

LESSON #11 "End of Life: Capital Punishment" 11-04-2015

Introduction:

Case Study: Robert Kelly was sentenced to death for the kidnapping, rape, and murder of two eight-year old girls. He was twenty at the time, and this was his first violent crime. After his conviction, he became a Christian through prison ministry. Admitting he deserved to die for his crime, he allowed his attorneys to seek life imprisonment for him instead of execution. During his years in prison, he found great joy in testifying for Christ. Christian magazines published two of his articles. He committed himself to an evangelistic ministry in prison for as long as he lived. After 6 years on death row and several stays of execution, he went to the electric chair.

Question: Should cases of genuinely repentant murders be treated differently from those who show no remorse?

Case Study: Charles Bernstein sat in Washington, D.C. jail, minutes from execution, when a messenger arrived with the news that his sentence had been commuted to life imprisonment. Two years later authorities found positive evidence at his innocence. He was released from prison and soon after received a full pardon.

Questions: Do the Scriptures teach that the death penalty for murderers today is mandatory in all cases, permissible but optional, or totally unacceptable? What if the messenger had been detained in traffic and Charles Bernstein was executed? How substantial is the argument that because irreversible mistakes are sometimes made and innocent persons are sometimes executed, capital punishment should be abolished?

A. TERMS

1. Capital punishment – legal execution by the government of a person convicted of a serious crime.
2. Deterrence – as a theory related to capital punishment, the idea that enforcement of the death penalty in a society will prevent would-be criminals from committing crimes they might otherwise have committed. As a political

stance, one that relies on the possession and threatened use of weapons – especially nuclear – to discourage or prevent attack.

3. Retribution – something given or demanded in return for and in proportion to a wrong done; may or may not include the notion of exact retaliation.

- This is an “eye for an eye” where the punishment fits the crime in most cases.

B. The Four Ends of Punishment

1. Retribution

*Respect for both the criminal and the law-abiding citizen who was harmed.

2. Prevention

a. Ensure that criminals do not repeat their crimes and injure others and society again.

b. Often a justification for confining people, for rehabilitation programs, as well as for executing them.

3. Deterrence

* A goal of the system of punishment is to deter criminal action through the threat of sanctions against them if they do it

*To keep someone, other than the one being punished, from committing crimes.

4. Rehabilitation / Reform

*The goal of punishment is to restore the criminal so that he or she can contribute to society in a positive manner in the future.

C. Arguments

1. Deterrence – capital punishment will discourage murdering.

Problems

- often the only one deterred is the one put to death
 - most murders are crimes of passion and in the heat of the moment.
2. Protection – it protects others. If the prisoner is released, he or she may kill again.
 - statistics do not support this argument.
 3. Economics – it's cheaper to execute than to put in prison.
 - statistics do not support this argument
 - it is usually 6 times more expensive to execute than to imprison for life.
 4. Complexities and inequalities of the criminal justice system
 - the system favors the rich over the poor
 - sometimes judgments are inefficient or wrong
 - some innocent people have been executed
 - guilty are often set free over legal technicalities
 5. Punishment – to be effective, punishment must be certain, swift and impartial
 - is this the case in our courts
6. The don't deserve to live.
 - do we?
 7. Romans 12:19-20 teaches to do good to your enemies.
 - Is this for individuals? Does it include government?
 8. Jesus taught mercy, grace, forgiveness, love.
 9. We can evangelize if they are in prison.
 10. God didn't have Cain, Moses or David put to death following murder.
 11. The woman caught in adultery was not punished by Jesus.

D. What Does the Bible Say?

Genesis 9:6 – Lev. 24:17

Capital punishment was used in the life of Israel for many offenses.

1. Intentional homicide – Ex. 21:12-15 Numbers 35:16-21
2. Blasphemy – Lev. 24:16
3. Idolatry – Deut. 13:2-19, Deut. 17:2-7, Lev. 20:1-5
4. Abduction for slavery – Deut. 24:7, Ex. 21:16
5. Sexual Acts – Ex 22:19 (animals) Lev. 20:11-17 (incest, homosexuality)
6. Rape – Deut. 22:23-27
7. Adultery – Deut. 22:22, Lev 20:10-12
8. Sex before Marriage – Deut. 22:23-24
9. Witchcraft – Ex 22:18, Lev 20:27, 1 Sam. 28:3 and 9
10. False Prophets – Deut. 18:20
11. Profaning the Sabbath – Ex 31:14-17, Ex 35:2, Numbers 15:32-36
12. Cursing and striking parents – Ex 21:15, Ex 21:17

Forms of Capital Punishment

1. Stoning – Luke 20:3-6, Acts 7:58, John 8:7
- witnesses had to throw the 1st stones
2. Burning – Lev 20:14, (Incest), Deut. 17 (harlotry)
3. Sword – Ex 32:27, Deut. 13:15
4. Spear - Numbers 25:7
5. Arrow – Ex. 19:13
6. Beheading – 2 Samuel 16:9, 2 Kings 6:31-32
7. Crucifixion – By roman decree only

ERLC – Capital Punishment: An overview of Christian perspectives by Barrett Duke and Joe Carter