

Does Scripture Support the Death Penalty?

By Steven W. Cornell

Does Scripture support the practice of capital punishment? Christians are divided in their answer to this question. However, in the current debate over the death penalty, many arguments commonly used to oppose it have been superficial. Consider six examples.

Argument 1: “Why do we kill people who kill people to show that killing people is wrong?”

This question carelessly equates the act of murder with the punishment of the murderer. Murder is a crime against humanity. Capital punishment is a God-ordained function of human government. In Genesis 9:6 God said, “Whoever sheds man’s blood, by man his blood shall be shed, for in the image of God He made Man.” The phrase “shed man’s blood” is a euphemism for death. The first use of it in this verse refers to murder. The second refers to punishment of the murder. The state of Texas, for example, did not murder Karla Tucker. It punished her for being guilty of murder. Further, the purpose of capital punishment is not simply “to show that killing people is wrong.” It is just punishment of those convicted of a heinous crime. If it functions as a deterrent against murder, then society receives an additional benefit. But even if it does not successfully deter, the demands of justice alone require capital punishment in cases of premeditated murder. Clearly, some killing is unjust, and this we call “murder”; other killing is not, and this we might call “self-defense” in some cases, “just punishment” in others.

Argument 2: “The sixth commandment says, ‘Thou shalt not kill.’ Certainly this makes capital punishment wrong.”

The sixth commandment, recorded in Exodus 20:13, is properly translated, “Thou shalt not murder” (Exodus 20:13). In the next chapter, God makes it clear that this command was not intended to prohibit the taking of all human life in any and every circumstance. Exodus 21:12 records God’s instruction, “He who strikes a man so that he dies, shall surely be put to death.” In this verse, like Genesis 9:6, the first act is murder; the second punishment.

Argument 3: “Those who appeal to Old Testament standards are guilty of inconsistent application of the Old Testament.”

Since later O.T. legislation given to Israel required capital punishment for adultery, incest, rape, striking or reviling a parent, and sexual promiscuity, it is argued that those who only apply it to murder are guilty of arbitrary and inconsistent use of the O.T. There are also many detailed regulations in the Mosaic law that we do not practice today. What gives the proponents of capital punishment the right to apply the Old Testament to this subject and not to others?

Most students of Scripture recognize that parts of the Old Testament are not directly applicable today. This is especially true of many of the detailed regulations given to Israel to guide them as a nation in the Promised Land. The ordinance of Genesis 9:6, however, was not given to Israel. It was given prior to Moses and based on creation, not culture or national identity. The fact that God gave this law to Noah as an ordinance for life in the post-flood world, and that he based it on his creation of humans in his image, argues compellingly for its continued application. Another standard for determining continuation of an Old Testament law is whether the New Testament reinforces it. In the case of capital punishment, Romans 13:1-4 offers this reinforcement.

Argument 4: “The law of Christ is love and it rules out capital punishment.”

In the New Testament, believers are commanded to love their enemies, not execute them (Matthew 5:38-45). Jesus taught non-resistance, not revenge. Christians are commanded to forgive as Christ forgave. Capital punishment, it is argued, is not forgiveness and should not be mandated by those under the law of Christ.

This argument carelessly equates retributive justice with personal vengeance. Jesus is not teaching about how government should respond to law breakers. If Jesus’ teaching was meant to be applied to criminal justice, it would rule out all punishment, produce chaos in society, and contradict clear biblical teaching about government being established by God to punish evildoers (Romans 13:4; I Peter 2:14).

Also, those who say that retributive justice contradicts forgiveness have misunderstood biblical forgiveness. God forgave us not because he was big-hearted enough to overlook our sin, but because Jesus was willing to bear the retributive justice our sin deserved in his death on the cross.

Argument 5: “Jesus said, “If any one of you is without sin, let him be the first to throw a stone ...” (John 8:7).

Next to, “Judge not lest you should be judged,” these are the most commonly abused words of Jesus. Yet if Jesus meant that no one who commits sin is qualified to judge anyone else, all criminal justice is wrong because no human is sinless. Furthermore, Jesus’ words would then cancel out the instruction in Romans 13 about the God-ordained role of government to punish evildoers. In John 8 Jesus is questioning whether the accusers of the woman caught in adultery are “without fault” in relation to the specific case they presented to him. The religious leaders were testing Jesus to see if he would follow the law. Jesus was exposing their failure to meet the qualifications of the law as witnesses in this case. Jesus said nothing about capital punishment.

Argument 6: “The Bible emphasizes mercy.”

In Scripture, it is argued, there are examples of God mercifully sparing the lives of intentional murderers (e.g. Cain, Moses, and David). In some cases the murderer went on to live a productive life of service to God. Since God extended mercy to murderers, we should not withhold mercy from our fellow humans convicted of murder.

