



Got Ethics?



Got Ethics?

Capital Punishment &
War - Is it ever OK to
Take a Life?



The Death Penalty in the Old Testament



"Whoever sheds man's blood, By man his blood shall be shed, For in the image of God He made man." (Genesis 9:6)

"So you shall not pollute the land in which you are; for blood pollutes the land and no expiation can be made for the land for the blood that is shed on it, except by the blood of him who shed it." (Numbers 35:33)

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The Death Penalty in the Old Testament

1. Murder (Ex. 21:12)
2. Contemptuous act against a judge (Deut. 17:12)
3. Causing a miscarriage (Ex. 21:22-25)
4. Lying in a capital crime (Deut. 19:16-19)
5. Negligence in animal that kills people (Ex. 21:19)
6. Idolatry (Ex. 22:20)
7. Blasphemy (Lev. 24:15-16)
8. Witchcraft/sorcery (Ex. 22:18)
9. False prophet (Deut. 18:20)
10. Sabbath breaking (Ex. 31:14)
11. Homosexuality (Lev. 20:13)
12. Bestiality (Lev. 20:16)
13. Adultery (Lev. 20:10)
14. Rape (Deut. 22:25)
15. Apostasy (Lev. 20:2)
16. Incest (Lev. 20:11)
17. Cursing parents (Deut. 5:16)
18. Kid's rebellion (Ex. 21:15, 17)
19. Kidnapping (Ex. 21:16)
20. Drunkenness (Lev. 10:8-9)
21. Touching temple's holy furnishings (Num. 4:15)



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The Death Penalty in the New Testament



"If, then, I am a wrongdoer and have committed anything worthy of death, I do not refuse to die; but if none of those things is true of which these men accuse me, no one can hand me over to them. I appeal to Caesar." (Acts 25:11)

"For rulers are not a cause of fear for good behavior, but for evil. Do you want to have no fear of authority? Do what is good and you will have praise from the same; for it is a minister of God to you for good. But if you do what is evil, be afraid; for it does not bear the sword for nothing; for it is a minister of God, an avenger who brings wrath on the one who practices evil." (Romans 13:3-4)

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Three Basic Views of Capital Punishment



- 1. Reconstructionism – Possible for all major crimes
- 2. Rehabilitationism – Not for any crime
- 3. Retributionism – Allowed for some capital crimes

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Reconstructionism – Arguments For



- Believes that society should be reconstructed based on Old Testament laws
- Requires capital punishment for every major crime
- The Law reflects God's unchanging character
- The New Testament repeats the Ten Commandments (except the Sabbath)
- Jesus said He did not come to abolish the Law
- Capital Punishment repeated in the New Testament

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Reconstructionism – Arguments Against



- Capital punishment is a penalty for breaking a law and not a law itself; there is a distinction between whether an act is wrong (a law) and the historical penalty for it. An example would be Paul not calling for capital punishment for an adulterer but excommunication (1 Cor. 5:5)
- God didn't enforce capital punishment for each person/offense (e.g. David)
- Jesus did not do away with the Old Testament Law by destroying it, but by fulfilling it. Moses is superseded by Christ. The old covenant has been replaced by the new covenant

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Reconstructionism – Arguments Against



- The New Testament does affirm capital punishment, but does not repeat that it is for all Old Testament offenses
- The apostles set aside certain parts of the Law for gentiles such as circumcision (Acts 15:5)
- It would set aside the First Amendment by establishing one religion
- Has been tried and failed (e.g. Puritan's early America; Baptists fleeing Rhode Island to escape the reconstructionists)

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Rehabilitationism – Arguments For



- Justice is remedial not retributive
- The criminal should be reformed, not punished (at least capitally)
- Cain not put to death for killing Abel
- David not given death penalty for adultery and murder
- "Do I have any pleasure in the death of the wicked," declares the Lord God, "rather than that he should turn from his ways and live?" (Ezekiel 18:23)
- Sends unbelievers to Hell
- The Old Testament capital punishment laws are not practiced for the vast majority of the offenses back then (e.g. a rebellious son, etc.)

