

"Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil."
(Ecclesiastes 8:11)

Here, my friends, is the problem of our nation today-- we have too long a period between the apprehension of a criminal and his trial; too long a time from his trial and the carrying out of the sentence. **Read these last two passages again!**

Habakkuk 1:4, because of injustice in the land the Chaldeans (v.6) would take Israel into Captivity.

CONCLUSION:

This is the wisdom of God; and it ought to be the wisdom that guides and govern our lawmakers. Civil government in the Western world is not fulfilling its divinely appointed responsibility to restrain and punish criminal activity. As a result, criminal activity in the United States and the Western world is mushrooming. Soft and permissive attitudes toward criminals result in innocent victims having to suffer greater violence at the hands of criminals. It is the will of God that the duly authorized agents of the state serve as His minister to punish criminals.

God intends for the death penalty to be imposed for certain wicked offenses. We can see this is true from our study of the scriptures. Christians should not oppose but rather should encourage the government to meet its obligation in this regard.

– Windell Gann

The End

Capital Punishment

On June 29, 1972, the Supreme Court of the United States in a 5-4 vote ruled that the death penalty constituted a "cruel and unusual punishment." From 1967 till 1972 no criminals were executed. During this time there was a build up of 707 inmates on death row across the nation. By 1982 there were over 1100 on death row waiting to be executed.

The issue of capital punishment has been brought to our attention against recently. It is important that we study this subject because many Christians are unsure of their own feelings. Young people are often idealistic and quick to take up the cry against capital punishment. I remember as a teenager I would quote the Bible, "Thou shalt not kill," and I assumed that it applied absolute in every instance, even to the execution of criminals. What does God teach us about capital punishment?

I. CAPITAL PUNISHMENT -- A DIVINE COMMAND

In Genesis 9, God made a covenant with Noah following the flood. It was to be an everlasting covenant and was not a part of the Mosaic Law that ended at the cross of Christ. God promised that as long as the earth remained there would never be another world flood (Gen. 9:15). In this covenant God sanctioned animal flesh as a food for man (vs. 2,3), but forbade the eating of blood. The covenant was to be "for perpetual generations" (v.12) and as a token of the covenant God placed the rainbow in the clouds (vs. 13-16).

Among other things mentioned in this perpetual covenant, God said, "And surely your blood of your lives will I require; at the hand of every beast will I require it, and at the hand of every man's brother will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man" (Genesis 9:5-6).

The demand for the life of a murderer was given by God at this time and it is a command for "perpetual generations."

II. GOD'S LAW UNDER THE JEWISH COVENANT

In the law given to Israel through Moses, God against clearly demanded

the death penalty for a number of crimes. When God gave the sixth commandment "Thou shalt not kill," he was not referring to the execution of criminals. We read in Leviticus 24:17, 21:

"And he that killeth any man shall surely be put to death. And he that killeth a beast, he shall restore it: and he that killeth a man, he shall be put to death."

There is no contradiction between these commands. The statement, "Thou shalt not kill," is correctly translated in a number of translations, "Thou shalt not commit murder." God's law to Israel clearly required a murderer to be executed.

"And if he smite him with an instrument of iron, so that he die, he is a murderer: the murderer shall surely be put to death. And if he smite him with throwing a stone, wherewith he may die, and he die, he is a murderer: the murderer shall surely be put to death. Or if he smite him with an hand weapon of wood, wherewith he may die, and he die, he is a murderer: the murderer shall surely be put to death." (Numbers 35:17-18).

We noticed in Leviticus the statement was made that if a man killed a beast the man was not to be put to death. He could make restitution for the beast, but if he killed a man he was a murderer and he surely was to be put to death because man is made in the image of God.

"Moreover ye shall take no satisfaction for the life for a murderer, which is guilty of death: but he shall surely be put to death." (Numbers 35:31)

A murderer could not simply be fined-- he could pay for the killing of a beast-- but the murderer could not be fined. The law was clear, he was to be put to death, there was to be no other satisfaction.

Murder was not the only capital offense under the Mosaic law; we read of other crimes where God required the death penalty. 1) Rape, Deut. 22:25; 2) Kidnapping, Ex. 21:16; 3) Offering human sacrifice, Lev. 20:2-5; 4) Bestiality, Ex. 22:19; 5) Homosexuality, Lev. 18:22; 20:13; 6) Treason, I Kings 2:25; and other crimes.

III. GOD'S LAW UNDER THE CHRISTIAN COVENANT

punishment being a proper deterrent to doing evil?

