

The Death Penalty

1. Introduction:

a. Definitions

i. Capital Punishment/Death Penalty will be used interchangeably.

1. The punishment by death for a specific crime by a duly constituted government following properly enacted laws.¹

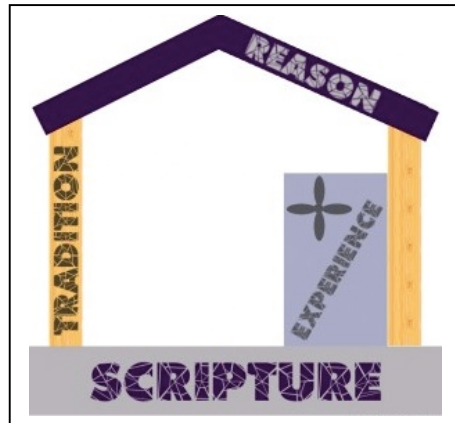
b. The Wesleyan Quadrilateral-Tool to use to consider this as well as other issues in this series.²

i. Scripture → The primacy of the Word of God in guiding our thinking and practice on any and all issues.

ii. Tradition → The history of the church universal.

iii. Reason → rational argument and sound biblical interpretation.

iv. Experience → Our personal and communal journey with Christ.



2. Scripture

a. Scriptures defending the Death Penalty

i. Genesis 9:5-6

1. God gives permission for humans to kill and eat animals.

2. Man is not to be killed because they are created in the image of God.

3. Purpose is to deter death penalty³

4. Some see this passage known as the Noachian covenant as giving authority to carry out capital punishment.

5. And that it is still for today because Noah was not a Hebrew, so this command is not just for the Nation of Israel but for all societies.⁴

¹ House p. 8.

² Hamilton, Confronting the...

³ Hamilton, Confronting the...

⁴ House p. 35

- ii. Biblical Basis for retribution
 - 1. Exodus 21:23b-25
 - 2. Leviticus 24:19-20
 - 3. Deuteronomy 19:21
 - a. Punishment will fit the crime; severity will not exceed severity of crime.⁵
- iii. Mosaic Covenant
 - 1. Jesus recognized the Mosaic covenant.
 - 2. Human Government is ordained by God as a distinct sphere of authority, separate from the home and the Church (Rom. 13).
 - 3. And it does not contradict murder.
 - 4. Concept includes 3 ideas
 - a. Crime was committed
 - b. Person executed was guilty
 - c. Government carrying out the sentence has been constituted.
 - 5. Purpose was the promotion of retributive justice by civil government.⁶
- iv. Numbers 35: 16-20
 - 1. Supports the death penalty
 - 2. Distinction between manslaughter and murder.
 - 3. Family allowed the appointing a blood avenger.
 - 4. Purpose is to deter killing.⁷
- b. Scripture against the Death Penalty
 - i. Jesus rejects the eye for eye principle (Mt. 5: 38-39).
 - ii. Cross is the central focus of the New Testament
 - 1. All have sinned and fallen short (Rom. 3:23).
 - 2. Wages of our sin is death (Rom. 6:23).
 - 3. Wrath of God is revealed against ungodliness (Rom. 1:18)
 - a. We are all sentenced to death.
 - 4. Christ died for us while we were still sinners (Rom. 5:8)
 - iii. John 8, where Jesus mercy to the women caught in adultery, a crime deserving death for both the man and the woman.
 - iv. Many in the New Testament were put to death using capital punishment
 - 1. John the Baptist, Stephen, James, and Jesus.
 - v. The Apostle Paul
 - 1. Deserved the death penalty for his crimes, yet God brought him to repentance.

⁵ House p. 27

⁶ House pp. 30-31.

⁷ Hamilton Confronting the...

2. 1 Timothy 1: 12-16.
- vi. Old Testament Interpretation notes
 1. The death penalty functioned to maintain order in a society with no police or civil forces.
 2. It was a serious deterrent to lawlessness and unfaithfulness to God and others.
 3. Life is sacred and only God can take it.
 - a. It was not always enforced like in the story of David and Bathsheba ().
 4. According to the Talmud (a Jewish Commentary on the Old Testament) it was often replaced by lesser penalties.
 5. In the Old Testament there were no permanent prisons.
- vii. The Death Penalty usurps God's authority, power, and timeline.⁸
3. Tradition (church history)
 - a. Church leader for Capital Punishment
 - i. We don't see much in the early literature until after the church recognized Christianity as a state religion in ancient Rome.
 - ii. They demanded the death of heretics.⁹
 - iii. Martin Luther saw this as God's right that he delegated to the civil authorities.¹⁰
 - iv. John Calvin in Geneva had presided over the execution of a heretic named Michael Servetus.¹¹
 - b. Church leaders against Capital punishment
 - i. Athenagorus of Athens
 1. "We cannot bear to see a man put to death, even justly"
 - ii. Origen
 1. Christians are not in a nation like the Jews so cannot condemn others to be stoned or burned at the stake.
 - iii. Tertullian
 1. the duty of capital punishment is why Christians cannot service in public office.
 - iv. Lactantius
 1. Capital punishment, even done justly, pollutes the soul and makes one a spectator and sharer of a secret homicide.
 - v. Karl Barth
 1. Christ's death, "too the instrument of death as a punishment out of human hands...Since Christ, therefore, the only form

⁸ Hamilton Confronting the....

