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The sacred name of God, Yahweh, is indicated by LORD.

The Death Penalty: Godly or Ungodly?  
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## **The Death Penalty: Godly or Ungodly?**

Anyone, Christian or non-Christian, who looks at the world today clearly sees the indescribable evil that permeates it. Each person has within himself the potential for great evil, and many people choose to be wicked, which always ends up being at the expense of someone else. Thankfully, we do not have to live in a world overrun by evil and crime. The Bible has guidelines and commands that, if followed, would make our world a safer and more pleasant place to live.

Everyone knows that the world would be a better place if the people committing the heinous crimes in society were stopped. But how? Many different solutions have been offered, and the Bible also offers solutions. One of the biblical solutions to violent crimes is the death penalty. The Bible supports the death penalty in both the Old and New Testaments. In fact, according to Scripture, the death penalty is perhaps the most important key to having a just legal system and a safe society. The death penalty was not invented by man to solve a social problem. God commanded it so that the men, women and children who make up our society can live their lives free from fear. Today, society's alternative to the death penalty is that truly evil people are "housed" (jailed) at great financial and social cost to the very people they have wronged. Furthermore, without the deterrent that the death penalty provides, many people are emboldened to do evil they would not otherwise do.

This short booklet will examine several aspects of the death penalty, including why many people say the Bible is against it. It will quote verses from both the Old and New Testaments that support the death penalty, and show that it is a vital part of the judicial system given by God. It will also examine verses showing that people who should be executed include murderers, kidnappers, people who commit perjury in capital cases, and people who, through reckless and careless behavior, take the life of another person. It is not the intent of this booklet to expound every verse in the Bible that supports the death penalty, nor to give an explanation of every capital crime in the Old Testament. Our primary purpose is to show that the Word of God is supportive of the death penalty for certain crimes, and most assuredly, murder.

We also want to show that the “death” penalty is actually affirming of the value of life, of which God is the author. It is common for people to think of the death penalty as a terrible thing, and very demeaning of human life. Actually, the opposite is the case. It is very demeaning of human life when someone who takes a life or ruins a life (such as by rape, kidnapping, etc.) “pays” with less than life itself, and sometimes with only a few years in prison, if that. Such “justice” sends the message that the life of an innocent person is not worth much, something that most criminals believe already. The death penalty, on the other hand, sends the clear message that life is very valuable indeed, and if a person takes the life of another, the only viable compensation is the criminal’s own life. The death penalty is the necessary antidote to the poisonous influence of evil and evil people upon human society.

### **Why Most People Believe the Bible is Against the Death Penalty**

The death penalty is an integral part of the Old Testament Law. It is in all five books of Moses (Genesis-Deuteronomy), and in other books of the Old Testament as well. Furthermore, the New Testament supports it. The most common reason why people believe the Bible does not support the death penalty is because the King James Version and the versions of the Bible read by most Roman Catholics (including the Douay Version, The New Jerusalem Bible and the New American Bible) give the Sixth commandment in Exodus 20:13 and Deuteronomy 5:17 as, “Thou shalt not kill.” The Hebrew word translated “kill” in the Sixth Commandment is ratsach, and it can mean “kill” or “slay,” either on purpose or accidentally.

Ratsach, like many other words, has a wide range of meaning, and thus its meaning in a particular verse must be determined from the both the immediate and remoter contexts. Thankfully, the Bible has a lot to say about murder, manslaughter, the execution of criminals and killing in war, and it is easy to tell by studying all the verses on the subject that the Sixth Commandment means

not to take a life unjustly. Bible commentators are not confused by the commandment, “You shall not kill.” Maxie Dunnam wrote about the Sixth Commandment in the Mastering the Old Testament commentary on Exodus:

According to Genesis 9:6, this commandment did not prohibit the death penalty. It is obvious in the Old Testament that this [Sixth Commandment] was not a prohibition against all killing, only unauthorized killing.<sup>1</sup>

Because the Bible has clear teaching on murder and manslaughter, and because saying, “You shall not kill,” confuses people about killing in self-defense, in war and the execution of criminals, most modern versions properly translate ratsach in the Sixth Commandment as “murder.” For example:

- New King James Version: You shall not murder.
- Revised English Bible: Do not commit murder.
- New International Version: You shall not murder.
- New American Standard Bible: You shall not murder.
- New Revised Standard Version: You shall not murder.
- Amplified Version: You shall not commit murder.
- New English Bible: You shall not commit murder.
- Tanakh (Jewish Publication Society): You shall not murder.

The above versions of the Bible were produced by teams of scholars with differing theological backgrounds, including Protestant, Anglican, Roman Catholic, Orthodox and Jewish scholars. It should be clear from the evidence that the Sixth Commandment is not about the death penalty, but about unjust killing, that is, murder.

Although the best single-word translation of the Hebrew word ratsach in the Sixth Commandment is “murder,” ratsach does have a wider application that must be considered. The well-known Hebrew scholars C.F. Keil and Franz Delitzsch write:

Accordingly, in the command, “Thou shalt not kill,” not only

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1. Maxie Dunnam, Mastering the Old Testament, Exodus (Word Publishing, Dallas, 1987), p. 263.

is the accomplished fact of murder condemned, whether it proceed from open violence or stratagem (Chap. 21:12,14,18), but every act that endangers human life, whether it arise from carelessness (Deut. 22:8), or wantonness (Lev. 19:14), or from hatred, anger and revenge (Lev. 19:17,18). Life is placed at the head of these commandments, not as being the highest earthly possession, but because it is the basis of human existence, and in the life the personality is attacked, and in that the image of God (Gen. 9:6). The omission of the object [of the verb ratsach] still remains to be noticed, as showing that the prohibition includes not only the killing of a fellow-man, but the destruction of one's own life, or suicide.<sup>2</sup>

The highly respected commentator Adam Clarke wrote specifically about the Sixth Commandment in his six-volume commentary on the Bible:

Thou shalt not kill. This commandment, which is general, prohibits murder of every kind. 1. All actions by which the lives of our fellow creatures may be abridged. 2. All wars for extending empire, commerce, etc. 3. All sanguinary laws, by the operation of which the lives of men may be taken away for offences of comparatively trifling demerit. 4. All bad dispositions which lead men to wish evil to, or meditate mischief against, one another; for, says the Scripture, he that hateth his brother in his heart is a murderer. 5. All want of charity to the helpless and distressed; for he who has it in his power to save the life of another by a timely application of succour, food, raiment, etc., and does not do it, and the life of the person either falls or is abridged on this account, is in the sight of God a murderer. He who neglects to save life is, according to an incontrovertible maxim in law, the same as he who takes it away. 6. All riot and excess, all

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2. C.F.Keil and F. Delitzsch, Commentary on the Old Testament, The Pentateuch (William B. Eerdmans, Grand Rapids, reprinted July, 1976), Vol. 1, Book II, pp. 123,124, note on Exodus 20:13.

drunkenness and gluttony, all inactivity and slothfulness, and all superstitious mortifications and self denials, by which life may be destroyed or shortened; all these are point blank sins against the Sixth Commandment [emphasis his].<sup>3</sup>

Adam Clarke is correct when he says that the Sixth Commandment prohibits murder of every kind. It has nothing to do with the death penalty, but is a command not to murder or kill another man unjustly. The vast majority of modern versions recognize this, and read “You shall not murder.” Since killing in criminal execution, in self defense and in war are condoned in Scripture, it is hard to see how “You shall not kill” is an acceptable translation of *ratsach* in the Sixth Commandment. There is no question that the average reader gets the wrong idea from that translation. Instead of correctly concluding that accidental killing and suicide are being included with murder, the modern reader wrongly concludes that self-defense, the execution of criminals and killing in war are forbidden by God. Thus, the majority of modern translators have chosen to translate the verse as “You shall not murder” because that communicates to modern Americans. Perhaps an alternative translation which includes the word “kill” would be, “You shall not kill unjustly.”

As the above authors point out, the Sixth Commandment also prohibits the taking of a life through carelessness or wantonness. The thought that God is prohibiting “accidental killing” can be confusing at first, because “accidents happen.” However, a quick review of the history of mankind will clearly show that a lot of “accidental deaths” could have been prevented if people had cared more about their own lives and the lives of others. Accidental deaths often occur in an environment that could have been made safe if proper attention had been paid to safety. We will never be able to assure perfect safety for people, but things could be a lot safer than they are if human life were more highly valued.

### **The Death Penalty is Man’s Responsibility to Enforce**

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3. Adam Clarke, *The Holy Bible with a Commentary and Critical Notes, A New Edition with the Authors Final Corrections* (Abingdon Press, Nashville), Vol. 1, pp. 405,406.