Feinberg responds to this argument saying, “Some reject retribution on the ground that the New Testament portrays God as a God of love, mercy, and forgiveness. However, God practiced retribution in both Old and New Testament times. In fact, sometimes, as in the cases of Ananias and Sapphira (Acts 5) and Herod (Acts 12:20-23), God directly killed people in response to crimes we would not consider capital offenses. Moreover, if God did not practice retribution, no one would suffer eternal punishment for rejecting Christ, but of course, that contradicts biblical teaching” (e.g. Rev. 20:11-15).

“As to the cases of Cain, Moses, and David, they are exceptional cases where *God* extended his grace. There are many Old Testament examples where God did not extend grace, but punished the evildoer; so these cases cannot be the norm, nor do they overturn the injunction of Genesis 9. Moreover, the decision to extend mercy in these cases was *God's*, not society's. Unless told otherwise, the state is to follow the general rule to mete out retributive justice.”

Conclusion:

Unfortunately history as well as current events reveals abuses of the death penalty (e.g. discrimination against the poor and minorities, inequities in due process, and error in conviction). These inconsistencies must be corrected. However, abuses do not warrant elimination of the penalty. Instead, they call for revisions in the judicial system. Biblical evidence supports the continued use of capital punishment in cases of premeditated murder (Genesis 9:6; Romans 13:1-4). Scripture emphasizes that life is precious because humans are made in God's image. Therefore, those who willfully take the life of another must forfeit their own. This is a punishment that fits the crime.

Scripture Supports the Death Penalty

By Pastor Steve Cornell

Recent Supreme Court decisions have once again brought the death penalty to public debate. In a 6-3 opinion, the high court ruled that executing mentally retarded people constitutes unusual punishment. The court also ruled 7-2 that it is unconstitutional for judges to make findings of fact that result in an individual being sentenced to death. Death penalty opponents' are especially celebrating the court's ruling against executing the mentally retarded as significant move toward the elimination of capital punishment.

Others fear that this decision will allow many the possibility of filing frivolous appeals in attempts to have themselves declared mentally retarded. "It has opened the door to years of litigation," said Dianne Clements, president of Justice, a Texas victims' rights group, "And there are plenty of people who are going to walk through it."

The first time I wrote about the death penalty, I was amazed at the volume of letters responding to my column. Evidently, many, even in the Christian community, think that they should oppose the death penalty. Yet the Scripture clearly supports the practice of capital punishment. And, if we believe that all Scripture is inspired of God, then what it teaches is God's viewpoint.

In cases of premeditated murder, God requires capital punishment. God said, "Whoever sheds man's blood, by man his blood shall be shed, for in the image of God he made man." (Genesis 9:6) The phrase "sheds man's blood" is a euphemism for death. The first use of it in this verse refers to murder. The second refers to punishment of a murderer. We must not confuse or equate an act of murder with the punishment of a murderer. One is a criminal; the other is a God-ordained function of the state.

Some people wrongly dismiss this teaching because it comes from the Old Testament. Most students of Scripture recognize that some parts of the Old Testament are not directly applicable today. This is especially true of many of the regulations given to Israel to guide it as a nation. The ordinance of Genesis 9:6, however, was not given to Israel. It was pre-Mosaic and based on creation, not culture of national identity (see also Romans 13:1-4).

Others wrongly conclude that the law of Christ, which is love, rules out divine approval of capital punishment. It is argued that in the New Testament believers are commanded to love their enemies, not execute them (Matthew 5:38-45). Since Jesus taught nonresistance, not revenge, and since Christians are commanded to forgive as Christ forgave, how could one reconcile capital punishment with such teaching?

Jesus is not teaching about how government should respond to lawbreakers. If his teaching was meant to be applied to criminal justice, it would rule out all punishment, produce chaos and contradict clear biblical teaching about government being established by God to punish evildoers (Romans 13:4; Peter 2:14). Jesus is teaching against personal revenge, not civil justice.

Those who say that retributive justice contradicts forgiveness have misunderstood biblical forgiveness. God forgave us not because he was big-hearted enough to overlook our sin, but because Jesus was willing to bear the capital punishment for our sin.

On occasions, I have been asked how I can reconcile my pro-life position with regard to abortion with my support of capital punishment. The fact is that both positions

(pro-life and pro-capital punishment) endorse the sanctity of human life by opposing deliberate acts of homicide.

Scripture emphasizes that life is precious because humans are made in God's image. Therefore, those who willfully take the life of another must forfeit their own lives. This is a punishment that fits the crime and a Christian perspective on capital punishment.

Yet what should our response be to abuses of the death penalty? Where there is discrimination against the poor and minorities, or inequities in due process, there is a need for revisions in the judicial system, not elimination of the death penalty. It is hoped that recent High Court decisions will help us move toward a more equitable application of the death penalty.