

Presbyterians Oppose Capital Punishment

Galatians 3:24-29

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Presbyterians oppose capital punishment—true or false? That depends. Obviously, not all Presbyterians oppose capital punishment. However, as a denomination, the Presbyterian Church has since 1959 maintained a public policy position that states, “capital punishment cannot be condoned by an interpretation of the Bible, based upon the revelation of God’s love in Jesus Christ.”

Now, for those who are new to Presbyterianism, or otherwise unfamiliar with the Reformed tradition of making public policy statements on social issues, let me review a bit of history.

Before the Protestant Reformation of the sixteenth century, the church was widely perceived as having to do primarily with spiritual matters; that is prayer, piety, personal devotion, personal salvation, and life after death. Precious few, if any, recognized at that time the broader reaches of religion into the issues of social justice. It was the Geneva reformer John Calvin, more than any other, who revolutionized theological thought by interpreting Holy Scripture as addressing social evils and corporate responsibility. Calvin contended that the primary purpose of the church was not simply to save souls from the fiery pits of hell, as had been commonly supposed, but to reform the world according to God’s Word. “All of one’s life one has to do with the living God,” Calvin preached. By this he meant not only all of one’s years, but in all aspects of one’s life—economics, politics, academics, family, recreation—in every aspect of social intercourse, one has to do with the living God.

Consequently, even as Calvin preached from St. Pierre’s pulpit every Sunday in Geneva, he was at work on Monday morning with the town council enacting laws affecting the quality of life for the people of that city: basic biblical issues of justice, equity, and mercy. Calvin’s leadership introduced new laws that governed garbage collection in Geneva, ensured certified weights and measures in the butcher shops, licensed dentists and physicians, regulated treatment of prisoners, and established a public welfare system to provide for the widows and orphans. Our world is indebted to John Calvin more than to any other for shining the light of Holy Scripture on the total social landscape and for calling the church to its rightful social responsibility. Now, friends, that is our heritage, and that has been the Reformed tradition for almost five hundred years—sometimes more obvious than others. Nonetheless, that is one of the strong marks of Calvinism, and that is why today, Presbyterians do not hesitate or apologize for making public policy pronouncements on social issues—such as capital punishment or gun control or abortion, welfare, arms control, the environment—anything that affects the corporate life of the created order. The Presbyterian Church has historically contended that it is not only our right, but also our responsibility, to speak boldly on such matters of justice and mercy.

Such positions are taken only after thorough study by the best scholars of the church, and after debate in the General Assembly, and finally by a majority vote of the Assembly, comprised equally of laity and clergy. Even then, such policies are offered

as “instruction and for the prayerful consideration of the church at large.” So it is very crucial to note that when the church adopts a policy position, it is never meant to be binding upon the conscience of any church member; one does not have to agree with any policy statement in order to remain a member in good standing of the Presbyterian Church. However, it is assumed that the membership will consider with utmost seriousness the studied voice of the church. Incidentally, Presbyterians are not the only faith community to oppose the death penalty—American Baptists, Friends, Episcopalians, Catholics, Methodists, United Church of Christ, Disciples, Reformed Church in America, the American Jewish Committee—to name a few, have all issued policy statements opposing capital punishment.

So, with that bit of background, let me attempt to say why Presbyterians oppose capital punishment. Primarily, Presbyterians oppose the death penalty on the basis of their understanding of the Bible. Our Galatians text has nothing to do directly with the death penalty, but rather is Paul’s classic theological treatise on love versus law. Paul is describing here to the Galatians a new way of life that has been ushered in with the coming of Christ. It is like being born anew, starting over, philosophically speaking—something like when you move to England and have to learn to drive all over again because the old rules no longer apply. Paul says, “Since Christ, we have to look at the world, we have to look at people, we have to look at relationships all over again, because now we are new beings, part of a new order where the old rules no longer apply, no longer living under the law, but now living by love.” “Before faith came,” Paul says, “we were kept under the law. The law was our schoolmaster, our teacher. But after faith came, we are no longer under the schoolmaster, for we are all children of God by faith in Jesus Christ.” And, of course, Paul is simply echoing the earlier words of Jesus, “I have come not to abolish the law, but to fulfill the law.”

There can be no question that the ancient Hebrew law prescribed the death penalty for certain crimes. We read earlier some of the more harsh laws—working on the Sabbath and adultery were both capital offenses. A rebellious child could be put to death. There are many more where, by our own contemporary standards of justice, the punishment so far exceeds the offense that the law has long since been abandoned. As a matter of fact, even before Jesus, the ancient Jews began modifying the ancient code to make it more humane. What is not often recognized is that the principle of “an eye for an eye and a tooth for a tooth...” was a formula for reform. It was a progressive step toward restraint and mercy to insure against a head for an eye or a leg for a tooth. Even before Jesus, people were beginning to see the Scriptures not as a static set of laws governing behavior divinely decreed once and for all, but as a living document divinely designed by God to guide people in an understanding of God’s purposes for creation and to model for us all what human life was meant to be like.

