

*One Christian's Voice Against the Death Penalty**

Isaiah 53:7-9; Matthew 5:17-20, 38-39

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I stand before you this morning as one Christian whose study and prayer has led him to oppose the death penalty. I wish I could stand here, open the Bible, and point to chapter and verse to show why the death penalty is wrong, why every Christian should oppose it, and why anyone who sits on the fence or the other side of the issue is in Scriptural violation. But, I cannot do that. In fact, I can cite any number of texts that authorize a public execution as the specific intention of God. For instance, in chapter 20 of *Leviticus*, the law code declares: "Every one who curses his father or his mother shall be put to death" and "If a man commits adultery with the wife of his neighbor, both the adulterer and the adulteress shall be put to death."

Indeed, read out of context and without interpretation, much of *Leviticus* raises far more serious challenges for our modern, Western sensibilities than whether we oppose the execution of a known mass murderer. Mouthing off at parents and cheating on a spouse – both capital crimes in *Leviticus* – rip at the fabric of human relationships, but even the most zealous prosecutor today would be laughed out of court for seeking the death penalty in such cases. So no matter how much we may long to open the Bible, point to chapter and verse, and be done with it, to take Scripture seriously – to read it prayerfully and with an appreciation for its context – means the work of interpretation is far more complicated than that.

For those new to the ancient Hebrew law found in books of Scripture like *Leviticus*, actually these harsh-sounding laws mandated a kinder, gentler judicial system than was found in most of the surrounding cultures of the ancient Near East. The Hebrew law code was meant to keep retaliation in check. This idea of "measure for measure," or "punishment should fit the crime," came to be known in Roman jurisprudence as *lex talonis*. *Leviticus* expresses this idea in biblical law: "life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe."¹

In one way, *lex talonis* guarded against excessive punishment – it tamed the thirst for untamed retaliation when emotions were running high, because this form of justice forbade the killing of many as retribution for the killing of one. In another way, *lex*

* This sermon was preached on March 23, 2005, at the end of a six-month period in which there were three state executions in Georgia. Central Presbyterian Church is located immediately across from the state capitol, and on the night of an execution members of this congregation join with other Christians across the street to bear witness to a God who weeps whenever we sanction state sponsored killing. The church is also located adjacent to the Fulton County Courthouse where three days prior to the sermon, Brian Nichols had escaped his captors and killed a judge, a court clerk, and wounded several others, before later that day killing another. There was no doubt about his guilt, and the pain and anger in the city and in the sanctuary that Sunday morning was palpable. Following the sermon, the congregation was invited to join me for a time of conversation about my sermon, the recent horrific events in the city, and their views and questions about the death penalty.

talonis evened the economic playing field. In older law codes, class differences brought about starkly different and unequal distributions of justice. If you were of an upper class and you wronged someone of a lower class, for instance, you could pay your way out of punishment by compensating your victim. The result was that for murder, for example, there could be a wild disparity of punishment between the rich and the poor, with the harshest punishment often inflicted on the lowest class. So, though admittedly harsh and even arcane to our modern ears, *Leviticus* advanced a more civil and just way for the community to live together.

At this point, I could do the common and all too unfortunate Christian twist and excoriate the first testament as archaic and irrelevant to the Christian life, but to do so, I would have to let go of the story that informed the life, thinking, and discipleship of Jesus, and as a follower of Jesus, the story that informs mine. Instead, I invite you to see how Jesus wrestled with this part of his and our religious heritage.

No doubt, Jesus grew up hearing the mantra, “An eye for an eye” and could have completed the couplet with his eyes closed. That’s why it is almost shocking what Jesus says in his Sermon on the Mount (a sermon that can only make mine seem mundane). Jesus declares: “Don’t react violently against the one who is evil. You have heard that it was said, ‘An eye for an eye and a tooth for a tooth.’ But I say to you, Do not resist one who is evil. But if any one strikes you on the right cheek, turn to him the other also.”²

At first glance this sounds like ludicrous counsel to those living in a violent world. It sounds as if Jesus is not just standing on a mountain, but is living with his head in the clouds, as if he’s saying, “Just lie down and let the world run over you.” But take a closer look at his words. “If someone strikes you on the right cheek,” assuming they are right-handed, they are most likely not using their right hand. Think about it. Most likely, they’re backhanding your right cheek with their left hand. In other words, they’re humiliating you.

Walter Wink argues, “The backhand was not a blow to injure, but to insult, humiliate, degrade. It was not administered to an equal, but to an inferior. Masters backhanded slaves; husbands, wives; parents, children; Romans, Jews. The whole point of the blow was to force someone who was out of line back into place. Notice Jesus’ audience: “If anyone strikes *you*.” These are people used to being thus degraded. He is saying to them, “Refuse to accept this kind of treatment anymore. If they backhand you, turn the other cheek”³

Tom Long offers this critical insight about this complex text: “What if the man, struck on one cheek, should stand there firmly and thrust forward the other cheek, as if to say ‘You may like violence but you are not in total control. I choose another way’? The turning of the other cheek discloses that cruel people may do violence, but they do not have the power to take away the dignity and humanity of other people”⁴ Why would anyone with even an ounce of good sense listen to Jesus in such a circumstance and not retaliate? In his refusal to meet violence with retaliatory violence, Martin Luther King Jr. argued: “The ultimate weakness of violence is that it is a descending spiral, begetting the very thing it seeks to destroy.”⁵

Jesus preaches a sermon about violence in Matthew, and in John’s Gospel, the writer preaches a sermon about the violence done to Jesus by Pilate and Pilate’s Rome. More than once, the Roman governor announces that Jesus is innocent of the crime of which he has been accused. And though Mel Gibson tries to paint the Jews as the

principal villains of the piece, in John, it is Pilate who sentences an innocent man to execution. Jesus is one of many, before and since, wrongfully executed by the state – in this case, Rome.