The death penalty is clearly commanded by God, and it is the responsibility of mankind to carry it out. It is in all five books of Moses, and the first time it is mentioned is most significant.

### **Genesis 9:6**

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

This first verse commanding the death penalty is important because it tells us exactly what God expects. He gives people the responsibility to maintain a safe society by executing people who murder others. Both Scripture and history make it clear that, with a few exceptions, God Himself will not kill evildoers in society. There have been a few exceptions, such as the Flood and the destruction of Sodom and Gomorrah, but there were foreshadowings of God's future destruction of all evil people at the Final Judgment, and of course there is the Final Judgment itself. However, this Judgment is future. The Flood and the destruction of Sodom and Gomorrah were exceptions, necessitated by God's plan to preserve the lineage from which the Redeemer would come. The rule, plainly spelled out in Scripture, is that if a man sheds the blood of another man, it is by other men that justice must be meted out.

Some people are against the death penalty, saying that mankind is the creation of God, and therefore a man does not have the right to take the life of another man. While that may sound good at first, it is contrary to Scripture. Man does have the right, and even the responsibility, to execute murderers. God gave us that right and responsibility, and He will not "take it back" just because it is distasteful to us. God gave man the wisdom and ability to take care of his own society and its problems. People today are busy and overburdened, yet God is not running around among us mowing lawns, fixing broken appliances in the home, driving the kids around from place to place, and people do not expect Him to. We know that God will not go grocery shopping for us, so we do it ourselves. We do realize, of course, that sometimes when we are having a problem, God will send a person to help. When it comes to the protection of society, those whom God sends are those who live in that society. God is specific. He said that if a man sheds the blood of another man,

then it is the job of men to bring justice and avenge that bloodshed so that society will remain safe.

## **Murder**

We have already seen an example of Scriptural support for the death penalty in the book of Genesis, and, as was already stated, the death penalty is supported in all five Books of Moses. Genesis 9:6 prescribed the death penalty for murder when it said that if a man “shed the blood” of another man, by man must his blood be shed. We will now consider the subject of capital punishment in Exodus, and see clearly that God instituted the death penalty.

### **Exodus 21:12-14**

(12) Anyone who strikes a man and kills him shall surely be put to death.

(13) However, if he does not do it intentionally, but God lets it happen, he is to flee to a place I will designate.

(14) But if a man schemes and kills another man deliberately, take him away from my altar and put him to death.

The first thing to notice in this section of Scripture is that God commands that anyone who kills a person on purpose should be put to death. It is up to the people in the society to enforce this law. The Bible does not say, “If anyone is a murderer, I, God, will put him to death.” Also, note that God differentiates between murder and accidental killing, which we call “manslaughter.” Accidental killing is different than murder, and it is treated differently under God’s law. Notice in verse 13 that if someone killed another accidentally, God would designate a place of refuge for the accused to flee for protection. That was necessary because it was the custom in the ancient world (and still is in the modern world in some places) that a family member would avenge the death of another family member.

Biblically, the family member who avenged a death was called, “the avenger of blood.” It was essential to have a place where a person who accidentally killed someone could go for protection until the civil authorities could get involved. Often, the place of sanctuary was in the Tabernacle or Temple courts where the altar of sacrifice

was. This custom was carried on in many societies, and churches often became places of sanctuary. Thus God's desire to see justice done in regard to murderers is clearly seen in His command that if a person is guilty of murder, there is to be no sanctuary for that person. He was to be taken, even from the altar of God itself, and executed.

The saying, "an eye for an eye," is well known and often quoted. However, to properly understand it, we must quote it accurately.

**Exodus 21:23-25**

(23) But if there is serious injury, you are to take life for life,

(24) eye for eye, tooth for tooth, hand for hand, foot for foot,

(25) burn for burn, wound for wound, bruise for bruise.

It is hard to see how anyone could read and understand the above passage and maintain that God is against the death penalty. The Israelites wandered in the wilderness for forty years, and Exodus was written in the first year. To insure that the Israelites would really understand that God was serious about the maintenance of social order, and so that no one could propose that "life for life, eye for eye," etc., was just to maintain order while they marched as an army, the law is repeated again in Deuteronomy 19:21, which was written only months before Israel was to settle in the Promised Land.

The book of Leviticus also clearly states that murderers are to be put to death:

**Leviticus 24:17,21**

(17) If anyone takes the life of a human being, he must be put to death.

(21) Whoever kills an animal must make restitution, but whoever kills a man must be put to death.

These verses are very clear, and also settle another issue that has come up in these modern times. There are environmentalists who state that animals are just as important as mankind. That is clearly not what the Bible says. Animals are not made in the image of God, and many of them are specifically stated to be a source of food (Gen. 9:3) and of domestic blessings. Biblically, the life of an animal is not valued as highly as the life of a human being who was created in the

image of God.

The book of Numbers continues the biblical testimony that murders are to be put to death:

**Numbers 35:16-18**

(16) If a man strikes someone with an iron object so that he dies, he is a murderer; the murderer shall be put to death.

(17) Or if anyone has a stone in his hand that could kill, and he strikes someone so that he dies, he is a murderer; the murderer shall be put to death.

(18) Or if anyone has a wooden object in his hand that could kill, and he hits someone so that he dies, he is a murderer; the murderer shall be put to death.

After giving clear testimony that murderers were to be put to death, Numbers reinforces the statement made in Exodus that there was to be no refuge for a murderer.

**Numbers 35:31**

Do not accept a ransom for the life of a murderer, who deserves to die. He must surely be put to death.

The book of Deuteronomy is the fifth and last book of Moses, and it also states that a murderer is to be put to death.

**Deuteronomy 19:11-13**

(11) But if a man hates his neighbor and lies in wait for him, assaults and kills him, and then flees to one of these cities,

(12) the elders of his town shall send for him, bring him back from the city, and hand him over to the avenger of blood to die.

(13) Show him no pity. You must purge from Israel the guilt of shedding innocent blood, so that it may go well with you.

We have now seen that the five books of Moses, Genesis through Deuteronomy, all prescribe the death penalty. It should be abundantly clear that anyone who reasons that the Bible does not support the death penalty because a few translations say, "You shall not kill," is

misunderstanding and misapplying Scripture.

In addition to the point-blank commands in Genesis—Deuteronomy about the death penalty, Scripture contains records that indicate how God feels when His commands are not obeyed. 1 Kings 20 contains the record of a king of Israel who spared the life of an enemy king in spite of the fact that he had attacked Israel and killed many Israelites. Was God pleased that the king of Israel spared the life of this murderer? Not at all. God sent a prophet with this message: “This is what the LORD says: ‘You have set free a man I had determined should die. Therefore it is your life for his life, your people for his people’” (1 Kings 20:42). In the United States, we have spared the lives of many criminals who should have been put to death, and now it is “our lives for their lives.” We have been disobedient to God’s law, and as a result we live in an unsafe society where each year thousands of innocent people die. Would it not be more just to execute the criminals and provide a safe society for the law-abiding citizens?

To add insult to injury, well-intentioned Christians will often attempt to comfort the families of murder victims by suggesting that “God works in mysterious ways” as if He were somehow responsible for allowing the murder to occur. However, God has clearly revealed that He has made man responsible for the righteous execution of judgment. Therefore God is not at fault for man’s failure to obey His Law that then results in the growth of criminal behavior and the enormous volume of human suffering it leaves in its wake.<sup>4</sup>

## **Kidnapping**

Murder is not the only crime that God commands be punished by the death penalty. God also commanded that kidnappers should be executed. The psychological and often physical damage done to individuals who are kidnapped, and the terror and grief to families, friends and communities of the one kidnapped, is well documented. Kidnapping, although sometimes done purely for financial gain, is more often accompanied by rape or other molestation. Today’s liberal policies tend toward giving a kidnapper “therapy” (and jail

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4. See Don’t Blame God, available from CES.

time), which has blatantly failed to keep our society safe, as many anguished parents will testify. Most parents in America today have some level of fear or anxiety that their children will be kidnapped and abused. Kidnapping is a problem today, and one reason for this is that the biblical laws God says would help keep it in check are not being exercised.

**Exodus 21:16**

Anyone who kidnaps another and either sells him or still has him when he is caught must be put to death.

**Deuteronomy 24:7**

If a man is caught kidnapping one of his brother Israelites and treats him as a slave or sells him, the kidnapper must die. You must purge the evil from among you.

People need to wake up to the fact that there is a way to stop kidnapping and help return our society to a state of peace and safety—obey God’s laws. If kidnappers were executed quickly, as the Bible demands, our society would be much safer.

