



HEY, GOD, WHAT ABOUT... CAPITAL PUNISHMENT?

Summer Sanctuary Bible Studies
Woodbury Lutheran Church
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1. THE ORIGINS OF CAPITAL PUNISHMENT “Capital” punishment

- Originates immediately after the flood
 - Gen 9:1-7

¹ Then God blessed Noah and his sons, saying to them, “Be fruitful and increase in number and fill the earth. ² The fear and dread of you will fall upon all the beasts of the earth and all the birds of the air, upon every creature that moves along the ground, and upon all the fish of the sea; they are given into your hands. ³ Everything that lives and moves will be food for you. Just as I gave you the green plants, I now give you everything.

⁴ “But you must not eat meat that has its lifeblood still in it. ⁵ And for your lifeblood I will surely demand an accounting. I will demand an accounting from every animal. And from each man, too, I will demand an accounting for the life of his fellow man.

⁶ **“Whoever sheds the blood of man,
by man shall his blood be shed;
for in the image of God
has God made man.**

⁷ As for you, be fruitful and increase in number; multiply on the earth and increase upon it.”
 - Note that man-killing animals are to be killed for murdering a human being as are human beings who take another human life.
 - Murder offends God who has made man and woman in His own image.
 - From Noah to the giving of the law to Moses at Sinai, capital punishment seems to have been sanctioned only for murder.

2. CAPITAL PUNISHMENT IN THE OLD TESTAMENT

- The Hebrew word for taking life in the Fifth Commandment (Exodus 20:13) (*ratsach*) denotes premeditated murder. There are other Hebrew words for killing in war (*harag*) or striking a blow resulting in injury or death (*makka*). The commandment then is best translated, “You shall not murder.”
- The civil law statutes of ancient Israel stipulated capital punishment for other crimes as well. Among them were these:
 - Hitting your parents (Ex 21:15)
 - Kidnapping (Ex 21:16)
 - Cursing your parents (Ex 21:17)
 - Killing an unborn infant (Ex 21:22-25)
 - AN owner who has not protected others from his animal (Ex 21:28-29)
 - Witchcraft (Ex 22:18)
 - Worship of idols (Ex 22:20)
 - Working on the Sabbath (Ex 35:2)
 - Adultery (Lev 20:10)
 - Incest (Lev 20:11-12, 14)
 - Sodomy (Lev 20:13)
 - Bestiality (Lev 20:15-16)
 - False prophesying (Deut 13:1-10)
 - Rape under certain circumstances (Deut 22:25-29)

- The Old Testament laws clearly show careful and detailed determination of guilt in capital offenses. These guidelines are still helpful today for the application of capital punishment:
 - Proportionality (Ex 21:23-25)
 - Individual responsibility (Deut 24:16)
 - Fairness regardless of wealth or class of the accused (Ex 23:6-7; Num 35:29-31)
 - Intent (Num 35:22-24)
 - Due process (Num 35; Deut 17:8-9)
 - Certainty of guilt (Deut 17:6; Numbers 35:33-34)
- Other Old Testament Passages
 - When premeditated murder does not receive the just penalty of the laws, the whole land is tainted (Num 35:33-34)
 - God showed mercy in sparing David's life after he murdered Uriah (1 Samuel 11:9-11)
 - Justice is to be swift. When it is not, its power to deter is seriously compromised (Ecclesiastes 8:11).

3. CAPITAL PUNISHMENT IN THE NEW TESTAMENT

- In Luke 23:41 Christ is silent on the cross when the thief says he (the thief) is getting what he deserves (Luke 23:41).
- John 8:1-11 presents a situation where the law was not followed and where the Jewish leaders were setting a trap for Jesus.
- 1 Peter 2:13-14 and Romans 13:1-7 both assign to government the role of punishing the criminal even with "the sword." Neither stipulate specific crimes, though.
- In Acts 25:1-12 (vs. 11), the apostle Paul says that he would not fight the death penalty if he had committed a capital crime.

4. ADDRESSING OBJECTIONS TO THE DEATH PENALTY

- Cain was not executed for his murder of Abel.
- Ancient Israel's civil laws are not binding today.
- David was spared the death penalty.
- Jesus preached forgiveness not execution.
- Innocent people have been executed, Jesus of Nazareth among them.
- Capital punishment is applied unfairly.
- How can one be pro-life (against abortion) and yet support the taking of life via capital punishment?
- Capital punishment is "cruel and unusual."
- Death by execution is undignified.
- Rehabilitation is always a better choice than mere retribution.
- Why not a life sentence instead of a death sentence?

