. An murderous attack on a human being by another human is an attack against the God who made them.

The commands of God in Genesis came long before those given in the Law of Moses. While the Law was given to the Hebrews (a limited group), the **Genesis 9** decrees are given to all mankind (for universal application). People are still to multiply and fill the earth, may still consume animals for food, and are delegated the authority to exact the ultimate price. This principle relating to human government has not been altered. Hence we can say that, for at least one crime—murder—and for all time, God has ordained forfeit of life. The underlying reason for capital punishment—mankind being made in the image of God—has not changed.

In the Law of Moses, God expanded the death penalty for the Hebrews to include a number of crimes, including bestiality, homosexuality, adultery, incest, kidnapping—in fact, eighteen different crimes. Murder was still the highest crime, and God instructed Israel, “**Your eye shall not pity, but you shall purge the guilt of innocent blood from Israel**” (**Deut. 19:13**). While the extent of crimes requiring death grew, the standard for conviction was set strictly. Capital crimes had to have two or three eyewitnesses in order to convict the perpetrator. Physical proof alone was not sufficient.

Israel was a human state with a human government. The Israelites were largely unregenerate, and therefore needed force or the threat of force to restrain themselves from falling into wrongdoing and sin. Israel, along with all human states, was given the right by God to engage in war, use force, and demand death in punishment for wrongdoing.

New Testament Background

In New Testament times, capital punishment was a common part of the culture. In Roman Judea, the Jewish Sanhedrin was forbidden to execute criminals, as that prerogative was retained by the Roman overlords as a sign of their supreme control over Jewish society. Romans were skilled in executions. Roman citizens, such as the Apostle Paul, were given the right to be executed by beheading, for it was relatively swift and painless. Non-citizens could be tortured before death and were often executed

by crucifixion—death on a cross. This kind of death could take up to several days, as the criminal would eventually die by asphyxiation.

The New Testament says very little directly about the death penalty. This silence is instructive, as apparently the Lord Jesus and His apostles were unconcerned with the operations of the secular state, and more or less upheld the state's authority in all areas except where that authority expressly contradicted the revealed will of God (**Acts 5:29**). The Sermon on the Mount, sometimes referred to in discussions of this issue, is addressed to believers, and nowhere is it applied to those outside of Christ or to civil government. This is because it is impossible for the non-Christian to abide by the extremely high standards set by our Lord here.

Some anti-death penalty advocates have focused on John's account of the woman taken in adultery (**John 7:53-8:11**) as indicating that Jesus was nullifying the death penalty. But here Jesus called her accusers to account, as they were guilty of violating the strict standards of the Law of Moses, which called for both parties to the adultery to be subject to the same punishment (**Deut. 22:22-24**). The reference to capital punishment is hardly central to the account, nor does the account relieve civil government of the responsibility to punish wrongdoing. Christ nowhere specifically set aside the clear command of **Genesis 9:6**.

Romans 13 is Paul's treatment of church-state relations. In **Romans 13:4**, he states that the civil magistrate "does not bear the sword in vain," for he is "the servant of God to execute his wrath on the wrongdoer." This sword refers to the one worn by the superior officers in the provinces who had the authority to inflict capital punishment. Paul does not say that the government should use the sword; he just acknowledges that the state uses it without condemning the state for doing so. According to church tradition, it was the sword of the Roman government that eventually separated Paul's head from his body.

In **Acts 25:11**, Paul states, "If I have committed anything worthy of death, I do not object to dying." In other words, he was not trying to get out of a just punishment. He clearly believed that some crimes were worthy of death, and that the rulers had the authority to exercise that penalty in those instances. Paul did not question the right or authority of rulers to require forfeit of life. It was not an issue about which he was concerned.

Many Christians who forcefully argue and protest against the death penalty do so more out of philosophical reasoning or current related concerns, than because of Scriptural teaching. Sometimes this is admitted, but an appeal is made to the "mind of Christ" (**Philippians 2:5**). Lloyd Bailey responds:

(1) *There is no way to discover Jesus' "mind" apart from careful study of the reports of his sayings and actions.* (2) *There is no tension between the teaching of torah [the five books of Moses] on capital punishment and the teachings of Jesus on love and forgiveness.... Modern assertions to the contrary tell us more about the minds of the interpreters than they do about the mind of Jesus* (**Capital Punishment: What the Bible Says**, pp. 82-83).

John Jefferson Davis concludes,

*Capital punishment is a complex and controversial issue that raises profound questions concerning biblical interpretation, the nature of justice, and the meaning of life itself. On balance, the Bible favors the retention of capital punishment. The command given to Noah in reference to murder (**Genesis 9:6**) is still binding on all societies in the New Testament age. ...Because it underscores man's accountability for his actions it serves as a grim reminder of the need to make peace with God while that opportunity yet remains.* (**Evangelical Ethics** [2nd Ed.], p.188).