**Perjury**

Although God commands that certain criminals be put to death, He highly esteems life. In fact, this is the true reason for His instituting the death penalty: to prevent the wanton disregard of human life. Therefore, the death penalty was only to be carried out when guilt was firmly established. According to biblical law, people are never to be put to death without clear evidence that they are, in fact, guilty. In the biblical world that almost always meant eyewitnesses, since none of the forensic evidence we rely on today, such as fingerprints, blood type, DNA, etc., was available to them. God said clearly, “On the testimony of two or three witnesses a man shall be put to death, but no one shall be put to death on the testimony of only one witness” (Deut. 17:6). So that people would be sure to get the point, God restated the same thing two chapters later: “One witness is not enough to convict a man accused of any crime or offense he may have committed. A matter must be established by the testimony of

two or three witnesses” (Deut. 19:15).

Witnesses were much more available in biblical society than they are today. We Americans do a lot alone that people in biblical times would never have done alone. We often live alone, work alone, shop alone, exercise alone and drive alone. In the culture of the Bible, people did things together for the purpose of protection. Families and extended families lived together, men worked the fields with other men, and women did their chores with other women, so that the opportunities to find someone really alone were quite rare. Although this is not the case in America today, and two or three witnesses may not always be available, we have developed forensic science to the degree that it is often a very reliable witness.

Because witnesses were so important in court, one of the capital crimes in the Bible was perjury in a capital case. Interestingly, the Bible has only two examples of innocent men executed by the government after a trial: Naboth (1 Kings 21) and Jesus Christ. In both of these cases, perjury was involved. The Bible is very specific about perjury. It says that the perjurer is to receive whatever punishment the person on trial would have gotten if the perjury had not been discovered.

#### **Deuteronomy 19:16,19,21**

(16) If a malicious witness takes the stand to accuse a man of a crime,

(19) then do to him as he intended to do to his brother. You must purge the evil from among you.

(21) Show no pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

History reveals that when an innocent man is given the death penalty, perjury is often involved. Furthermore, a study of the cases in which a “guilty” person was later found to be innocent shows that, to get the conviction, evidence was often withheld or tampered with, or witnesses lied. It is clear that lying in court to get another person executed by the government is tantamount to murder, and it is easy to see why God commands the death penalty for someone who would do that. If our government speedily executed anyone caught lying or doctoring evidence in a capital case, most of that

would stop very quickly.

## **Reckless Disregard for Human Life**

Under God's law, people are also to be responsible citizens and not put others at unnecessary risk. This is made clear in an example given in Exodus 21.

### **Exodus 21:28,29**

(28) If a bull gores a man or a woman to death, the bull must be stoned to death, and its meat must not be eaten. But the owner of the bull will not be held responsible.

(29) If, however, the bull has had the habit of goring and the owner has been warned but has not kept it penned up and it kills a man or woman, the bull must be stoned and the owner also must be put to death.

In the biblical culture, many people owned animals. It could easily happen that someone would have a bull that was known to gore, but who thought it was too valuable to kill. This law was put into place by God to protect society from unreasonable people. The owner of the bull was free to take the risk that he could keep the bull penned up and away from people, but it was a huge risk. If the bull got free and killed someone, then the owner of the bull was executed. Laws like this may seem very harsh to us, and James Jordan comments on that:

Perhaps to our modern ears they may seem harsh, but we must be careful not to accuse God of sin. He gave these laws, and regardless of whether or not we should keep them today, surely they reflect His goodness. Doesn't this harshness serve to show us that we have too lax a view of sin? Also, have our modern loose laws done us any good? Modern humanistic law is soft on the criminals and harsh on the innocent. Biblical law is harsh on criminals and thus protects the innocent, the widow, the orphan, the poor and the law abiding.<sup>5</sup>

Jordan's statements are right on target. Our society is unsafe in

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5. James Jordan, *The Law of the Covenant* (Institute for Christian Economics, Tyler, TX, 1984), pp. 27,28.

many ways that could be corrected if citizens refused to put up with the failure of the laws we now have and decided to give God's laws a try. The Bible makes it clear that God highly values a safe society. If someone knowingly endangers others in neglectful and unnecessary ways, God gave the command to execute that person if his or her neglect and lack of caring cost another person's life.

It is important to realize that the examples God uses in the Bible are to be a guide to help us understand what His justice is and how to administer it. There is no way God could write out specific laws for every circumstance, so He gave us examples to learn from. This is actually clear in the word Torah itself. While most people believe that the word Torah means "law," any good Hebrew lexicon will confirm that a better translation would usually be "teaching" or "instruction." There are Hebrew words such as *dath* and *mitzvah* used in the Bible for specific laws or statutes. The Torah was to provide teaching and instruction that would point us in the correct direction, not to provide a specific statute for every crime.

There are areas in our American communities where people are afraid of dangerous dogs and cannot comfortably let children play. In a truly biblical society, that fear would not exist, because few people would keep unsafe animals if they knew for a fact that the owner would be executed if the animal killed someone. The owner of a dog that had bitten a person would undoubtedly have the dog put to sleep rather than risk being swiftly executed because his dog attacked and killed someone.

Many countries, particularly America, also have a huge problem with drunk drivers. Every year thousands of families grieve the deaths of loved ones who have been killed by drunk drivers, and we put up with this in our society rather than enforce the penalties that would be required by God's law. A drunk driver knowingly places another person's life in danger and would perfectly fit the model of Exodus 21:28,29. If every drunk driver who took the life of another person were speedily executed, few countries would have a drunk driving problem. James Jordan is correct when he says that, "Biblical law is harsh on the criminal and thus protects the innocent." God invented people and society, and He gave us an "instruction manual" so we could have a wonderful society. We ignore God's laws at our peril,

and the dangerous society in which we live is proof enough of that.

That we have seen thus far from the Old Testament is clear evidence that God does support the death penalty. The health and safety of families and society is more important to Him than the “freedom” of the individual to harm others.

### **The New Testament Supports the Death Penalty**

We should not expect God to have to repeat Himself in the New Testament if what He said in the Old Testament still applies. Yet people often think that if the New Testament does not specifically state something, it must not be true. However, God’s laws are to be considered binding, unless He tells us there is a change. For example, in the Old Testament God commanded animal sacrifice, so why do we not have it today? We do not just ignore the law because sacrificing animals is distasteful to us, nor do we really believe that God changed and “became more civilized.” Rather, the New Testament specifically tells us that animal sacrifices were made unnecessary because Christ was a permanent sacrifice. So there was a change in the law and God told us of that change.

There are many people who will admit that the Old Testament supports the death penalty, but deny that the New Testament does also. That is just not the case, as we will now show. The first thing to notice in the New Testament is that Jesus Christ never said anything against the death penalty. In fact, he specifically stated that he had not come to put an end to the Law.<sup>6</sup> Even when he appeared before Pilate, Jesus never denied that Pilate had the legal authority to execute him. If he were against the death penalty, this would have been a good place to say it. In fact, there is no record of any person in the Bible stating that the death penalty is wrong in the eyes of God.

People sometimes say that Jesus taught us to love our fellow man, as if the death penalty were not loving. But God is love, and He commanded the death penalty for certain crimes. Furthermore,

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6. Jesus Christ ended the Levitical Law governing worship, animal sacrifice, etc., but he did not end the moral law or civil as represented by the 10 Commandments. For a complete discussion of this topic, refer to *The Bible and Civil Law* and *The Ten Commandments*, audiotapes available from CES.

Jesus got his teaching on love from the Old Testament. When Jesus said the second greatest commandment was to “love your neighbor as yourself,” he was quoting Leviticus 19:18. The Law of Moses did teach love, and part of that love for people and society was to protect them from evil by enforcing the Law, which included the death penalty.

When something is clearly established in the Old Testament as the will of God, it does not need to be repeated word by word in the New Testament so we will know that it is still the will of God. When God wants to change something, like His laws concerning animal sacrifice or circumcision, He tells us. The proper way to interpret Scripture is to believe that God’s will is constant unless He tells us He has new rules for us. In the case of capital punishment for murderers, kidnappers, etc., not only does God not say He changed His mind in the New Testament, He confirms what He said in the Old Testament.

### **1 Timothy 1:8-10**

(8) We know that the law is good if one uses it properly.

(9) We also know that law is made not for the righteous but for lawbreakers and rebels, the ungodly and sinful, the unholy and irreligious; for those who kill their fathers or mothers, for murderers,

(10) for adulterers and perverts, for slave traders [man-stealers] and liars and perjurers—and for whatever else is contrary to the sound doctrine.

It is noteworthy that these verses in the New Testament say that the Law is good if it is used properly, and then go on to say that the Law was made for people such as murderers. If God had changed His mind about what He said in the Old Testament, and decided that we should not execute criminals, this would have been the perfect place to say so. Surely it is not good exegesis of Scripture to read that “the Law is good” and was made for murderers, kidnappers and the like, and then say that according to the New Testament we should not execute criminals.