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Rehabilitationism – Arguments For



- "You have heard that it was said, 'An eye for an eye, and a tooth for a tooth.' But I say to you, do not resist an evil person; but whoever slaps you on your right cheek, turn the other to him also." (Matthew 5:38–39)
- Jesus did not condemn the adulterous woman in John 8
- Loving our enemies does not equate to killing them
- "Never pay back evil for evil to anyone. Respect what is right in the sight of all men. . . . Never take your own revenge, beloved, but leave room for the wrath of God, for it is written, "Vengeance is Mine, I will repay," says the Lord." (Romans 12:19)
- Doesn't deter crime

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Rehabilitationism – Arguments Against



- The primary purpose of justice is not rehabilitation, but punishment; rehabilitation is secondary
- Cain expected capital punishment: "...whoever finds me will kill me." (Genesis 4:14)
- Mosaic Law was fulfilled in Christ, but capital punishment given beforehand
- Jesus was put to death for the sins of the unjust
- Capital punishment, as practiced today, doesn't deter crime because it is not carried out properly: "Because the sentence against an evil deed is not executed quickly, therefore the hearts of the sons of men among them are given fully to do evil." (Ecclesiastes 8:11)

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Rehabilitationism – Arguments Against



- The rejection of specific Mosaic, Old Testament mandates for capital punishment should not equate to the rejection of it for all, capital offenses (e.g. murder) that came before the Mosaic Law
- The case of the adulterous woman does not negate capital punishment for capital offenses; plus no witnesses remained to accuse her (needed 2)
- The broad principle of substitutionary atonement demands a life for a life
- Capital punishment affirms human dignity; it does not degrade it
- Capital punishment does not send a person to Hell; their unbelief does
- New Testament forgiveness is a personal, not a state matter
- Bottom line: the criminal is a person and not a patient


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Retributionism vs. Rehabilitation Overview

	Retribution	Rehabilitation
Offense	Moral	Pathological
Individual	Person	Patient
Purpose	Punish	Cure
Capital Punishment	Yes	No
Pardon	Yes	Not needed
Worldview	Christian	Secular humanism


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"I realized that I was meant to do more. Now this is what I have become. I will bring justice to those who deserve it. All the rapists, murderers, and sadists, will come to know me well. Frank Castle is dead. Call me...The Punisher"



"Never take your own revenge, beloved, but leave room for the wrath of God, for it is written, "VENGEANCE IS MINE, I WILL REPAY," says the Lord." (Romans 12:19)


Retributionism – Arguments For



- Recommends death penalty in certain capital crimes (where life of an innocent person has been taken – murder, false witness leading to death, treason, etc.)
- Primary purpose of justice is to punish
- Evidently in force before the Mosaic Law (e.g. Cain, Gen. 9:6). Incorporated into the Mosaic Law but Mosaic Law did not institute it
- Given to the government and not individuals (Rom. 13:4)
- Jesus acknowledged the government's authority to take a life (John 19:11; the issue was treason against the state) and stated the general principle of capital punishment: "All those who take up the sword shall perish by the sword." (Matthew 26:52)

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Retributionism – Arguments For



- Human beings are made in the image of God and resemble/reflect God here on earth. Murdering them is an attack on the God who made them
- "The voice of your brother's blood is crying to Me from the ground" (Genesis 4:10) implies vengeance - a life for a life. This is reflected in Cain's fear of being killed. Although God commuted the sentence, it was expected and deserved
- Government now given the charge to carry out capital punishment vs. avenging family members (Rom. 13:4)

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Retributionism – Arguments Against



- It is cruel and unusual punishment
- But so is the murder of an innocent person
- Innocent people have been executed in the past
- True. But innocent people have died from bad medical care; should we stop that too?
- It doesn't deter crime
- It does when it is carried out speedily and consistently

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Retributionism – Arguments Against



- It doesn't conform to New Testament Christianity
- Capital punishment was given before the Old Testament Law and also found in the New Testament
- "Thou shalt not kill" and "turn the other cheek"
- The commandment is "You shall not murder" – the taking of an innocent life.
- "Turn the other cheek" refers to a personal response to an insult not a societal response to murder
- All life is sacred
- Life is indeed sacred, which is why the punishment fits the crime

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What Does it Take to Have Real Justice?

