

CAPITAL PUNISHMENT

Introduction

- A. Text: **Rom. 13:4**.
- B. Paul said, "For if I am an offender, or have committed anything worthy of death, I do not object to dying; but if there is nothing in these things of which these men accuse me, no one can deliver me to them. I appeal to Caesar" (**Ac. 25:11**).
 - 1. Paul did not question the right of Rome to put criminals to death.
 - 2. Nor did he suggest that the possible execution of an innocent man like himself was reason for all executions to be stopped.
- C. Capital punishment = the infliction of the death penalty by civil authority.
 - 1. It is an act carried out by civil government, not by private citizens.
 - 2. It is motivated by justice, not by malice or hatred.
- D. Capital punishment is a controversial topic that is frequently in the news.
- E. We need to understand the death penalty from a biblical perspective.

I. THE CONCEPT OF PUNISHMENT IN GENERAL

- A. From the start, the Bible grants validity to the idea of punishment for lawbreaking.
 - 1. God said to Cain, "What have you done? The voice of your brother's blood cries out to Me from the ground" (**Gen. 4:10**).
 - 2. The murder of Abel cried out for restitution.
- B. The Bible assumes that criminal acts deserve to be punished.
 - 1. When justice has been violated, there is a principal that what has been lost by the victim should be reinstated or compensated for.
 - 2. There is a moral obligation of the lawbreaker: a debt is incurred in which restitution must be made or a proportionate penalty must be paid.
 - 3. This penalty is for punishment, not rehabilitation.
 - 4. Justice calls for the penalty — it is right.

II. THE CONCEPT OF CAPITAL PUNISHMENT

- A. The central question is: are there some crimes so serious that the only just penalty is the death of the offender?
 - 1. The Bible has always said so. Some acts are "worthy of death" (**Deut. 21:22**; etc.).
 - 2. Up until our day, human civilizations have always said so.
- B. By certain acts a person disqualifies himself from the right to continue living — he forfeits the right to live.
- C. This is reflected in the Old Testament.
 - 1. "What have you done? The voice of your brother's blood cries out to Me from the ground" (**Gen.**

4:10).

2. "Surely for your lifeblood I will demand a reckoning; from the hand of every beast I will require it, and from the hand of man. From the hand of every man's brother I will require the life of man. Whoever sheds man's blood, by man his blood shall be shed; for in the image of God He made man" (**Gen. 9:5,6**).
3. The expression "innocent blood" (**Deut. 21:8,9**; etc.) presumes that there is blood that should be shed.
4. Numerous offenses in the Law of Moses were punishable by death, including:
 - a. Murder - **Exo. 21:12-14**; **Lev. 24:17**.
 - b. Kidnapping - **Exo. 21:16**.
 - c. Abuse of parents - **Exo. 21:15,17**; **Lev. 20:9**.
 - d. Sorcery - **Exo. 22:18**.
 - e. Bestiality - **Exo. 22:19**; **Lev. 20:15,16**.
 - f. Idolatry - **Exo. 22:20**; **Deut. 17:2-7**.
 - g. Adultery - **Lev. 20:10**; **Deut. 22:22**.
 - h. Incest - **Lev. 20:11,12,14**.
 - i. Homosexuality - **Lev. 20:13**.
 - j. Rape - **Deut. 22:23-29**.
 - k. Blasphemy - **Lev. 24:15,16**.
5. In the Law, the carrying out of the death penalty was justly regulated.
 - a. "Whoever is worthy of death shall be put to death on the testimony of two or three witnesses, but he shall not be put to death on the testimony of one witness. The hands of the witnesses shall be the first against him to put him to death, and afterward the hands of all the people. So you shall put away the evil person from among you" (**Deut. 17:6,7**).
 - 1) This shows that the death penalty was not just to deter others from committing the same crime.
 - 2) It was to put away the evil influence of that person from society!
 - b. "One witness shall not rise against a man concerning any iniquity or any sin that he commits; by the mouth of two or three witnesses the matter shall be established" (**Deut. 19:15**).
6. "Your eye shall not pity; but life shall be for life, eye for eye, tooth for tooth, hand for hand, foot for foot" (**Deut. 19:21**).
 - a. This did not mean that malicious vengeance could be taken by any individual for any slight he suffered. Cf. **Mt. 5:38,39**.
 - b. It meant that the punishment inflicted by the civil authority was to be in fair proportion to the crime — the punishment was to fit the crime.
 - c. It was a safeguard against unduly harsh punishment — but it clearly indicated that some crimes justly called for the death of the offender!
7. The Fifth Commandment, "Thou shalt not kill" (**Exo. 20:13 KJV**), was not a prohibition any "killing," including capital punishment — it was a prohibition against murder, the slaying of an innocent person by a private individual.