These verses in Timothy echo Romans 7:12, which says, “So then, the law is holy, and the commandment is holy, righteous and

good.” It is important to note that murder, perjury and kidnapping, crimes we have examined in this paper, are all specifically mentioned in the New Testament in the context of the Law being good and made for such people. In verse 10 above, the NIV has “slave traders” when the Greek text actually has “man-stealers.” In the ancient world, most people were kidnapped for money. Today, kidnappers sometimes kidnap for ransom money, but in the ancient world the easy money came from selling the person as a slave, which worked especially well if the one kidnapped could not speak the language of those he or she was sold to. The familiar story of Joseph being sold by his brothers into slavery is a good example. Since slavery was common in Bible times, kidnapping someone and then selling him or her as a slave in another country was a way to get quick money. Thus, while the NIV translation can be defended culturally, it is really too narrow. Many other versions have either the more literal “men-stealers” or the more modern “kidnappers,” which does include slave traders.

It is clear that the apostle Paul did not consider the death penalty an ungodly thing. When he was on trial for supposedly causing riots across the Roman world (Acts 24:5), he made the following statement: “If I am guilty of doing anything deserving death, I refuse not to die” (Acts 25:11). It can hardly be imagined that Paul would say such a thing to a Roman governor if in his heart he felt the death penalty was wrong. Since Paul was a Roman citizen (Acts 22:25-29) and was being accused by Jews, he could probably have found a way to save his life, so it would not have made sense for him to mention the death penalty if he believed it was wrong. Acts 24:26 says that the Roman governor was hoping for a bribe, a fact that Paul could not have been ignorant of. Thus, a study of the New Testament reveals that it supports the death penalty just as the Old Testament does.

### **The Death Penalty Must Be Carried Out Quickly**

The Bible directs us to carry out punishments quickly if we want them to deter other crime:

**Ecclesiastes 8:11**

When the sentence for a crime is not quickly carried out, the hearts of the people are filled with schemes to do wrong.

The death penalty is a just punishment for criminals deserving death, and when it is done speedily and openly, it serves as a deterrent to crime and creates a safer society. God knows people, and He tells us how to have a safe society. We today do not obey God's laws, thinking that our laws are better. There is an old saying that, "the proof of the pudding is in the eating." Well, the proof that our liberal laws do not work is right in front of us: we live in an unsafe society. We could change that if we had the courage to enforce biblical laws. God has directed us to carry out the death penalty quickly. If we want a safe and just society, then we need to follow God's rules. A study of the executions in Scripture shows that they were carried out quickly after conviction. For example, the blasphemer in Leviticus 24:10-23 was apparently executed the same day sentence was given, and Joshua had Achan executed the same day he was discovered as the cause of Israel's trouble (Josh. 7).

## **Conclusion**

The Bible says that we reap what we sow, and history testifies to the truth of that proverb. People all over the world live in unsafe societies. This is clear evidence that we humans need to change the way we are sowing. In the United States, murder is common, and people live in fear of kidnappers, drunk drivers and other criminals. Lying in court is also common, and no matter how just a person's cause is, the ultimate judgment that any court will arrive at is so uncertain that most people dread ever having to go to court for any reason. God, the Author of life, has made it very clear how we can correct these situations. The Bible clearly supports the death penalty for crimes like murder, kidnapping and perjury in capital cases. There is ample evidence that God's laws work, and life in countries like Singapore, which enforces a death penalty, is much safer than life in the United States.

It could be argued that there is too much to change in our legal system to achieve a godly use of the death penalty, and so we should stop using it altogether and just use jails to keep criminals off the

## Misapplied Texts

Opponents of the death penalty often use verses from the Bible to try to support their position. This is occasionally effective for several reasons. First, many people do not really know the Bible, and are therefore subject to being swayed by a verse that is quoted out of context. Second, some verses are not translated as clearly as they could be, such as the commandment, “You shall not kill,” which has been handled above. Third, there are occasionally customs involved in a section of Scripture that cloud the meaning of the verse to people today. That is clearly the case with the “turn the other cheek” references. Fourth, people do not really know and understand the biblical concept of love. God is love and He is loving, yet He is the one who commanded the death penalty. This section of the booklet deals with verses and concepts that have often been misused in an attempt to say that God and the Bible are against the death penalty.

### **1 Samuel 26:8-11 (Touch not the Lord’s anointed)**

People who support the idea that God should be the one to punish murderers often refer to the record of David and Saul, in which Abishai, one of David’s men, wanted to kill King Saul, but David restrained him.

#### **1 Samuel 26:8-11**

(8) Abishai said to David, “Today God has delivered your enemy [Saul] into your hands. Now let me pin him to the ground with one thrust of my spear; I won’t strike him twice.”

(9) But David said to Abishai, “Don’t destroy him! Who can lay a hand on the Lord’s anointed and be guiltless?”

(10) As surely as the LORD lives,” he said, “the LORD himself will strike him; either his time will come and he will die, or he will go into battle and perish.

(11) But the LORD forbid that I should lay a hand on the Lord’s anointed. Now get the spear and water jug that are

near his head, and let's go.”

This section of Scripture is not applicable to the death penalty. Saul was an ungodly person, but he had not broken any law for which David could execute him as a criminal. More importantly, David was not representing the civil authorities, who, under God's laws, had the authority to enforce the death penalty. If David had killed Saul, it could never legitimately be called “enforcing the death penalty.” At best, David would have been acting as a vigilante, which is outside the will of God. While it could be argued that David could have killed Saul and called it self-defense or war, David did not need to kill Saul for either of those causes, and he chose not to.

Although, in both self-defense and war, there are times when killing is essential to survival, it is also true that there are times when there are other options such as taking prisoners or running away. David had no qualms about killing in war, as the Bible amply testifies. The story of David and Goliath is well known, and David fought and killed so many people in establishing his kingdom that God would not let him build the Temple. God said to David:

**1 Chronicles 22:8-10**

(8) You have shed much blood and have fought many wars. You are not to build a house for my Name, because you have shed much blood on the earth in my sight.

(9) But you will have a son who will be a man of peace and rest, and I will give him rest from all his enemies on every side. His name will be Solomon, and I will grant Israel peace and quiet during his reign.

(10) He is the one who will build a house for my Name.

David not only killed in war, he also protected his kingdom by commanding that troublemakers be put to death, including Joab (1 Kings 2:5-7) and Shimei (1 Kings 2:8,9). A study of David's life makes it clear that when he spared Saul's life, it was not because David was against the death penalty or killing in war. Genesis 9:6 is clear that mankind must enforce the death penalty for murder, and the rest of the Bible corroborates this. As our study continues, we will see that nowhere does God ever state that He will take over the

responsibility for executing criminals until His final judgment of them. The language all through the Bible is that man will have to do it.<sup>1</sup>

### **Matthew 7:1 (Do not judge, or you too will be judged.)**

One of the basic keys to correctly understanding and interpreting Scripture is that no verse in the Bible can contradict any other verse. This is a basic rule of interpretation. God's Word, as He originally gave it, contains no errors or contradictions. The Bible is "truth" and truth is not inherently contradictory. There are many clear scriptures that tell Christians to make judgments. We have to judge both people and doctrine in order to live godly and safe lives. Jesus Christ understood this, and told his disciples and the people to make good judgments. "Stop judging by mere appearances and make a right judgment" (John 7:24). Many other verses teach us that we have to judge. 1 Corinthians 2:15 says, "The spiritual man makes judgments about all things...."

A study of the verses on the subject of judgment shows that God expects us to judge both people and doctrine. We must judge doctrine so that we will do the right thing and not be led into error. We must judge people so we can properly relate to them. It is common that people are misjudged by others. No wonder Christ said to "make a

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1. The entire Bible is "the truth," yet there are things in the Bible that are not true. How can this be? When the Bible records a man speaking, it records what he said and therefore is a "true" record of what happened. That does not mean that the words the man spoke are the truth. They may be out-and-out wrong, such as when the religious leaders said of Jesus, "He is possessed by Beelzebub! By the prince of demons he is driving out demons" (Mark 3:22). It may also be the case that a man would speak by revelation to a specific situation, but what he said did not apply in every case. Elisha told Naaman that if he dipped five times in the Jordan River, he would be healed of leprosy (2 Kings 5). Yet it is obvious that not all lepers are cleansed by washing in the Jordan, so while Elisha's statement was true for Naaman, it is not true (i.e., does not apply) to everyone. Another example of this is when David said of Saul, "the LORD himself shall strike him" (1 Sam. 26:10). This was not a part of the Law of Moses, and David obviously did not believe this to be true for every evildoer, because David executed the man who claimed to kill Saul (2 Sam. 1:15,16) and the men who killed Ishbosheth, Saul's son (2 Sam. 4:12). David was speaking specifically about Saul, not about how to run the justice system of a government.

right judgment.” Some clear verses that tell us that we are to make judgments about people include:

- 1 Corinthians 5:12 What business is it of mine to judge those outside the church? Are you not to judge those inside?
- 1 Corinthians 14:24 But if an unbeliever or someone who does not understand comes in while everybody is prophesying, he will be convinced by all that he is a sinner and will be judged by all.
- 1 Corinthians 6:2 Do you not know that the saints will judge the world? And if you are to judge the world, are you not competent to judge trivial cases?
- 1 Corinthians 6:5 I say this to shame you. Is it possible that there is nobody among you wise enough to judge a dispute between believers?

