

## Capital Punishment

### **WHAT IS ‘CAPITOL PUNISHMENT’?**

Capital punishment is homicide on the part of the government. The question is whether or not it is justifiable?

### **IS IT MURDER?**

The debate around capital punishment is centered on the definition of ‘murder’. Scripture clearly teaches that murder is a sin [Ex.20:13]. *If* murder is defined as the taking of a human life, then *any* taking of human life is murder (and a sin). The problem is to determine how God defines ‘murder.’ God clearly takes human life [Gen.7:1-23; 11:1-10] and calls for the taking of life (examples below). Since God also *never* sins [1Pet.1:16], or, tempts us with sin [James 1:13], then we must conclude that ‘murder’ is *not* defined by God as ‘the taking of human life.’

So how does God define ‘kill’? The word ‘kill’ in Ex.20:13 is a Hebrew word pronounced “raw-tstone” (Strong’s #H7523) and means ‘to dash to pieces’ (or kill out of anger). Quite a bit different are the Hebrew words used in the texts below which mean ‘to kill with a purpose’ (Strong’s #H2026 “haw-rag”) or ‘to cause to die’ (Strong’s #H4191 “mooth”) and are used to indicate an action that is well calculated (as well as authorized). Nowhere in the Mosaic Law are we told that the taking of human life in self-defense is a sin. Rather, we are told that the failure to protect your family against potential harm *is* a sin and this includes killing in self-defense [1Tim.5:8].

We can see from the examples above and below that the taking of human life as a judgment is not murder (otherwise, God is a sinner). Further we recognize that the authority for that judgment rests with God and with government, but has not been given to individual man. God has ordained that *government* should authorize this action [Gen. 9:5,6; Rom.13:1-5].

### **FORMS OF CAPITOL PUNISHMENT**

[See Gen.9:5,6]

- Animals that kill human beings must be destroyed.
- Men (or women) who murder must be destroyed.

### **TWO CASES IN WHICH MAN HAS THE RIGHT TO TAKE HUMAN LIFE**

- As judgment for non-authorized killing. [Gen.9:5,6]
- Justified warfare (see MILITARY). [Jos.6:21, 8:24]

### **ON WHOM IS IT TO BE USED?**

- **PRE-MOSAIC LAW’**: Prior to the institution of Mosaic Law the death penalty applied only to those who murdered another [Gen.9:5,6].
- **MOSAIC LAW’**: After the Mosaic Law was given the death penalty was expanded to many more offenses. Based on the trial testimony of two or three witnesses [Num.35:30; Deu.17:6; 19:15] the following death sentences would be handed down:

<u>Reason</u>	<u>Means of executions</u>
Adultery [Lev.20:10; Deu.22:21-24]	Stoning [Deu.22:24]
Bestiality [Ex.22:19; Lev.20:15,16]	Any means
Blasphemy [Lev.24:11-14,16,23]	Stoning [Lev.24:14; 1Ki.21:10]
Contempt of court [Deu.17:12]	Any means
Cultic worship or sacrifice [Ex.22:20; Lev.20:2-5]	Stoning [Lev.20:2; Deu.17:5](the witnesses threw the first stones [Deu.13:9; 17:7]); Sword [Ex.32:27]
Disobedient to parents (in controlling sin) [Deu.21:18-21]	Any means
Disrespect to parents [Ex.21:15,17; Lev.21:9]	Any means
False doctrines or prophecy [Deu.13:1-10; 18:20]	Burning [Jer.29:22]; Stoning [Deu.13:10]
Fornication [Lev.21:9; Deu.22:21]	Burning [Gen.38:24; Lev.21:9]; Stoning [Deu.22:21,24]; Sword [Eze.16:40; 23:25]
Incest [Lev.20:11,12,14]	Burning [Lev.20:14]
Kidnapping [Ex.21:16; Deu.24:7]	Any means
Murder [Num.35:16-21,30-33; Deu.17:6]	Any means
Perjury [Zec.5:4]	Any means
Rape [Deu.22:25]	Any means
Sabbath desecration [Ex.35:2; Num.15:32-36]	Stoning [Num.15:33-36]
Sodomy [Lev.18:22; 20:13]	Any means
Theft [Zec.5:3,4]	Any means
Treason [1Ki.2:25; Est.2:23]	Stoning [Num.14:10; Jos.7:25]
Witchcraft [Ex.22:18]	Stoning [Lev.20:27]

### ***THERE IS ONLY ONE WAY OUT***

Under the Mosaic Law there was only one way to get out from under a death penalty (other than in a city of refuge). That was to have someone suffer the penalty for you [Gen.27:13; 1Sam.25:24; 2Sam. 14:9; Ma.27:25]. The connection here is that Christ has paid the penalty for sin and suffered for all mankind. He offers this as a free gift to all that believe that he has paid the price.

## **POST-MOSAIC LAW**

When Christ died he ushered in the Law of Christ to supersede the Mosaic Law. Only the portions of the Mosaic Law that were contrary to the law of Christ were ‘nailed to the cross’ [Col.2:14]. These were the portions of the Mosaic Law that dwelt with what we ate, drank, or what days we worshipped [Col.2:16]. It did not, however, delete the rules above. Capital punishment is still required. This is what is referred to in Rom.13:4 as “sword”.

## **WHY GOD PERMITS KILLING IN THE NAME OF JUSTICE**

There are only two things that keep you, me, or anyone else from disobeying rules:

- We restrain ourselves out of fear of punishment.
- We restrain ourselves out of conscience (moral standards).

Most people today willingly drive over the speed limit knowing full well that it is against the law. They do it because they have little or no fear of punishment. They break the law because they don’t expect to get caught. Others (a few anyway) obey the posted limits, not because they expect to be caught, but because they are restrained by their moral desire to do the right thing. Unfortunately, most people in our culture today must be restrained out of fear of punishment because they have never developed a moral conscience. It is our system of laws (and, therefore, fear of punishment) that knits our society together as a social infrastructure. Capital punishment is used by government in the best interest (that is, in self-defense) of the community.

## **THE BURDEN ON GOVERNMENT**

Those in a position of authority carry a greater responsibility for their decisions. The higher the authority, the greater their responsibility to God. Whether *they* believe in God isn’t important – they *will* answer for their actions. It is easy for us to play armchair judge in front of the newspaper or television, or make decisions for the Governor when we don’t have anything to lose, but the fact of the matter is that *they* have a *lot* more riding on that decision than you think.