D. It is also reflected in the New Testament.

1. "For if I am an offender, or have committed anything worthy of death, I do not object to dying; but if there is nothing in these things of which these men accuse me, no one can deliver me to them. I appeal to Caesar" (**Ac. 25:11**).
2. "Who, knowing the righteous judgment of God, that those who practice such things are worthy of death, not only do the same but also approve of those who practice them" (**Rom. 1:32**).

E. Our conclusion is this: for all societies of people since the beginning of time, there has been a principle of justice that some crimes are so serious they can be properly punished only by death.

F. The execution of the death sentence is a part of the rightful function of civil government as ordained by God.

III. THE PURPOSE OF CIVIL GOVERNMENT

- A. In general, law itself exists to curb the conduct of those who are not inclined to curb their own conduct. Cf. "The law is not made for a righteous person, but for the lawless and insubordinate" (**1 Tim. 1:9**). Cf. **vv.8-10**.
- B. The primary purpose of civil authority is to restrain injustice and crime, so that people can live without fear. Cf. **Rom. 13:1-7**.
1. "Then Pilate said to Him, 'Are You not speaking to me? Do you not know that I have power to crucify You, and the power to release You?' Jesus answered, 'You could have no power at all against Me unless it had been given you from above. Therefore the one who delivered Me to you has the greater sin'" (**Jn. 19:10,11**).
 2. "For he is God's minister to you for good. But if you do evil, be afraid; for he does not bear the sword in vain; for he is God's minister, an avenger to execute wrath on him who practices evil" (**Rom. 13:4**).
 3. "Therefore I exhort first of all that supplications, prayers, intercessions, and giving of thanks be made for all men, for kings and all who are in authority, that we may lead a quiet and peaceable life in all godliness and reverence" (**1 Tim. 2:1,2**).
- C. Carrying out the death penalty is a part of what God ordained government to do.
1. It is not the prerogative of private citizens to exact their own justice.
 2. "For he is God's minister to you for good. But if you do evil, be afraid; for he does not bear the sword in vain; for he is God's minister, an avenger to execute wrath on him who practices evil" (**Rom. 13:4**).
- D. It is emotionally difficult for a compassionate people to execute criminals — but the consequences of not doing so are even more difficult in the long run.

IV. THE CONSEQUENCES OF FAILING TO EXECUTE CAPITAL CRIMINALS

- A. Contrary to modern thinking, capital punishment does deter crime — at least it would if it were carried out consistently and in a timely fashion.
1. "Because the 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" (**Eccl. 8:11**). Cf. **Psa. 10:3-7**; esp. **v.6**.
 2. Virtually all human behavior is motivated by the impulse to move away from certain things and to move toward others. (In fact, we define character primarily in terms of what a person usually moves toward and away from.)
- B. When, as a society, we do not set up capital consequences for capital crimes, we can expect a growth of cynicism, mockery of the law, and violent lawlessness.
- C. What we do about crime and punishment says much about our national character.
1. "That which makes a people 'civilized' is very much a result of its laws and its respect for people's dignity and worth" (David Hocking).
 2. "We should understand punishment as a kind of mirror image of praise. If praise expresses gratitude and approbation, punishment expresses resentment and reprobation. If praise expresses what the political community admires and what unites it, punishment expresses what the community condemns and what threatens it. Punishment, like praise, publicly expresses our determination of what people deserve" (Stanley Brubaker).
 3. "What a society thinks about life, death, and questions in between shows up in the rewards and penalties it extends. That is what laws are — marks of social value" (William Murchison).

- D. We need to start being more careful about our “marks of social value.”
1. It is wrong to bestow honor on those who are dishonorable.
 2. The man who walks uprightly is a man “in whose eyes a vile person is despised, but he honors those who fear the Lord” (**Psa. 15:4**).
- E. Many of the emotional arguments against the death penalty are based on pity.
1. But pity is not always the proper response when someone justly stands under the sentence of death.
 2. Aaron was not even allowed to mourn for his two sons, Nadab and Abihu, after the Lord had rightfully stricken them dead - **Lev. 10:6,7**.
 3. Concerning execution of the death penalty in the Old Testament, God said, “Your eye shall not pity; but life shall be for life” (**Deut. 19:21**). Cf. **Deut. 13:8,9; 19:13; Ezek. 9:5,6**; etc.
- F. Yes, we must always be compassionate — but we must never let compassion keep us from doing what is right.

Conclusion

- A. God has ordained civil government to restrain lawlessness — and he has given it the responsibility of putting to death those who commit crimes worthy of death.
- B. “Contemporary efforts to abolish capital punishment proceed on a non-Christian view of man, a secular theory of criminal law, and a low estimate of the value of life” (Gordon Clark).
- C. We need to be reminded:
1. “Whoever sheds man’s blood, by man his blood shall be shed; for in the image of God He made man” (**Gen. 9:5,6**).
 2. “For he is God’s minister to you for good. But if you do evil, be afraid; for he does not bear the sword in vain; for he is God’s minister, an avenger to execute wrath on him who practices evil” (**Rom. 13:4**).