If the state is charged with safeguarding human life, there can be no more atrocious an act than for the state knowingly to take the life of one who is innocent. For Christians, this reality of our own biblical story alone should give us great pause before we entrust any judicial system with the authority to carry out state-sanctioned executions. This reality alone should demand that at the very least every state should provide the most stringent judicial safeguards to insure that an innocent citizen is never executed. For most states, including Georgia, this warrants a moratorium on the death penalty until and unless such safeguards can be demonstrated. As a Christian and a citizen, though, I pray that we will move beyond a moratorium and end the use of the death penalty altogether.

Let me be clear. I am not a romantic about human nature. I have sat with families of victims of a capital crime as they wailed in agonizing grief and have prayed with those whose lives have been rent asunder by a capital crime, like so many lives were rent asunder here in Atlanta in the past few days. What most capital perpetrators do is nothing short of hideous. The mad shooting spree in the courtroom here on Friday makes that point painfully clear. In the case of murder, capital criminals steal away the future of other children of God, often in the most obscene and violent ways. And that's not all the damage they do. They devastate whole systems of human relationships and bring about immeasurable agony to families and loved ones, while exacting tremendous costs from the judicial system. If I were to base my position on the death penalty solely on what capital perpetrators do, I'm sure I would jump into the majority stream of those who support this practice.

As a Christian, though, I follow a wrongfully executed Savior who refused to meet hatred with hatred and violence with violence. Elsewhere in his sermon, Jesus declares: "You have heard that it was said, 'You shall love your neighbor and hate your enemy.' But I say to you, 'Love your enemies and pray for those who persecute you'" (Matthew 5:43-45). In Jesus, I see one who looked beyond the stigma: "prostitute," "tax cheat," "diseased person," and saw in each one, no matter how malformed and despicable, an unmistakable sign of the presence of God. Jesus doesn't require that we hold tender thoughts toward those who have done inexcusable things, only that we realize that when brutality is met with brutality, scores are not settled, but it only brutalizes society and those who have already been brutalized.

Some argue that the death penalty is a deadly, effective deterrent and though unfortunate, is necessary, in our violent society. Even if that were true, which the vast body of death penalty research refutes, the life and teachings of Jesus demand that we factor in more than deterrence before ending any human life, no matter how loathsome. My views on the death penalty almost always lead someone to ask: "What would you do if some dreadful crime happened to your wife or your child?" I can't say what I would do, thank God, but I can only imagine if that were to happen, it would bring out the darkest thoughts within me. I pray, though, that if hatred and violence began to ooze out of me and I began to search for retribution, that other Christians would confront me with Christ's compassion, challenge me to live out Christ's forgiveness, and love me with the redemptive power of Christ until I no longer found a home in the land of hatred and retaliation.

As my children were growing up, I taught them that it is wrong for a person to take another person's life. It is also wrong for the state to take a person's life in the cause of justice. The death penalty doesn't bring justice; it doesn't restore or redeem life. It compounds the injustice that has already been done as the state executes what it forbids. At his own execution, Jesus said, "Father, forgive them, for they know not what they do." At how many executions since that time has Jesus had to utter that same plaintive prayer?

Few people in America today have spent more time on death row and speak with more eloquence about the devastating impact of the death penalty on society than Sister Helen Prejean of the book and movie, *Dead Man Walking*. Reflecting on her understanding of God, Sister Helen writes: "I cannot believe in a God who metes out hurt for hurt, pain for pain, torture for torture. Nor do I believe that God invests human representatives with such power to torture and kill. The paths of history are stained with the blood of those who have fallen victim to 'God's Avengers.' Kings, popes, military generals, and heads of state have killed, claiming God's authority and God's blessing. I do not believe in such a God."⁶

To that I can only say, "Amen, sister" and pray that we will soon end the state-sponsored killing of God's children in Georgia and that the United States will soon join the vast majority of nations that refuse to confuse justice with the death penalty.

Notes

1. Samuel E. Balentine, *Leviticus*, Interpretation Series (Louisville, Ky.: John Knox Press, 2002), 190.
2. Matthew 5:38-39.
3. Walter Wink, *The Powers That Be: Theology for A New Millennium* (New York: Doubleday, 1998), 99-100.
4. Thomas G. Long, *Matthew*, Westminster Bible Companion (Louisville, Ky.: Westminster John Knox Press, 1997), 63.
5. Wink, 124.
6. Helen Prejean, *Dead Man Walking* (New York: Vintage Books, 1993), 21.