



What About Capital Punishment?

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Dorm Bible Study Series

Whenever you bring up the subject of capital punishment, you can always count on a lively discussion with plenty of opinions offered – along with lots of questions.

“But doesn’t the Bible say ‘Do not kill’?”

“Who are we to cast the first stone?”

“Isn’t execution cruel and unusual punishment?”

Let’s look briefly at what the Bible has to say about this subject:

What Does Capital Punishment Accomplish?

Capital punishment is meant to be a deterrent to crime, specifically murder. Gordon Tullock, of Virginia Polytechnic Institute, states: "Eighty percent of the people who seriously think about crime think of punishment as a deterrent – except for the sociologists, and they wrote all the textbooks."¹ Statistically speaking, for each prisoner executed there are 50 murders averted. This has been documented in the U.S. between the years 1967-1984.² During these years, capital punishment was abolished in most states and then reinstated with new guidelines. During the years that capital punishment was not allowed, murders began to rise.

Capital punishment places a value on human life; it says, in essence, "If you take a life, yours will be forfeited." But the concept of capital punishment did not originate with men. It was God who originated it in the days of Noah, when He said,

"Whoever sheds man's blood, by man his blood will be shed, for in the image of God He made man" (Genesis 9:6).

Murder, then, is not just a crime against man ... it is a crime against God who created man. For that reason, only the death of the murderer can satisfy God's justice. Capital punishment is detailed in many places in the Old Testament – Exodus 21:12-15; Leviticus 24:17-21; Numbers 35:9-34; Deuteronomy 21:1-9. It is also clearly affirmed in the New Testament by the Apostle Paul:

"For rulers are not a cause of fear for good behavior, but for evil. Do you want to have no fear of authority? Do what is good, and you will have praise from the same; for it is a minister of God to you for good. But if you do what is evil, be afraid; for it does not bear the sword for nothing; for it is a minister of God, an avenger who brings wrath upon the one who practices evil" (Romans 13:3-4).

In order to preserve justice and maintain peace and order on earth, God established the death penalty and the institution that is to administer it – civil government. The death penalty was given to protect the innocent, and to insure tranquility and peace in society. Furthermore, the Bible states that murder pollutes the land, and that the only way to purge the land of this curse is by enforcing the death penalty. Numbers 35:33 states: "No expiation can be made for the land for the blood that is shed on it, except by the blood of him who shed it." In other words, until justice is carried out, the nation will carry the guilt of the crime as well.

But What If You Kill an Innocent Person?

In the United States, a convicted murderer goes through a long, laborious process before he ever reaches the electric chair. Three appeals are made, and the case is reviewed by several judges. This allows for the conviction to be thoroughly examined before anyone is proven guilty. Today, the number of appeals can be up to 20. By this time there is never any doubt as to the guilt of the criminal.

The Bible gives qualifications about capital punishment – and one of them is that at least two eye witnesses must testify against the accused. The Bible also calls for the decision to be made judiciously, impartially, and with proper legal proceedings. It is not to be administered in maliciousness or vengeance. God's law also makes a clear distinction between involuntary manslaughter and premeditated murder.³

In ancient cultures, guilt by association with a crime could be punishable by death. The rule was often "Guilty until proven innocent." But the Bible brought great reforms in the understanding of civil justice in the West. The rule eventually became "Innocent until proven guilty." This is a biblical idea.

But Is Capital Punishment Humane?

In 1972, when the U.S. Supreme Court struck down every state death penalty statute in the nation, it was declared to be "cruel and unusual punishment" and a violation of the Fifth Amendment to the Constitution. Then, in 1976, the Supreme Court reversed its decision, declaring that the death penalty was acceptable as long as the Court approved of the individual state's punishment guidelines.

During the years that the death penalty was in limbo or was outlawed, the number of murders in the U.S. rose significantly – from 13,000 in 1967 to 19,555 in 1978. We should ask ourselves this question: Is it humane to allow convicted murders to continue to live, when the possibility exists that they will repeat their crime?

The founding fathers, when they coined the phrase "cruel and unusual punishment," were not thinking of execution by hanging – which was the common method of that day. During the colonial period, there were from 10 to 18 capital offenses, including piracy, arson, rape, robbery, burglary, and sodomy.⁴ Says Raoul Berger, a Harvard law professor, "The founders were

accustomed to punishments that by our standards would be regarded as excessive, and gave no inkling of an intention to bar them." Article VIII of the Bill of Rights was not written to bar capital punishment, but to prevent torture or other barbaric practices which were common in that time.

The founders of America, because of their Christian backgrounds, knew the scriptural basis for capital punishment as a deterrent to crime. Again, we must see that it is humane to kill a murderer because it is actually saving lives which might later be lost if he were to go free. This is reinforced in the Bible:

"A man of great anger shall bear the penalty, for if you rescue him, you will only have to do it again" (Proverbs 19:19).

"When the scoffer is punished, the naive becomes wise" (Proverbs 21:11).

Consider the case of child killer Jimmy Lee Gray. Gray was sentenced to death for the 1976 sex slaying of three-year-old Deressa Jean Scales. At the time Gray murdered the girl, he was on parole after serving seven years of a 20 year sentence for the murder of his 16-year-old girlfriend. Gray was finally put to death after seven years and 82 judicial reviews by 26 state and federal judges.⁵

But Didn't Jesus Abolish the Old Testament Law?

We've already seen, in Romans 13:3-4, that capital punishment is reinforced in the New Testament. We also have the testimony of Jesus Christ, who said:

"Do not think that I came to abolish the law or the prophets; I did not come to abolish, but to fulfill" (Matthew 5:17).

God's justice and His character must always be reflected in our laws. God created man in His image, but man does not always respect the value of human life. When a human life is taken, God's justice must be enacted in order to protect society. Today, because of humanism in our courts and legislatures, justice is often not administered – and in its place we see man's own ideas about what is right and wrong being promoted.

This can be seen in the fact that we justify the killing of innocent babies through abortion, but also allow convicted murderers to roam the streets on parole. Neither God's nature or love are reflected in this. Yes, God is merciful. He loves and cares for us. But His justice demands that sin be punished.

1 "Capital Punishment," *Biblical Principles*, (Plymouth Rock Foundation), 1984, p. 17.

2 *Ibid.*

3 Gary Demar, *God and Government* (American Vision Press: Atlanta) 1982, p. viii.

4 Raoul Berger, *Death Penalties* (Harvard University Press: Cambridge, MA), 1982, p. 44.

5 *Biblical Principles*, p. 16.