



CAPITAL PUNISHMENT:

An Overview of Christian Perspectives

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Capital punishment, or the death penalty, refers to the execution by the state of those guilty of certain crimes.

Theologically, most mainline Protestant churches, such as Presbyterian Church in the USA, many Episcopal, and Lutheran churches, oppose the death penalty. Even some historically evangelical churches such as the United Church of Christ and many Methodist and Baptist churches opposed capital punishment. The Roman Catholic Church supports capital punishment in principal but holds that current application is unnecessary since we have matured as a culture. On the other hand, most Protestant conservatives, including the majority of members of the Southern Baptist Convention, and other growing evangelical movements such as Reformed Christians and Conservative Baptists, support capital punishment on biblical grounds.

WHAT IS THE SOUTHERN BAPTIST CONVENTION'S OFFICAL POSITION ON THE DEATH PENALTY?

In a resolution in 2000, the SBC affirmed support for the fair and equitable use of capital punishment by civil magistrates as a legitimate form of punishment for those guilty of murder or treasonous acts that result in death.¹

The SBC also resolved:

- That capital punishment should only be administered when the pursuit of truth and justice result in clear and overwhelming evidence of guilt;
- That because of the deep reverence for human life, profound respect for the rights of individuals, and respect for the law, the SBC calls for vigilance, justice, and equity in the criminal justice system;
- That capital punishment be applied as justly and as fairly as possible without undue delay, without reference to the race, class, or status of the guilty; that civil magistrates use humane means in administering capital punishment;
- That members of the SBC commit to love, to pray for, and to minister the gospel to victims and perpetrators of crimes, realizing that only in Christ is there forgiveness of sin, reconciliation, emotional and spiritual healing, and the gift of eternal life.

WHAT DOES THE BIBLE SAY ABOUT THE DEATH PENALTY?

The Bible clearly states that immediately after the Noachic Flood God mandated the use of the death penalty. In Gen. 9:6 God instructs Noah and his sons, "Whoever sheds man's blood, his blood will be shed by man, for God made man in His image." (HCSB)

God's reason for issuing this mandate is that humans are created in the image of God (Gen. 9:6). Mankind's creation in the image of God is what makes all human life sacred and can bring a penalty as severe as death for its violation.

The right to exercise capital punishment is reserved for the state, not the individual. There is no place for personal revenge in the administration of this punishment (Rom. 12:19). It is the state's responsibility, as God's civil servant on earth, to protect its citizens and to punish those who harm them (Rom. 13:4,6). Capital punishment provides the state the means to apply the appropriate punishment to the crime (Deut. 19:21).

God instituted capital punishment as a legitimate punitive option for every state. Its institution predates Israel's birth as a nation and Moses' divinely inspired directions for the nation's governance, eliminating the possibility that capital punishment was mandated solely for Israel. God issued guidance on capital punishment to earth's only surviving people (Gen. 7:20-24); these people and God's instructions to them provided the foundation for all subsequent governments.

In the New Testament, Paul affirms that the governing authorities "do not bear the sword (*machaira*) for nothing" (Rom. 13:4). It is likely that Paul is expressing the general principle that the state has the right to punish its citizens for breaking its laws. More specifically, however, since the *machaira* (sword) is typically an instrument of death in the New Testament, and certainly in Romans (cf. Rom. 8:35-36), it is evident that the state's authority to administer justice includes capital punishment.

The state possesses this power of death to punish evil (Rom. 13:4; 1 Pet. 2:13-14); however, only those acts identified by God as evil justify the use of capital punishment (Isa. 5:20). A state that uses capital punishment for something other than punishing evil as defined by God abuses its power and violates God's standard for its use.

APPLICATION AND GUIDELINES FOR CAPITAL PUNISHMENT

In order to assure the fair administration of justice God established some important guidelines for Israel, which any state would be wise to adopt, especially in a matter as serious as capital punishment.

The accused person must have committed a crime for which death is the appropriate punishment. (Deut. 19:21).

Clear evidence of guilt must be provided by two or three witnesses. One witness was not sufficient to result in capital punishment (Num. 35:30; Deut. 17:6). God is aware that unscrupulous people may attempt to use the death penalty for evil purposes. Therefore, he requires multiple witnesses to the supposed crime.

Those charged with crimes must be treated in a uniform and impartial manner, regardless of status (Deut. 1:17) or class (Lev. 19:15). Any society that favors some people and discriminates against others because of class or status, or deprives some of adequate defense, intentionally or through neglect, diminishes its integrity and creates serious doubts about its commitment to justice (Lev. 24:22).

Though capital punishment remains a legitimate option for the state, this option must be exercised under the strictest of conditions. The state that chooses to exercise the power of life and death over its citizenry must be certain it has done all it can to assure that it is punishing the right person, that the punishment fits the crime, and that everyone, regardless of class or status, has had an adequate, vigorous defense. Anything less may bring the condemnation of God on that society.

COMMON CHRISTIAN OBJECTIONS TO CAPITAL PUNISHMENT

Despite the clear Biblical mandate and authorization in both the Old and New Testaments, some Christians oppose the implementation of the death penalty in modern societies.