The coming of Jesus was further revelation that life was not meant to be lived by law alone, but by love; not just any kind of love—naïve or sentimental—but that specific kind of love incarnated in the life of Jesus of Nazareth. No longer was one’s behavior dictated by a rigid set of legalisms, but by a style, by a mindset, a way of living constructed after the life of Christ. Thus, the operative principle for the life of faith is no longer a Scripture verse plucked here or there to prove a point, but a lifelong commitment to the study and emulation of this One through whose mind, spirit, personality, and character we most clearly recognize the mind, spirit, personality, and character of the creator God. As we take that commitment seriously, what we see

revealed is an overriding regard for the preciousness of human life, even the most despicable human life, even a life like Timothy McVeigh's.

When we look at the life of Jesus, we see revealed a divine purpose so on the side of salvation, so on the side of mercy, so on the side of redemption and rehabilitation, so on the side of life, that any form of human destruction becomes an offense to the purposes of God. The radical good news of the gospel, you see, is that God never gives up on any of us. And for us to preempt that possibility is a crime in itself. The biblical list of murderers whose lives were changed and who then moved on to live purposeful lives includes Moses, who in a fit of righteous passion killed the Egyptian, but to whom God still chose to reveal the Ten Commandments; David, who contrived Uriah's death in order to possess his wife Bathsheba, but then went on to compose the most beautiful of all the Scriptures, the Psalms. Even Saul of Tarsus was a persecutor and murderer of Christians whose fanatical religion involved him in the stoning to death of Stephen; it was only afterward that he became converted and wrote the letters that make up most of the New Testament.

Presbyterians oppose capital punishment because we can find no justification for it when we read the Bible, encounter the man Jesus, and are confronted by his teachings. I love the way Ernie Campbell puts it: "With God, there is no last straw." You and I hear it said that we Christians are patsies, politically naive and sociologically unsophisticated—bleeding hearts who, if we had our way, would turn all the criminals loose with a Sears suit and a Gideon Bible. To which we can only point once again to "Jesus' tough love"—taking on the moneychangers on the temple steps because they were milking the poor and chasing them out with a whip in hand. Or ask those self-righteous Pharisees to whom Jesus charged, "Woe unto you who tithe dill, mint, and cumin, but neglect the weightier matters of the law. You are hypocrites, you are like white-washed tombs, clean and white on the outside, but decayed on the inside." Or that scribe, who tradition tells us brought to Jesus the woman caught in adultery (a capital offense in those days), and you remember how Jesus rebuked the man, saying "Let him who is without sin cast the first stone"—and then pronounced upon the woman pardon of her death sentence. Anyone who reads Jesus as a milquetoast on matters of social morality simply misreads the Scriptures. The evidence will not support that he ever coddled any criminal, condoned any injustice, or was ever insensitive to any victim, but neither does the evidence support that he ever gave up on any person, or judged any human being unworthy or beyond the broad reach of God's love, not even those who unjustly nailed him to the cross.

So first, Presbyterians oppose capital punishment because of the Bible. The second reason Presbyterians oppose the death penalty is sociological. There are only three motives for punishment: one is to teach proper behavior—a little child misbehaves, so caring parents punish the child as a way of teaching right from wrong, as a way of teaching what is and what is not acceptable social behavior. We take away privileges, we withhold allowances, we send them to their rooms for "time out" to think it over—often with the explanation that "it is for your own good." In society at large, with adults, we do a similar thing—impose fines, impose restrictions, sometimes incarceration, where the motivation is rehabilitation, "to learn from past mistakes."

When the infraction is more serious and poses a more severe threat to society, that society is motivated by self-preservation; punishment is motivated by society's sense

of responsibility to protect itself and its other citizens, even if it means incarceration for life. Thus our society, including the faith community, has ordinarily endorsed appropriate punishment when the motive is a desire to teach or protect itself. It is only when punishment becomes motivated by revenge that the faith communities have drawn the line, contending that revenge is no legitimate foundation for a civilized justice system.

Yet there is mounting evidence that revenge is more and more the motive for the increasing number of executions in this country, evidenced in recent years by our exploding death row population of well over 3,600. Only China, Iran, and Saudi Arabia execute more people than we do in America. And we lead all the nations in imposing the death penalty on juvenile convictions. Thirty-four executions in this country have been for men certified as mentally retarded, men who are unable even to read the statements they sign. Even with recent studies showing lower murder rates in countries that do not impose the death penalty, still the pressure mounts to keep, and even to step up, the process of putting prisoners to death. Presbyterians oppose capital punishment because too often its motivation is revenge, for which we can find no place in God's new order.