Christians are to make judgments about doctrine as well as people. If we do not, we will be led into error. The prophets of old were constantly reproving people for making wrong judgments about what was right and wrong in God’s sight, and the Church Epistles contain reproof to believers who did not make correct judgments about what was truth and what was error. Paul told Timothy to “correct, rebuke and encourage” the believers, which, of course, involves making judgments (2 Tim. 4:2). Verses on judging doctrine and ideas include:

- Luke 12:57 Why don’t you judge for yourselves what is right?
- 1 Corinthians 10:15 I speak to sensible people; judge for yourselves what I say.
- Acts 15:19 It is my judgment, therefore, that we should not make it difficult for the Gentiles who are turning to God.

If there are verses, even some spoken by Christ himself, that say people are to judge, then why are there verses that seem to say we should not judge? The answer lies in the contexts of the particular verses. In Matthew, the context is about those who judge while they

have a beam in their eye that warps their judgment. They want to judge others, but their judgment is not right or just. There are other verses beside Matthew 7:1 that warn against unjust judgment. Christ summed up his statement on judging in Matthew by saying, “For in the same way you judge others, you will be judged” (Matt. 7:2).

It is impossible to live without making judgments. Every parent makes judgments about whether or not a certain baby sitter is capable, whether or not a teacher is being fair to a child or whether the price for something is too high. Every person in business makes judgments about people—whether they are telling the truth or selling a “bill of goods.” Most importantly, every person is to make judgments about his or her beliefs, because God will hold us responsible for what we believe and how we act.

There is no way to avoid making judgments, and we should not want to. God gave us the capacity to judge. Jesus told a parable about a man who gave money in the form of talents (a talent is worth more than a thousand dollars) to three of his servants. Two servants used the talents well, and were rewarded. The third did not use the talent the master gave him, but buried it in the ground. When the master returned, he was not pleased, and said, “You wicked, lazy servant!” (Matt. 25:26). These words should ring loudly in our ears. God gifted us with the ability to judge, and we are not doing Him any favors when we do not use the abilities He gave us. If we will not make the judgments needed to keep ourselves and our families safe, we are burying our abilities in the ground, and we will suffer for it.

**Luke 6:29 (If someone strikes you on one cheek, turn the other to him.)**

This verse is not talking about the death penalty or any other type of civil crime or punishment for crimes. Interestingly, people who quote this verse as saying there should not be a death penalty do not seem to grasp that the verse is saying there should not be any kind of retribution at all. If this verse were applied universally to the criminal justice system, it would mean no fines, no jails and not even any community service. Surely even the most liberal of people do not believe that we can have a safe society and enforce no laws

at all!

Why would Christ say something like “turn the other cheek?” What did he mean? In the culture of the Bible, touching or striking someone on the cheek was an insult. It was the equivalent of calling someone a dirty name today. Jesus knew that his disciples would be insulted, and that it is a waste of one’s life to try to get “satisfaction” for an insult. So he instructed people to “turn the other cheek,” i.e., ignore insults, and by showing the other cheek, show that you are firm in your beliefs and actions even if it means you will be insulted again.

Other Bible verses show that slapping someone on the cheek was an insult:

**Lamentations 3:30**

Let him offer his cheek to one who would strike him and let him be filled with disgrace.

**Job 16:10**

Men open their mouths to jeer at me, they strike my cheek in scorn.

**Isaiah 50:6**

I offered my cheeks, I did not hide from mocking and spitting.

A wonderful example of slapping on the face as an insult occurs in 1 Kings. The Israelite king, Ahab, was trying to convince the Judean king, Jehoshaphat, to join forces with him and fight the Arameans. Ahab brought out an impressive number of prophets who all foretold success in the mission. However, there was no prophet of the true God represented. Jehoshaphat insisted on hearing from one. Ahab at last found a prophet of Yahweh, a man named Micaiah, who insulted the other prophets by first mocking what they had said, and then giving a contradictory prophecy—which came true, by the way. One of the false prophets, a man named Zedekiah was incensed: “Then Zedekiah, son of Kenaanah, went up and slapped Micaiah in the face” (1 Kings 22:24). This was not an attack on Micaiah’s life or body. Zedekiah was insulted by Micaiah’s words,

and he insulted Micaiah back in a way that was perfectly understood in the culture. Micaiah, as if following the words of Jesus spoken some 800 years later, ignored Zedekiah's insult and simply kept on speaking the words God gave him to speak.

Christians need to follow the advice of the Lord and learn to ignore insults without burning in anger. We also need to know the culture and customs of the Bible so that we can correctly interpret such verses. The command to "turn the other cheek" has no bearing on the criminal justice system and the justice exercised by the government in the defense of society, and neither does it have anything to do with self-defense or war.

Matthew 26:52 (Put your sword back in its place," Jesus said to him, "for all who draw the sword will die by the sword.)

This verse is a condemnation of self-willed aggression. It has nothing to do with self-defense or the proper use of the criminal justice system. Earlier that same day, Jesus had told the disciples to buy a sword if they did not have one. "He [Jesus] said to them, 'But now if you have a purse, take it, and also a bag; and if you don't have a sword, sell your cloak and buy one'" (Luke 22:36). Obviously, Jesus would not tell people in the afternoon to go buy a sword if they did not have one, and then late that night teach that if they used the sword they had bought they would die by it. There is a perfectly good reason Christ told his disciples to go buy a sword: self-defense. Peter, however, was not acting in self-defense when he drew his sword and used it on the servant of the priest. The people who came to arrest Jesus represented the authorities at the time. If the police came to your house to arrest you, even if you had not actually committed the crime, you would not be acting in self-defense if you pulled a weapon and started to fight with them. To be acting legally, you would have to win your case in court. When Peter pulled his sword and smote the servant of the High Priest, he was acting outside the will of God and outside the law of the land, and that is the context of Jesus' rebuke. What Jesus said has absolutely nothing to do with self-defense, war or the criminal justice system.

The police and other civil authorities set up by governments are charged with the duty of maintaining a social justice system. They "bear the sword" to keep society safe, and God calls them His

“servants.” The Bible states: “For he is God’s servant to do you good. But if you do wrong, be afraid, for he does not bear the sword for nothing. He is God’s servant, an agent of wrath to bring punishment on the wrongdoer” (Rom. 13:4).

### **John 8:1-11 (The record of the woman caught in adultery.)**

The record of the woman caught in adultery is often quoted to show that Christ forgave criminals, and so that is what we should do in our society. However, there is reason to doubt that the woman was really deserving of death. It is easy to prove that the religious leaders who brought her to Jesus were not interested in justice. In the first place, Jesus was not a judge in that society, especially not of capital cases. That was left to the Sanhedrin, the ruling counsel of the Jews. Therefore Jesus had no authority to render judgment on the case. Secondly, the religious leaders were themselves breaking the Mosaic Law by bringing the woman without the man with whom she committed adultery. Moses clearly said that both the man and the woman were to be executed (Lev. 20:10 and Deut. 22:22). For those reasons, Jesus knew that this was a trap, a setup, and not “justice” in any sense of the word, and Scripture clearly declares this (vs. 6).

The Jews had indeed formed a clever trap. The Romans had forbidden them to execute people (John 18:31), so if Jesus said to stone the woman, the Jews would have had Jesus arrested for breaking Roman law. However, if Jesus said not to stone her because the Romans forbade it, then the Jews would have persecuted him for elevating Roman law over Mosaic Law. Jesus got out of the trap by convicting the people’s consciences, which in this case was made easier by the fact that the people knew in their hearts that they were willing to take this woman’s life just to trap Jesus. One by one the crowd left until there were no accusers left. According to Mosaic Law, there had to be eyewitnesses if someone were to be executed. In fact, the witnesses have to cast the first stone (Deut. 17:6,7). Christ finished with the woman by saying, “Neither do I condemn you. Go now and leave your life of sin.” Since Jesus was not a witness, he, by law, could not condemn the woman. Yet he knew she was in trouble because of her wayward lifestyle, and so he warned her to leave her sinful life.