A Nonresistant Christian View

The principles of nonresistance give guidance on the issue of capital punishment. These principles, accepting the Bible as God's Word, and recognizing the "two kingdoms" view of society, serve as a means to harmonize necessary justice and gracious love and forgiveness.

God is the Giver of life. He created it, and He may take it. Death is the result of sin. God requires death—both physical death and spiritual death—as the just punishment for sin (**Romans 6:23**). Christians recognize the pervasive depravity which permeates the human soul. God may delegate to human governments such things as He wills to maintain societal order. He has delegated to all human government the authority to require one's life in a certain, limited circumstance—the murder of another human being. Capital punishment is not on a par with abortion or euthanasia, for the latter involve the taking of "innocent" life, while the former is carried out in relation to those who have been duly convicted and made lengthy appeals.

Capital punishment, though, is a last resort. It is an option for government to use. It should be exercised carefully, prudently, and sparingly. As an editorial in **Christianity Today** (9/11/1995, p. 19) says, "Capital punishment is, at best, a barely tolerable punishment. It is not something that we should exult in." No sensitive Christian rejoices that another human being dies—especially without Christ—but neither should a Christian

bear unnecessary feelings of guilt when a convicted murderer receives the ultimate earthly penalty after due consideration of the extreme nature of the crime.

Human government is sanctioned to use force—deadly if necessary—to restrain evildoers overwhelmed by their depravity. Awful as it is, capital punishment is a definite acknowledgment of the terrible force needed to keep evil in check.

Christians recognize that we do not belong to this world (**John 18:36**). We are but sojourners and strangers on the way to a better country. Our home is not here. Jesus' attitude toward the state was one of "practical indifference." Christians live in two kingdoms—the Kingdom of God and the kingdom of this earth. We should be cautious about involving ourselves in human politics and human conflicts. The world's methods are not our methods (**2 Corinthians 10:3-4**). The church cannot expect an unregenerate person or society to live according to the Sermon on the Mount, for it is impossible to do so without the indwelling presence of the Holy Spirit.

Christians admit the right of rulers to restrain depravity through coercion (**Romans 13**), but we maintain that Christians are not to participate in the activities of our rulers which require force to be used (**Romans 12**). Believers are commanded to avoid war, law enforcement, and the infliction of capital punishment. But we will not deny to the state the right to wage war, enforce the laws, and to execute duly convicted murderers. We recognize that violence and war of all sorts will continue until Jesus returns. Christians will not outlaw war or capital punishment, for we cannot, by political action, change the evil hearts of human beings. It is beyond our realm as believers.

Our primary interest is that individuals trust Jesus Christ as their personal Saviour and Lord, not in changing society. The believer's time is eternally rewarded in ministering to those on death row, and telling them the Gospel, and calling for repentance and conversion. We all have such a short time on this earth, that it challenges us to make every moment count for eternal things. We are all under a divine death penalty, instituted by God at the sin of our first parents. Some of us will die sooner than others, but we are called to be prepared to meet our God (**Amos 4:12**), as we will die once and then face judgment (**Heb. 9:27**).

Gospel preaching, whether inside or outside of prisons, also has the preventive or proactive effect of reducing crime and lawlessness. Those who would truly desire most crime and capital punishment to end would better devote their time and resources to proclaiming the Gospel and discipling new believers, as this gets to the root of the problem—sin. Sixteenth century Geneva (under Calvin's preaching) and eighteenth century England (under the preaching of John Wesley and Charles Whitefield, and Robert Raikes)— are historical examples of the power of the Gospel applied directly to man's sin.

Loving our enemies (or the enemies of our human society) does not preclude the exaction of duly appointed means of punishment. We may humbly intercede on behalf of a death row inmate, but understand that our rulers have the last word. Our responsibility—as far as the government is concerned—is to obey the government when we can in clear conscience, proclaim the Gospel to and pray for our leaders, and pay our taxes.

Capital punishment, as well as any form of judgment, is an unpleasant business. But it reminds us of the great value of human life. Christians should take advantage of opportunities to minister the Gospel to those facing the punishment and those who administer it. We should pray for the conversion of death row inmates. We all face physical death—separation of the soul from the body—but we need not face eternal death or separation of the soul from God. Jesus Christ died to save sinners. He endured not only physical death but spiritual death so we could have eternal life. This is the Good News that we are called to take to all human beings wherever we might find them—in the church pew, at the workplace, on the sickroom bed, or even on death row.