The following are some of the most common objections and the responses frequently offered in rebuttal. (Note: The arguments made on both sides of the capital punishment are often complex and nuanced. The summaries below are intended as an overview, not as a full presentation of the representative arguments.)

Objection: The incident with the woman caught in adultery is evidence that Jesus opposed capital punishment (John 8:1-11).

Rebuttal: Jesus' reaction in this incident was not directed at the prescribed punishment, but rather at those who sought to trap Him into participating in an act that was illegitimate for several reasons (John 8:6). First, the scribes and Pharisees did not constitute an official governing body. Their efforts represented an illegitimate attempt to exercise the power of the state. Second, there is no indication that there was any formal presentation of charges against the woman or official declaration of her guilt. Third, there is no evidence that the witnesses to the crime were present. At least two witnesses were necessary to prove capital cases and, in many instances, they had to throw the first stones (Deut. 17:6-7).

Objection: The Old Testament required capital punishment in Israel for a variety of crimes and sins. Since we no longer apply the death penalty in those situations, we have no right to apply them in others.

Rebuttal: Because God held his covenant people to a high spiritual standard, he specified capital punishment for the above acts. Since no other nation has this same relationship with God, he has not specified that these acts are subject to the same penalty in other societies. However, because God mandated capital punishment prior to Israel's establishment, at the very least, it is a legitimate response to murder in other societies.

Genesis 9:5-6 provides the Biblical basis for capital punishment in the case of murder. Since this covenant is “everlasting” (9:16) and “for all future generations” (9:12), it’s as applicable today as it was in the age of Noah. Unless Christians adopt a form of supersessionism in regards to this covenant, we must recognize that this Noahide Law is still applicable and binding on all mankind.

Objection: Capital punishment is an expression of vengeance which contradicts the justice of God on the cross.”²

Rebuttal: This argument rests on the assumption that outlawing private revenge frees governments from the responsibility to implement God-mandated capital punishment. However, during the implementation of the death penalty, any individual involved in the pursuit of justice, whether judge, jury, family member or friend of the victim, must first set aside personal revenge and hatred by acknowledging that the convicted is made in the image of God (Gen 1:26-27) and must be afforded value, dignity and significance. The convicted must also be judged as primarily responsible for the death of another valued human being. As St. Augustine said, “Penalties must be applied. I don’t deny it, I don’t forbid it; only let it be done in a spirit of love, a spirit of caring, a spirit of reforming.”

Objection: In the Sermon on the Mount, Jesus places calls for an end to the *lex talionis*, the law of retaliation (Ex. 21:23-24; Deut. 19:21; Lev. 24:20-21): “You have heard that it was said, An eye for an eye and a tooth for a tooth. But I tell you, don’t resist an evildoer. On the contrary, if anyone slaps you on your right cheek, turn the other to him also.” (Matt. 5:38-39)

Rebuttal: Jesus did indeed put a radical limitation on what was once considered an individual right to justice. The passage is both inspiring and intimidating; the very thought of living such a life is humbling. But we should carefully note what Jesus did not say in this passage. What he left out of the verse he quoted is as important as what he included. Exodus 21:23-24 states: “If there is an injury, then you must give life for life, 24 eye for eye, tooth for tooth, hand for hand, foot for foot . . . ”

Notice that Jesus starts quoting at “eye for an eye” instead of “life for life.” Murder was not, nor had it ever been, a matter of individual vengeance—that is, an issue that can be adjudicated under tort law. When a person commits murder they are committing an offense against God himself and not against a mere individual, his family, or even society. Jesus’ command only applies to individual vengeance; it does not abrogate God’s command in the Noahic covenant.

Objection: When governments implement the death penalty, then the life of the convicted person is devalued and all possibility of change in that person’s life ends. The resurrection of Jesus Christ and that the possibility of reconciliation with Christ comes through repentance. This gift of reconciliation is offered to all individuals without exception and gives all life new dignity and sacredness.³

Rebuttal: We tend to think of rehabilitation as a means of restoring a criminal to

society. And modern defenders of capital punishment focus almost exclusively on the deterrent or retributive values of the death penalty. But when the death penalty was first imposed in America, it was expected to encourage offenders' repentance. "Rehabilitation was one of the primary reasons that capital punishment was imposed in early America," notes law professor Megan Ryan, "and there are several stories of brutal murderers being rehabilitated on death row."⁴

We need to be reintroduced to this view of rehabilitation that has been all but forgotten yet corresponds with the Christian view of dignity. Imposing the death penalty can help the murderer restore the broken relationship with their Creator, not just with humankind. While we have an interest in a criminal's return to society, we should be even more concerned with the state of their soul.

¹Southern Baptist Convention, "On Capital Punishment," <http://www.sbc.net/resolutions/299>

²This is the position of the Presbyterian Church (U.S.A.). See: <http://www.presbyterianmission.org/ministries/101/capital-punishment/>

³This is the position of the United Methodist Church. See: <http://archives.umc.org/interior.asp?ptid=1&mid=6385>

⁴Meghan J. Ryan, "Death and Rehabilitation," SMU Dedman School of Law Legal Studies Research Paper No. 112. Accessed from http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2128175