A careful reading of this record with a knowledge of the Mosaic Law and the Roman law in force at the time clearly reveals that this record has no bearing on whether or not there should be a death penalty today. The Romans executed many criminals during the life of Jesus, and there is no record of him ever trying to intervene in the criminal justice system in any way.

**Romans 12:21: (Do not be overcome by evil, but overcome evil with good.)**

This verse occasionally gets quoted with the assumption that the death penalty is evil and allowing the criminal to go on living is “good.” As this booklet has shown, however, it is “good” to obey God, and God commands the death penalty for criminals. It is wrong to believe that “good” and “evil” are always relative terms whose meanings fluctuate from year to year and culture to culture. God is the Creator of the universe and the Author of life, and He is the one who defines “good” and “evil” as they apply to mankind. God calls His commandments “holy and righteous and good” (Rom. 7:12). Biblically, it is “evil” to not carry out the commands of God, and it is “good” to obey them. Having a death penalty that was carried out swiftly and justly is “good” in the eyes of God. If society had the death penalty administered in a godly way, a lot of the evil in society would indeed be “overcome,” and we would have more peace and safety.

## Common Questions

The Bible says to “love your enemies” (Matt. 7:44). How can the death penalty be love?

People are commanded to love God, one another and their enemies. This is the case today, and it was true in the Old Testament also. Yet it is clear that the death penalty was commanded by God many times in the Old Testament. The first and greatest commandment is to love God, and the Bible is very clear about how we do that: we keep His commandments.

### **John 14:15,21,23,24**

(15) If you love me, you will obey what I command.

(21) Whoever has my commands and obeys them, he is the one who loves me. He who loves me will be loved by my Father, and I too will love him and show myself to him.

(23) If anyone loves me, he will obey my teaching. My Father will love him, and we will come to him and make our home with him.

(24) He who does not love me will not obey my teaching. These words you hear are not my own; they belong to the Father who sent me.

These verses are clear, and reveal the action model of the love of God, which is the biblical model of genuine love. Christ spoke very plainly and said that if we do what God commands, then we love God, and if we do not do what God commands, we do not love God. One of God’s commandments was that murderers be put to death, and it is not loving God to ignore what He said.

It is true that Christ taught us to love our enemies, but we must understand what he was saying when he said that. First and foremost, he was not contradicting his Father and the commands of the Old Testament. He was stating them in plain language. It was part of the Old Testament Law that people were to be loving, even to their enemies. Although many examples could be given, Exodus contains some very clear verses:

**Exodus 23:4,5**

(4) If you come across your enemy's ox or donkey wandering off, be sure to take it back to him.

(5) If you see the donkey of someone who hates you fallen down under its load, do not leave it there; be sure you help him with it.

Since the teaching about being loving, even to someone that hates you, was a part of the Old Testament Law, we need to carefully examine the words Christ spoke.

**Matthew 5:43-45**

(43) You have heard that it was said, "Love your neighbor and hate your enemy."

(44) But I tell you: Love your enemies and pray for those who persecute you,

(45) that you may be sons of your Father in heaven. He causes his sun to rise on the evil and the good, and sends rain on the righteous and the unrighteous.

Christ said, "You have heard it said, 'Love your neighbor and hate your enemy.'" It is fair to say that most Christians think that it was God and the Old Testament Scriptures that said, "Hate your enemy," and that Christ was changing the Old Testament Law. Nothing could be further from the truth. The Old Testament Law taught people to love, as we saw in Exodus (and there are many more examples beside those two verses). It was the religious leaders who perverted the Law of God and taught people to "hate your enemy." The well-respected New Testament scholar, R. C. H. Lenski writes:

This ["hate your enemy"] is the way in which the scribes and Pharisees taught the people the second table. They mutilated even the words they quoted from Leviticus....This omission in the usual rabbinical teaching was no innocent abbreviation ...This was a flagrant perversion of the law which included all the members of the Jewish nation down to the lowest and extended even to the stranger.<sup>1</sup>

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1. R. C. H. Lenski, The Interpretation of St. Matthew's Gospel (Augsburg

It is imperative to notice that you can love your enemy and still obey the Old Testament Law, including executing justice and even going to war. Biblical love is not an emotion or a feeling, but is acting on what God commands. The words of Christ in Matthew make it plain that Christ knew that God loves His enemies, and even blesses them by sending them rain and sun even though they do not “deserve” His love and blessings. Exodus teaches us to be loving to our enemies and those who hate us by helping them out. The same God who teaches us to love our enemies in both the Old and New Testaments also commands the death penalty in both the Old and New Testaments.

It is love to obey God, and by having a swift death penalty we love the people in our society [many of whom are our enemies also] and offer them the best chance for a life free from fear and crime. By having a swift death penalty that is justly meted out, we are giving everyone the best chance to see the high value of life—theirs, and the lives of others. Without a swift and just death penalty, the value of life is cheapened. Most people in the United States, for example, live every day knowing that they may be killed by a drunk driver or by a robber in a convenience store. If they are killed, and if the criminal is actually caught, they know that their life was “worth” a few years in prison, if even that, because that is all that the criminal will have to pay. How can we call that “justice?” How can that teach the value of life? We the authors assert that it cannot and does not, and that is a major reason the United States is overrun with crime today.

We are not loving God or people if we refuse to justly deal with criminals who will harm others. It is not loving people to allow an unsafe society to continue simply because we find it difficult to obey God’s laws. We are not really being loving if we allow murderers to go unpunished. The Bible says if there is no godly punishment of the wicked, then people who would not otherwise sin may be led into temptation, and that is clearly true. Just and quick punishments are a deterrent to evil behavior.

### **Does the Bible have examples of godly men like Moses actually**

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Publishing House, Minneapolis, MN, 1943), pp. 244,245.

## **executing someone who broke the law?**

Yes, it does. In Leviticus 24:10-23, Moses oversaw the execution of a man who had blasphemed. In Numbers 15:32-36, a man was executed for violating the Sabbath. In Exodus 32:25-29 and Numbers 25:1-15, people were executed for idolatry. Joshua executed Achan, who selfishly stole goods from Jericho and caused the death of about 36 people (Josh. 7:1,5,11,12,19-26). Samuel executed Agag, the Amalekite king, for “making women childless” (1 Sam. 15:33). David had Recab and Baanah executed for murdering Ishbosheth (2 Samuel 4:5-12). Solomon, often called the wisest man who ever lived, had his brother executed for trying to steal the kingdom from him (1 Kings 2:25), had Joab executed (1 Kings 2:29) and had Shimei executed for breaking the law (1 Kings 2:46).

## **Isn't it true that the death penalty has been shown to be ineffective as a deterrent to crime?**

Although opponents of the death penalty often claim that it has been shown to be an ineffective deterrent to crime, there are many reasons why this “logic” is false. First, it is counterintuitive. Every parent knows that punishment is a deterrent to evil behavior, even if that punishment is as mild as “time out” in the corner. Furthermore, “threats” are effective at getting people to not do something, which is why it is against the law to threaten people in certain situations, such as people on a jury. The “threat” of being executed quickly for a crime is very powerful. To say that capital punishment is not a deterrent to crime runs against logic and experience.

Second, the Bible specifically says that capital punishment is a deterrent to crime. Deuteronomy 13:11 says that when a criminal is executed, “Then all Israel will hear and be afraid, and no one among you will do such an evil thing again.” Deuteronomy 17:13 says basically the same thing: “All the people will hear and be afraid, and will not be contemptuous again.” Deuteronomy 19:20 and 21:21 also state that if criminals are punished, that will deter others. Proverbs also notes that justice will stop evil: “When justice is done, it brings joy to the righteous, but terror to evildoers” (Prov. 21:15).

Third, anyone in law enforcement will testify that repeat

offenders are involved in a large percentage of the crimes committed. That “repeat” crime would cease to exist if those criminals guilty of capital crimes were executed.

Fourth, the execution of criminals in America today has no resemblance to the execution of criminals under biblical law. Biblical law was swift, and the Bible specifically says there will be problems in society if justice is not swift: “When the sentence for a crime is not quickly carried out, the hearts of the people are filled with schemes to do wrong” (Eccl. 8:11). Furthermore, under biblical law, the witnesses or people from the family of the person who was murdered helped to execute the criminal (Deut. 17:7, 19:12). It is ridiculous to compare the executions we have today in America with the executions that would be required by biblical law. Most people who actually receive the death penalty in America today are on death row for 15 years and more. Thus, during that time, an entire generation grows up that never knew about the crime committed, and most of the people who did know have long since had to move on with their lives. It should not be surprising to us that executing someone 15 years after a crime is neither a deterrent for others, nor real justice.