For there to be meaning in ethics there must be ... Justice.



What is necessary for justice to be real? This world shows that justice doesn't always prevail. There must be life after death.



Is that enough? No. There must be a judgment. And it must be perfect.



And for there to be perfect justice and a perfect judgment, there must be a perfect judge. One that must know all the facts of the case. He must have all knowledge.



Is that enough? No. the judge must be righteous. A judge can know all the facts and be corrupt.



Is that enough? No. The judge must have the power to implement and enforce the justice. Nothing must be able to oppose him.

- From Immanuel Kant

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What Does it Take to Have Real Justice?

Now you have an omnipotent, omniscient, righteous, and holy Judge, who serves over a world that is beyond this life.

Doesn't this sound like the God of the Bible?

Remember, Kant arrived at this conclusion without using the Bible...



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Why Capital Punishment?



- The penalty for a broken law is based on the value and loss of the one who has been offended/victimized
- Humans have been made in God's image
- Capital punishment is based on the high view of humankind
- God has ordained government to bear the sword and uphold His moral code

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Three Basic Views of War



1. Activism – Christians should participate in all wars entered into by their government
2. Pacifism – Christians should not participate in war because it involves the killing of people
3. Selectivism – Christians should participate in 'just wars'; not doing so refuses to follow the just course commanded by God

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Activism – Arguments For



- Government has been ordained by God; to disobey one's government (and its command to go to war), the Christian is disobeying God: "Every person is to be in subjection to the governing authorities. For there is no authority except from God, and those which exist are established by God. Therefore whoever resists authority has opposed the ordinance of God; and they who have opposed will receive condemnation upon themselves." (Romans 13:1-2)

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Pacifism – Arguments For



- "Thou shalt not kill"
- "But I say to you, do not resist an evil person; but whoever slaps you on your right cheek, turn the other to him also. (Matthew 5:39)
- War is always based on greed, in one form or another

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Selectivism – A Reasonable Compromise



- Selectivism says the Christian should participate in a 'just war'
- What is a 'just war'? A just war can be defined as one that:
 - Is fought in the defense of the innocent
 - Is fought to execute justice
 - Is fought by a just government
 - Is fought in a just manner (e.g. no children strapped with bombs)

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Selectivism – A Reasonable Compromise



- Scripture supports the rejection of total activism. There are numerous cases of believers disobeying government when its commands are contrary to God's moral laws (e.g. Daniel, Peter and John, etc.)
- The case of the Hebrew midwives in Exodus 1 shows that it is wrong to take the life of an innocent even if the government commands it
- Nuremberg trials showcased that blindly obeying the government is no excuse for taking the lives of innocents

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Selectivism – A Reasonable Compromise



- Abraham's battle against the kings of Genesis 14 lends support to the conclusion that unjust national aggressors should be resisted and fought
- The Old Testament contains many examples of God using armies and war as his tool for justice against evil nations
- Many times God told the Israelites to offer a peace treaty first to a targeted nation, but if they refused peace, then war was granted: "When you approach a city to fight against it, you shall offer it terms of peace." (Deut. 20:10)

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Conclusions



Final Thoughts

- Killing is not the same things as murder as defined in the ten commandments and throughout Scripture
- The positions of retributionism and selectivism appear to fit the Biblical models for capital punishment and war
- In both the attributes of God that is portrayed is justice
- The concepts of forgiveness and pacifism are primarily applied to individuals and not necessarily governments and societies

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