"10 And thou shalt stone him with stones, that he die; because he hath sought to thrust thee away from the LORD thy God, which brought thee out of the land of Egypt, from the house of bondage. 11 And all Israel shall hear, and fear, and shall do no more any such wickedness as this is among you." (Deuteronomy 13:10-11)

The death of the man who was stoned was a lesson to Israel that they should *hear* and *fear*, and refrain from similar evil practices. Capital punishment *was* to be a deterrent to evil doing!

"And all the men of his city shall stone him with stones, that he die: so shalt thou put evil away from among you; and all Israel shall hear, and fear." (Deuteronomy 21:21)

Capital punishment was ordained to be a deterrent to crime. "All Israel shall hear and fear..." Habakkuk 1:4 points out that sometimes however judgment becomes slack and justice is perverted. When the law is not carried out, then respect for the law is lost.

In Ezra 7, we have a very important statement. And if there is any short-coming in our law of capital punishment it is revealed in this passage. Psychologists tell us that when a parent disciplines or rewards some action of a child that the sooner the discipline or reward is given the stronger that action is reinforced. If we wait a long time before acting our reinforcement loses association with the deed that was done, and thus loses much effect.

The background of the Ezra passage is this: following the Babylonian captivity the new government of Persia is sending Ezra back to Israel to restore law and order and to appoint judges and courts in the land of Israel.

"And whosoever will not do the law of thy God, and the law of the king, let judgment be executed speedily upon him, whether it be unto death, or to banishment, or to confiscation of goods, or to imprisonment." (Ezra 7:26)

Notice-- whether a man was to be fined, or exiled, whether he was to be freed or to be executed, this was to proceed speedily.

In Ecclesiastes, from the inspired pen of the wise man Solomon, we also have these words:

The individual is not to take justice into his own hands. God said, "Vengeance is mine." Now, what is the arm of the Lord to execute vengeance upon the criminal? It is the civil authority (Rom. 13:4) "For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil."

I do not believe that *vengeance* is the only reason for capital punishment, in fact, it is not the paramount reason. Yes, it is **discipline**. It is the ultimate discipline for the ultimate crime. When we discipline our children do we think of it as *revenge*? No, it is **discipline**, for the purpose of teaching, or instructing, him and others.

Those who oppose capital punishment, and John Lewis Evans, say "You call yourself a Christian Society." He could not see how Christians, who are suppose to be loving, forgiving, and merciful, could favor capital punishment and be consistent with their profession. Yet, absolutely it is consistent. We are not being "Christian" and are **not** following Christ and following God **unless** we call for God's will on this issue to be practiced.

Some opposing the death penalty have difficulty understanding God. They think God is "all loving" and God is "all forgiving." They overlook another aspect of God's character-- God is Holy, God is Just; and He demands justice and fairness. God demands the civil authorities to give protection to the law abiding. This is what Paul says in Romans 13:2-4.

There are two reasons given in Romans 13 that prompts us to be law-abiding. The first is *fear of punishment*. "...but if thou do that which is evil, be afraid" (Rom. 13:4). Fear of punishment is a deterrent to doing evil. The second reason is given in verse 5. "Wherefore ye must needs be subject, not only for wrath, but also for conscience sake." The second reason why we need to obey the law is for conscience sake. If we train our conscience to abide by the laws of the land and to be fair, just and honest with every man, everything will work all right! But what about those who have not trained their conscience-- whose conscience is not pricked when breaking the law? What is left to keep them law-aiding? Fear of punishment! What will then happen to society if fear of punishment is removed? There will be no restraints remaining upon a society to have order, or any justice to it.

V. CAPITAL PUNISHMENT -- A DETERRENT TO CRIME

Again let us look to God's Word. What does He say about capital

But we are today living under New Testament law in a time when God says if we are smitten on one cheek we are to turn the other. What instances are given us in the New Testament that demonstrates God still expects capital punishment to be enforced?

In John 19, Jesus is brought before Pilate for trial. He is very quiet and doesn't make any defense before Pilate. Pilate turned to Jesus and asked, "Don't you know I have the power to put you to death or to release you?"

"Jesus answered, Thou couldest have no power at all against me, except it were given thee from above." (John 19:11).

Jesus recognized Pilate's civil authority to execute criminals and said that such right had been given to him from above. Jesus did not challenge the law nor the government's right to practice capital punishment, rather he was not guilty of any of the charges brought against Him.