Lastly, the death penalty and other punishments are used with beneficial results in some other countries of the world. In Singapore, for example, the punishments are much more stringent than here in the USA, and the average citizen feels safe on the street. It is common for women there to be out alone at night with no sense of danger, and, because drug traffickers are executed, there is no drug problem. In the USA, we talk about ending our drug problem, but after more than 25 years of the “war on drugs,” there are more drugs on the street than ever and more drug related crime than ever. One would think we would change our tactics and try those that are obviously working in nations that are almost drug free. So the fact is that capital punishment has been, and is now being shown to be, a deterrent to crime when it is done quickly and openly, as the Bible directs.

## **What if we unknowingly put an innocent man to death?**

Because of the imperfection of mankind, no one will ever be able to make a foolproof legal system, and it is possible that an innocent person might be put to death. However, there are some facts to keep in mind. First, God is not ignorant. He knew of that possibility when He commanded the death penalty, yet commanded it anyway. Surely that speaks of the greater good that God foresaw for society to have the death penalty. Cases where an innocent person is put to death would be extremely rare. Also, as we saw above under "Perjury," in most cases where someone is unjustly put to death, there is either some kind of perjury or the evidence is tampered with or withheld. If all perjurers in capital cases were put to death, such perjury would cease to be a problem.

While Americans sit and worry that an innocent person might be put to death, thousands die because we do not implement the death penalty according to biblical standards. Take auto accidents alone: it is a proven fact that half the auto fatalities in the country involve alcohol or drugs. That is something like 15,000 people a year. Would any person actually argue that people in our society are more likely to be mistakenly executed after a trial than to be killed by a drunk driver? Are we likely to wrongly execute 15,000 people a year? Surely not. Yet that is how many innocent people are dying each year, in large part because we do not enforce the death penalty for deaths caused by drunken driving, something that would be required by biblical law. The number of people killed by drunk drivers would be greatly reduced if we executed those criminals deserving death under biblical law. Let's not too loudly proclaim that we are concerned about the lives of the innocent when we have the means to protect them by being harsh on the guilty but will not implement it.

While it is important to do everything we can to keep from putting an innocent person to death, we cannot be ignorant of the number of innocent people that are being murdered by people who would either be deterred by a swift death penalty or would have already been executed and thus be unable to murder again.

There are people who would have received the death penalty under Biblical Law who have become Christians in jail. Doesn't that fact indicate that we should not have a death penalty?

As the Righteous Judge, God commanded the death penalty, and He knows the hearts of all men. He could have commanded life sentences in prison, but He did not. Rather than second-guess God, we should strive for obedience to His law and then expect His blessings. Based on what Scripture says about people hearing of the death penalty and then obeying the law, it is probable that many of those who committed capital crimes would not have done so had they known they would have quickly thereafter been put to death. Also, we could share the Gospel of salvation with convicted murderers to give them the opportunity of being saved before they are executed.

### **Who is to enforce the death penalty?**

The death penalty would be carried out as prescribed by the law of the land. Having a death penalty in a society is not a license for vigilante action. Eventually, we should attempt to get as close to biblical law as possible and have the family of the victim, or the witnesses, take part in the execution.

### **Why not just put these criminals in jail rather than execute them?**

First and foremost because if that were the best solution, God would have commanded it. And certainly there are reasons why He did not. Almost anyone in America today can testify to the failure of the prison system on many counts.

- It is a "neighborhood failure." Any real estate agent will tell you that no one wants to live near a prison, and if one is proposed or built in a neighborhood, property prices plummet. That is because prisons always make an area unsafe.
- It is a re-education failure. Many of the criminals who spend time in jails become repeat offenders. Worse,

many of them make the contacts and develop the know-how to be even more effective and evil criminals than they were before going to jail.

- It is a cost failure. Prisons cost thousands of dollars a year per criminal, which just further hurts the society that they have already hurt.
- It is a safe-keeping failure. Prisons are not safe. The prisoners are not safe, the guards are not safe, the staff is not safe and the people in the surrounding neighborhoods are not safe. Physical, mental and verbal abuse is a common everyday occurrence, and many crimes, including rape and murder, are committed inside prisons.
- It is a deterrent failure. The fact that more people than ever before are in jail is proof that prisons are not an effective deterrent to crime. If prison time were a true deterrent, then the jails would be empty (especially of repeat offenders), and criminal behavior would be curbed to the end that our society would be safe. The large amount of burglaries, robberies, rapes, murders, etc., testify that jail time is not enough of a deterrent to crime to make our society safe.

Anyone studying the subject of the prison system should note that in the Law of Moses God never prescribed jail time. And it was not because jails were unknown. Joseph had spent time in an Egyptian prison many years before Moses lived. God knows people, and jails are not the answer. God commanded the death penalty, physical punishments, fines and work programs for criminals, but never jails. Our society would be much better off if we would work on returning to God's way of doing things rather than thinking we know better than He.

### **Would we not be executing thousands of people?**

We do not need to guess at the answer to that question. There are countries in the world, such as Singapore, that have the death penalty for many crimes. And instead of having thousands of executions (as some would have us believe), or having rampant crime (as those

who say the death penalty is not a deterrent would have us believe), they have a society in which there is much less crime than we have in the USA, and very few executions. Of course, that makes perfect sense if the Bible is true—we should expect the laws God gives us to work.

God prescribed the death penalty for things we today do not recognize as capital crimes, or even as crimes. Doesn't that show that the Bible should not be used as a standard for justice today?

God created man in His image and for His glory, and He never would have a life taken without good reason. Furthermore, God is not whimsical or capricious, so each and every law He gives is for the good of His people at the time. Even the laws about things like circumcision and sacrifice, which we no longer keep today because Jesus Christ fulfilled their purpose, were good for the people at the time.

It is true that God commanded the death penalty for things we do not consider crimes today, but do we know more than God? It could certainly be argued that we would have a much better society if we followed the criminal law code God gave us. For example, we today do not consider adultery anything but a moral crime (and sometimes not even that), but God commanded the death penalty for it (Lev. 20:10; Deut. 22:22). However, there is no doubt that the family structure in America has been weakened by all the "affairs" going on. When a man or woman is involved in adultery, the family, God's primary unit for the health and wellbeing of society, suffers. Studies being done today show that children from one parent homes are more likely to be involved in crime. There is a link between the solidarity of the family and the crime rate. Thus it can be seen why God, who desires that children have the advantage of a two-parent home to grow up in, and also desires a society as free from crime as possible, would command the death penalty for those who value feeling good sexually above the family and society. God's law allows for divorce. If things are unbearably bad at home, a person can get a divorce. Many counselors will testify that often in marriages things do not really change until one party threatens to leave. God is a good, just, loving God, and there is a reason for the laws He gave. We would be much wiser to look for the reasons

He gave the laws rather than just decide that they are wrong, old fashioned or somehow reflect an outmoded system of justice.

### **What about mercy?**

There are times when it is good to be merciful, and so the concept of mercy and the death penalty need to be discussed. Mercy is “kind and compassionate treatment of an offender; a disposition to be kind and forgiving.” True mercy is not substituting one penalty for another “relatively equal” penalty as some people who want to substitute life in prison for the death penalty want to do. The failure of the prison system, and the fact that it was not a part of the commands of God, show that life in prison is never true “mercy.” Also, mercy is not releasing someone from the penalty for his crime because one does not want to follow through with the punishment. True mercy always has a redeeming value. Forgiving someone may have value, but if forgiveness is inappropriately given it gets taken advantage of very quickly.

Also, mercy must be granted only by the one wronged. It is never mercy for someone to forgive a criminal for what he has done to a third party. If someone steals your car, I do not have the right to forgive the thief. To be true mercy, you must forgive the thief yourself. When it comes to murder, the one whose life has been taken is no longer around to grant mercy. Because of that, there cannot be mercy for a murderer. The Bible addresses that specifically:

#### **Numbers 35:31**

Do not accept a ransom for the life of a murderer, who deserves to die. He must surely be put to death.

Many people become overly emotional and sentimental in their attitude toward the death penalty, believing that every human being “deserves” mercy, even those who have viciously killed another human being. But such sentimentality, in our view, is severely misplaced when it rejects justice and accountability for one’s actions and the terrible cost in human suffering that results from evil acts. It is fundamental to a Christian viewpoint to recognize that God and His Word are the final arbiters of what is good and evil, or moral and

immoral behavior, and what consequences or rewards should result from each.