⁹ White p. 77

¹⁰ House p. 5

¹¹ Gonzalez p. 67

of human punishment is educative and resocializing the measures."¹²

4. Reason

a. Arguments for Capital Punishment

i. Retribution

1. Giving the appropriate penalty for the most horrible of crimes.

ii. Deterrence

1. some criminals might be deterred from committing crimes.¹³
2. Some research using mathematical models indicate that it may deter 8-28 murders.¹⁴

iii. Safety

1. Ensure that the criminal will never escape or be released.

iv. Healing and Closure of victims family

v. Economics

1. Execution will save the state money.¹⁵

vi. Applied Equally

1. 58% of inmates are black, but only 40% are serving on death row.¹⁶
2. White killers are more likely to receive the death penalty than black.¹⁷

b. Arguments against Capital Punishment

i. Brings all of society and the state into committing acts of violence.

ii. Proved to be ineffective as a deterrent.¹⁸

1. Since 1959 every study shows it does not serve as a deterrent using sociological methodologies.
2. Pro-death penalty studies use a different method for study called econometrics
 - a. Use mathematic models that often serve to fit preconceptions.
 - b. There is simply too little data that can easily be manipulated.¹⁹

iii. Death of murderer does not really bring resolution; it is simply another parent losing a child, or a child losing a parent.

iv. Not an inexpensive way to deal with heinous criminals, especially with the appeals process.

¹² House p. 6

¹³ Hamilton Confronting the...

¹⁴ Hemmingfeld p. 95

¹⁵ Hamilton Confronting

¹⁶ Hemmingfeld 126

¹⁷ Hemmingfeld 125

¹⁸ Hamilton Confronting the...

¹⁹ Hemmingfeld p. 99-103

- v. Not applied in an equal or just way.
 - 1. Minorities that have killed whites or the poor that are not able to afford good attorneys.²⁰
 - 2. In 1995-2000 72% of death penalty cases involved people of color.
 - 3. A 2003 study of jury selection in Philadelphia, PA on capital cases by the Pennsylvania Supreme Court Committee on race and gender bias in the justice system found that prosecutors use peremptory challenges-the power to exclude potential jurors for any reason-to remove 51% of black potential jurors, while only excluding 20% of non-black.²¹

5. Experience (Questions for dialogue)

- a. How are you influenced by different parts or different aspects of the Bible, such as Jesus' parables and teachings; stories of Jesus' relationships with people; the laws given in the Old Testament (Exodus, Numbers, and Leviticus); the Hebrews prophets; the theological discussions of John and Paul; and the social codes in the Epistles (the Book of James, for example)? If the Bible was written in ancient times and for uncommon situations and if the Bible speaks through various types of literature and the experiences of many people, how can we hear one voice that leads us to know God's will for our lives?
- b. Read the account of God's forgiveness of David in **2 Samuel 12:1-15**. Why do you believe God had mercy on David even though he was guilty of two capital offenses? Read also God's promises to those who repent in Hosea 14. What do these and other examples of mercy in the Old Testament tell us about the God of Israel?
- c. Find out about the work of Sister Helen Prejean (Dead Man Walking) and/or others involved in prison ministry. Imagine that you are a prison chaplain. What would you say about God's mercy to prisoners on death row? What passages of scripture would you read to them? What would you say to the members of their family?
- d. Do you think we should be involved in ministry to prisoners? To what extent? What ministry might we consider for prisoners and/or victims of violent crimes? What about the family members of the victims? (writing letters? Visitation? Prayer? Email correspondence? What do you think Jesus would do with a man convicted of murder?
- e. Write a prayer that includes thanksgiving for God's mercy to us in the forgiveness of our sins and ask for courage and guidance as we seek to understand God's will in the matter of capital punishment. Include

²⁰ Hamilton Confronting the...

²¹ Hemmingfeld 120-121

petitions for wisdom for lawyers, juries, and judges: good judgment for those who govern; the repentance of sinners; God's care for prisoners; and healing for victims and families.

Works Cited

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House, H. Wayne, and John Howard Yoder. The Death Penalty Debate. Word Publishing: Dallas, 1991

White, R.E.O. Christian Ethics. John Knox Press: Atlanta, 1981.

Other Resources

Norman L. Geisler → Ethics: Alternatives and Issues.

Rudolph J. Gerber and John M. Johnson → The Top Ten Death Penalty Myths.

Amy Marcaccio Keyzer (ed) → Does Capital Punishment Deter Crime.