Let us notice something that happened on the night of Jesus' betrayal and arrest. In Luke 22, Jesus reminds the apostles how he had sent them out with the seventy on the limited commission to go preaching to Israel only. But shortly they are to be sent out again with another commission. In verse 35:

"And he said unto them, When I sent you without purse, and scrip, and shoes, lacked ye anything? And they said, Nothing. Then said he unto them, But now, he that hath a purse, let him take it, and likewise his script: and he that hath no sword let him sell his garment, and buy one. ... And they said, Lord, behold here are two swords. And he said unto them, It is enough." (Luke 22:35, 36, 38)

We notice that even among the apostles there were two swords. Let me ask, what purpose would they have for two swords? Let us remember that they were traveling from place to place; and Jesus told a true-to-life story in Luke 10 when he told of a man traveling from Jerusalem to Jericho who fell among thieves and was beaten, robbed and left for dead. The only purpose that we can think of for such a sword as this was for protection when there should be a threat to their live.

In Acts 10 we read of Cornelius sending two servants and a devout soldier to fetch Peter from Joppa, why send the soldier?

We find that among the twelve apparently Peter was carrying one of the

two swords they had. In Matthew 26, Jesus is in the Garden of Gethsemane and sees the mob sent to arrest him approaching. Jesus wakes the sleeping apostles, and Peter seeing the mob armed with swords and staves hastily says to Jesus, "Shall we use the sword?" And before the Lord responds to Peter, Peter begins hacking away and cuts off one of the men's ear before Jesus can tell him to put his sword up. Jesus restored the man's ear then said to Peter, "Put up again thy sword into his place; for all they that take the sword shall perish with the sword." (Matthew 26:52; Mark 14:47; Luke 22:49). Jesus is probably alluding to Genesis 9:6 and the principle of capital punishment for murderer.

In Acts 25:11, the Apostle Paul was in prison and his case was brought before Festus the governor. Paul says, "For if I be an offender, or have committed anything worthy of death, I refuse not to die: but if there be none of these things whereof these accuse me, no many may deliver me unto them. I appeal unto Caesar."

What we notice is that Paul does not challenge the law of capital punishment. He found no fault with the law which prescribed that a man who committed certain terrible crimes was worthy of death. Paul said, "If I have done that, I refuse not to die." That is, Let the law be carried out and let me be put to death. Paul's argument in defense was that he had not committed the crimes of which he was accused. He does not argue with the law of capital punishment but upholds the right of civil authority to execute wicked criminals.

Let us next read Romans 13:1-5. "Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God." (Vs. 1). This is exactly what Jesus said when he told Pilate "You have no power except God had given it to you." Jesus recognized Pilate's civil authority to execute criminals and to release them as being from God.

"2 Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation. 3 For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same: 4 For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. 5 Wherefore ye must needs be subject, not only for wrath, but also for conscience sake." (Romans 13:2-5)

Paul says that the civil authority is the arm of God and he beareth not the sword in vain. The sword was used for the purpose of beheading and has reference to capital punishment (Matt. 14:10; Acts 12:2) He continues to say that those who are law-abiding need have no fear of punishment, but that the government exists for the purpose of restraining criminal activity; it exists for the purpose of giving protection and safety to those that are law-abiding. When the government becomes soft and permissive toward the criminal element, the civil government is not performing its function that God has given it to do. As Christians, we ought to encourage our government to perform its God-given task and duty. (Hab. 1:4)

"Therefore the law is slacked, and judgment doth never go forth: for the wicked doth compass about the righteous; therefore wrong judgment proceedeth." (Habakkuk 1:4)

IV. ARGUMENTS PRO AND CON – RE: CAPITAL PUNISHMENT

Let's notice some arguments that are made by those who oppose capital punishment. A statement made by John Lewis Evans a convicted murderer sentenced to death in Alabama appeared in a Birmingham newspaper sometime back as he was fighting to stay alive. (The Birmingham News, Thursday, April 5, 1979, p. 63.) With reference to the death penalty, he says:

Society says that I have a debt to pay. We are paying and have paid the debt. Will our death bring back a life-- will it stop crime-- will it 'rehabilitate'-- NO WAY. Stripped of all legal jargon, it boils down to the fact that there remains one motive only 'Revenge'--. You say you are a Christian Society. Strange, you do not follow the principle of your founder who spoke of love, understanding, mercy, forgiveness. (The Birmingham News, 4/5/1979, p.63.)

Let's notice some of the misconceptions of John Lewis Evans and others who argue against the death penalty. In the first place he thinks of execution as simply having *one* motive, *revenge*. Revenge may be a proper motive, we read in verse 4 "...for he is a minister of God, a revenger to execute wrath upon him that doeth evil." In one sense we might look upon capital punishment as a revenge of society upon a murderer. In the previous chapter of Romans, Paul said, "Dearly beloved, avenge not yourselves, but rather give place unto wrath: for it is written, Vengeance is mine; I will repay, saith the Lord." (Romans 12:19).