Even a cursory study of the New Testament strongly affirms that the Christian is to detest evil in all forms and overcome evil with good. This is not accomplished by accommodating and placating evil and evil persons, but rather by doing our best to oppose evil and eradicate it from our midst by legal means. The entire Bible affirms that an important part of solving the problem of evil is the death penalty, executed through the power of civil law.

If we live in a society that does not enforce the death penalty according to Biblical Law, is it ever right for Christians to enforce it themselves?

No. Christians are to live according to the law of the land. Peter says this very clearly:

**1 Peter 2:13-15**

(13) Submit yourselves for the Lord's sake to every authority instituted among men: whether to the king, as the supreme authority,

(14) or to governors, who are sent by him to punish those who do wrong and to commend those who do right.

(15) For it is God's will that by doing good you should silence the ignorant talk of foolish men.

Christians are to obey the laws of the land, and other people become distrusting of them when they do not. A good example is those who say they are Christians and kill abortion doctors or bomb abortion clinics today. Christians should be the most trustworthy of people, yet society as a whole is suspicious of them because of the few who break the law and some others who then hail these people as some kind of heroes. Does anyone really think that Jesus Christ would stand outside the house of an abortion doctor and shoot him through the window with a high powered rifle? At the time that Christ and apostles lived, gladiator shows were a regular occurrence, and many of the gladiators were not volunteers. They included slaves and even people accused of minor crimes. A case could be made that having people fight to the death was a national sport in Rome. As evil as that was, we do not read about Jesus or

Paul committing arson or burning down a coliseum or encouraging others to do so.

### **What about killing in self-defense? Does the Bible say anything about that?**

The Bible does allow for killing in self-defense. In a sense, there are different kinds of self-defense. There is personal self-defense, self-defense of the society (“social self-defense”) and there is national self-defense, which we call “war.” In all of these cases, the taking of another human life is allowed for by God. This booklet has been dedicated to “social self-defense,” the execution of criminals who are dangerous to society. War is a national self-defense, when people are called upon to protect their nation from outside aggression, and any student of the Bible will attest to the large number of wars recorded therein. Of course, there are unjust wars of aggression for property, wealth, or slaves, and the heads of state who start those wars will be held responsible by God at the Judgment. Furthermore, not all killing in a war is justified, and almost every war has cases of what are now called “war crimes.”

As with war and the execution of criminals, personal self-defense is also allowed for in Scripture. For example, Exodus 22:2 says, “If a thief is caught breaking in and is struck so that he dies, the defender is not guilty of bloodshed.” This verse should be the law of our land today, and unfortunately in many places it is not. In many cities, a homeowner is not allowed to be readily able to defend himself against someone breaking in. Some areas do not allow homeowners to have loaded guns available, while in some other areas the homeowner must first “be sure” that the intruder has a weapon or is capable of being deadly. Biblical Law says that if someone is breaking into your home at night, he does so at the risk of his life, and the homeowner would never be considered a criminal for defending himself. Also, remember that on the very day of his arrest Christ said to his disciples, “If you don’t have a sword, sell your cloak and buy one” (Luke 22:36). Christ expected things to become very unsafe for his disciples after his death, and told them to prepare to defend themselves from unjust aggression.

It may help to think of killing in terms of “just or unjust” and

“accidental or on purpose.”

- Murder: unjust and on purpose.
- Manslaughter: unjust but accidental.
- Execution of criminals (social self defense): just and on purpose.
- Killing in war (national self defense): just and on purpose.
- Killing in personal self-defense: just and on purpose.
- Self defense resulting in an accidental death: just but accidental.

In the above list, we see that murder and manslaughter are unjust causes of death. In personal self-defense, the execution of criminals and in war, the cause of death is just, whether there is initial intent to kill the person or not. We can rightly conclude from Scripture that personal self-defense is something that God sanctions, even if it means the death of an unjust aggressor. The Founding Fathers of the United States were correct in asserting that God gave every person the right to “life, liberty and the pursuit of happiness.” An aggressor who tries to take from others forfeits those rights, and it should be the law of the land that each and every person have the right to defend himself from unjust aggression of all types.

Even a casual look at God’s Creation reveals that self-defense plays an important role in the self-preservation of nearly all forms of life. Perhaps human society could be profitably likened to a biological organism, every one of which has some way of warding off internal and external enemies. The more complex animal bodies dispatch white blood cells to attack germs and other toxic intruders. These white blood cells are very simple forms of life, but they are “wise” enough to act as if the wholeness and health of the organism is at stake, and without sentiment or ceremony destroy the intruder. These enemies of the body are not kept alive and cordoned off in prisons to be preserved. They are destroyed and eliminated as any future threat.

Similarly, evil persons are intruders into the “body” of decent human society, which has a right to protect and defend itself against such intrusion. A body without an immune system cannot defend

itself and soon dies. Any godly society that refuses to establish and enforce God's laws will also eventually "die," i.e., be overcome by wickedness. People in the medical field work very hard to control "evil" in a body so that a person will not die of disease, and it is understood that harmful bacteria must be killed so the body will be healthy. So too, if we are to have a healthy society, wicked and harmful people need to be executed. This clearly teaches the value of life, because it shows that the only thing as valuable as a life is a life. No wonder God commanded, "Life for life" in Scripture, and even repeated it twice (Ex. 21:23; Deut. 19:21).

## Capital Offenses in the Old Testament

This appendix lists almost two-dozen actions that were capital offenses under the Old Testament Law. While some of these do not apply today, many of them do. The Christian needs to take to heart the fact that all the commandments of God are important and none of them should be taken lightly. God created people, and the Old Testament Law was His wisdom as to how ancient Israel should be run as a society. There is a tendency today to either ignore the Laws we think are outmoded or offensive, or worse, to try to use them to “prove” that the Bible is not a good or godly book but instead the writing of a few prejudiced people.<sup>1</sup> The Torah was God’s instruction to Israel, and we in the Christian Church can learn from it how to model our society, particularly as we compare the Old Testament Laws with the revelation of the New Testament. Christians need to study the Law and discern what God’s purposes were in giving each Law. We can be assured that they are all important. As we learn more about the “whys” and “wherefores” of each Law, we are in a better position to know how to make our society more godly.

After each capital offense is a scripture or scriptures as documentation, or the reader is referred to the body of this booklet. The documentation is not meant to be exhaustive, and the aggressive student may find more scripture documentation on any point.

- Murder: See “Murder” in the body of this booklet.
- Kidnapping: See “Kidnapping” in the body of this booklet.
- Attacking one’s parents to cause them bodily harm: Exodus 21:15.

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1. It is common today to make light of the Bible, but the testimony of Scripture is that it is “God-breathed” (2 Tim. 3:16) and there is much evidence to back up that claim. Of course it is a subject of controversy. What better strategy can the Devil have than to discredit the Word of God so that people ignore it? If you are in doubt about the integrity of Scripture and that it is in fact “the Word of God,” please contact us at CES and allow us to point you to sources that will verify its truth.

- Cursing one's parents: Exodus 21:17; Leviticus 20:9.
- Sacrificing your child to Moloch, a pagan god: Leviticus 20:2.
- Willful negligence that results in death: See "Reckless disregard for human life" in the body of this booklet.
- Sorcery: Exodus 22:18; Leviticus 20:27.
- Being a medium or spiritist: Leviticus 20:27.
- Breaking the Sabbath: Exodus 31:14.
- Sacrificing to idol gods: Exodus 22:20; Deuteronomy 13.
- Trespassing in God's holy things and places: Exodus 19:12,13; Numbers 1:51; 3:10,38; 18:7.
- Blaspheming against God: Leviticus 24:10-16, esp. v. 16.
- False Prophecy: Deuteronomy 18:20.
- Contempt for the final decisions of the high court of the land: Deuteronomy 17:8-12.
- Giving false testimony in a capital case: See under "perjury" in the body of this booklet.

### **Sexual sins that were also capital crimes<sup>2</sup>**

- Adultery: Leviticus 20:10,11; Deuteronomy 22:22.
- Incest (specifically with a daughter in law. For more, see Lev. 18:9-17) Lev. 20:12.
- Marriage to both a mother and her daughter: Leviticus 20:14.
- Rape of a betrothed or married woman: Deuteronomy 22:23-29.
- Homosexuality: Leviticus 20:13.
- Bestiality: Leviticus 20:15,16.
- Prostitution, if a priest's daughter: Leviticus 21:9.
- Pretending to be a virgin if you are not: Deuteronomy 22:13-21, esp. v. 21.

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<sup>2</sup> For a fuller explanation of the sins of adultery, prostitution, homosexuality and bestiality, and information on polygamy in Old Testament, see *Sex and Scripture*, a book available from CES.