The third argument against the death penalty would perhaps be psychological. That is, the society that seeks to eradicate brutality through the very method of brutality it opposes reduces itself to the level of those whom it opposes. Nietzsche said a long time ago, "When you fight a monster, beware lest you become a monster." Another, arguing more simply, asks, "Why do we go on killing people in order to teach people that killing people is wrong?"

Winston Churchill, enmeshed in the deadly horror of World War II, wrote in 1941: "The mood and temper of the public with regard to the treatment of crimes and criminals is one of the most unfailing tests of the civilization of any country." There is such a thing as national character, sometimes better observed from the outside than from the inside. But even our own social critics are telling us that a mood of meanness exists in America these days, aimed especially at any who deviate from one's self-absorbed measure of acceptance—the poor, the mentally or physically deficient, the unsuccessful—any who deviate from a perceived criterion for normalcy. Nowhere is that character flaw more apparent than in the way we treat those convicted of crimes where, overwhelmingly, the emphasis seems to tilt toward retaliation. But America is better than that, and we of the faith community have been given a vision of the new order where human life is supremely sacred, where God's amazing grace is normative, and where the purpose of creation is life and not death. Therefore, it becomes incumbent upon us to bear bold witness wherever we can to this new order, and to live it out in our lives through the social intercourse of the economic and political structures that define our national character.

Finally, the argument that the church would make is ethical, which simply is another word for fairness. It is the injustice of the way in which the death penalty has been administered historically. The statistical evidence is too conclusive to labor. The criminal justice system in this country clearly favors the rich, the powerful, and the popular, while it is society's faceless, nameless, and powerless who suffer the most. There is disparity between black and white, between those who are defended by competent counsel and those who are not, between the various states and regions of our nation. One-half of all executions since 1976 have been in two states—Texas and

Virginia. By no standard of equity is there fairness in the way executions are carried out. However, even more important are the recent revelations of the numbers who have been convicted and condemned to death who subsequently have been proven innocent and set free—revelations which prompted Illinois Governor George Ryan to proclaim in that state a moratorium on all executions, and which, we hope, are causing the rest of us to question how many innocent people have been put to death in this country. The Presbyterian Church contends that that risk is simply unthinkable, unfair, and counter to who we are as citizens of God's new order.

Basketball fans will recognize the name Jim Valvano, the always witty, always outspoken, former coach of the NCAA Champions at North Carolina State. The story is that Coach Valvano was playing a kid named Chris Corchiani at point guard. It became obvious to the fans and to the sportswriters alike that Corchiani was not as gifted as some of the other players. In fact, it became a matter of some controversy in the press. When the issue came up at a press conference, one brazen reporter asked, "Well, Coach, why are you playing Corchiani? Is it because he is Italian?" "No," Valvano answered, "because I am an Italian." Some of you may remember a year or so ago when the state of Texas was preparing to execute Carla Faye Tucker. You may remember that controversy and the protests—some because she was a woman. But primarily, the pleas to spare Carla Faye's life were based upon her conversion and her subsequent model behavior while on death row. There were, of course, the skeptics, but there was an outpouring of protests from all over the world—the Pope, Pat Robertson—appeals to spare her life based on her conversion, because, after all, Carla Faye had been "born again." Rehabilitation had happened. The system had worked. From pulpits, rallies, editorials, demonstrations all over the country, the plea was made on the basis of the new woman that Carla Faye Tucker had become. Only one insightful person had a different take on the whole matter, declaring in a message written to the governor, "As Christians, we oppose killing Carla Faye not because of who she is, but because of who we are." Not because she is a Christian, but because we are Christians.

Presbyterians oppose the death penalty because of who we are—children of an all-merciful God, who have been born anew into a new order where the old has passed away and the new has come, and where the rule of law has been fulfilled by a life of love. These words from our *Declaration of Faith* express what we, as children of this new order, believe:

We believe God sends us to strive for justice.

God has reached out to those who suffer injustice and defended the excluded,
the poor, and the hungry.

The Lord is moving toward the time when justice will roll down like waters and
righteousness like an ever-flowing stream.

We are persuaded God is at work here and now when people deal fairly with
each other and labor to change customs and structures that enslave and
oppress human beings.

We believe God sends us to risk our own peace and comfort in compassion for
our neighbors.

We are to give to them and receive from them, accepting everyone we meet as a

person; to be sensitive to those who suffer in body or mind; to help and accept help in ways that affirm dignity and responsibility. We must not limit our compassion to those we judge deserving, for we ourselves do not deserve the compassion of God.