

IS THE DEATH PENALTY WRONG?

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I'm going to look today at the subject of whether the death penalty is wrong.

A lot of people — including many churches — look down on the Old Testament. We're probably more sensitive to that because we come across criticism as Sabbath-keepers ... or because of the Holy Days ... or unclean meats?

Some even scoff ... mock. "I suppose you don't wear garments of different fibres ... won't plant different seeds in your garden ... do you also believe we should stone disobedient children?" We can get accused of "picking and choosing".

Some churches oppose homosexual behaviour. Say it's sin ... quote Leviticus. But then they get attacked for picking and choosing ... as opponents point out that the Bible declares the death penalty. "Do you believe in the death penalty for homosexuals??" Then I've heard them throw out the accusation that the Bible demands the death penalty for disobedient children — "Do you believe that's acceptable! Should we stone our children??"

Lots of people and churches get embarrassed at that point ... and start to back off. They get uncomfortable at the Old Testament — and the God who gave these laws.

So ... I'm returning to the defence of the Old Testament — and its God — and want to look at this question of capital punishment ... pick up the topic of stoning disobedient children.

Are we guilty of picking and choosing? We believe we should avoid unclean meats ... or keep the Holy Days ... because of Leviticus and Deuteronomy ... but we don't believe in capital punishment ... such as stoning disobedient children?

What about the Pope?

Twelve months ago he announced that the Catholic Church had changed its official teaching — capital punishment is now forbidden “because it is an attack on the inviolability and dignity of the person”. The Catechism has been amended.

It contradicts “almost” 1700 years of Catholic teaching — it makes God of the Old Testament look bad since He enacted laws that attack the “dignity of the person!” What does that say about the God of the Old Testament?

Deuteronomy 21:18-21

18 **“If a man has a stubborn and rebellious son who will not obey the voice of his father or the voice of his mother, and who, when they have chastened him, will not heed them,**

19 **then his father and his mother shall take hold of him and bring him out to the elders of his city, to the gate of his city.**

20 **And they shall say to the elders of his city, ‘This son of ours is stubborn and rebellious; he will not obey our voice; he is a glutton and a drunkard.’**

(Morally backward)

21 **Then all the men of his city shall stone him to death with stones; so you shall put away the evil from among you, and all Israel shall hear and fear.**

- Not just cheeky ... won’t take out the trash. But — a lifestyle of rebellion (same word as Israel’s rebellion against God).
- A glutton and drunkard — implies maturity — an adult.
- Brought to the elders — a legal process.
- If judged guilty — then stoned to death.

Quite a warning to all of Israel?! Yet ... there is no record of it ever having to be carried out!

This particular law supports the family ... the 5th commandment.

And ... if ever necessary ... not up to the family to carry out! A legal process!

Deuteronomy 16:18-20

18 **“You shall appoint judges and officers in all your gates, which the Lord your God gives you, according to your tribes, and they shall judge the people with just judgment.**

19 **You shall not pervert justice; you shall not show partiality, nor take a bribe**, for a bribe blinds the eyes of the wise and twists the words of the righteous.

20 **You shall follow what is altogether just**, that you may live and inherit the land which the Lord your God is giving you.

Reference once again to the Judges in the gates — a very important part of the city ... probably like our town halls today. Fair and righteous. Proper ... due legal process.

Deuteronomy 1:9-18

9 “And I spoke to you at that time, saying: ‘I alone am not able to bear you.

10 The Lord your God has multiplied you, and here you are today, as the stars of heaven in multitude.

11 May the Lord God of your fathers make you a thousand times more numerous than you are, and bless you as He has promised you!

12 **How can I alone bear your problems and your burdens and your complaints? (*Too many of them and only one Moses*)**

13 **Choose wise, understanding, and knowledgeable men from among your tribes, and I will make them heads over you.**’

14 And you answered me and said, ‘The thing which you have told us to do is good.’

15 **So I took the heads of your tribes, wise and knowledgeable men, and made them heads over you, leaders of thousands, leaders of hundreds, leaders of fifties, leaders of tens, and officers for your tribes.**

16 “Then I commanded your judges at that time, saying, ‘**Hear the cases between your brethren, and judge righteously**’ between a man and his brother or the stranger who is with him. (*Including foreigners*)

17 **You shall not show partiality in judgment**; you shall hear the small as well as the great; **you shall not be afraid in any man’s presence, for the judgment is God’s**. The case that is too hard for you, bring to me, and I will hear it.’

18 And I commanded you at that time all the things which you should do.

Judge righteously. Be impartial. They represented God to the people.

Israel was a nation. God gave them a legal structure to follow ... judges were to assess cases righteously and in accordance with God's laws.

There is no such structure on the earth today — that meets these requirements.

2 Chronicles 19:4-10

4 So **Jehoshaphat** dwelt at Jerusalem; and he went out again among the people from Beersheba to the mountains of Ephraim, and brought them back to the Lord God of their fathers.

5 Then he **set judges in the land throughout all the fortified cities of Judah, city by city,**

6 and said to the judges, **"Take heed to what you are doing, for you do not judge for man but for the Lord, who is with you in the judgment.**

7 Now therefore, **let the fear of the Lord be upon you; take care and do it, for there is no iniquity with the Lord our God, no partiality, nor taking of bribes."**

8 Moreover in Jerusalem, for the judgment of the Lord and for controversies, Jehoshaphat appointed some of the Levites and priests, and some of the chief fathers of Israel, when they returned to Jerusalem.

9 And he commanded them, saying, **"Thus you shall act in the fear of the Lord, faithfully and with a loyal heart:**

10 **Whatever case comes to you from your brethren who dwell in their cities, whether of bloodshed or offenses against law or commandment, against statutes or ordinances, you shall warn them, lest they trespass against the Lord and wrath come upon you and your brethren. Do this, and you will not be guilty.**

Judges in most cities. They must be impartial and act in the fear of God.

Capital punishment was there for very serious crimes ... such as premeditated murder ... but it wasn't necessary very often.

The Talmud reports that if the Jewish Sanhedrin stoned more than 2 people in a 7 year period ... they were considered a blood-thirsty bunch!

In reality ... it didn't happen often ... and the case had to be clear cut.

The legal process was clear ... no question of mere vigilantes stoning people left ... right ... and centre.

Reliable witnesses were required.

Deuteronomy 17:2-7

2 "If there is found among you, within any of your gates which the Lord your God gives you, **a man or a woman who has been wicked in the sight of the Lord your God, in transgressing His covenant,**

3 who has gone and served other gods and worshiped them, either the sun or moon or any of the host of heaven, which I have not commanded,

4 and it is told you, and you hear of it, **then you shall inquire diligently. And if it is indeed true and certain that such an abomination has been committed in Israel,**

5 **then you shall bring out to your gates that man or woman who has committed that wicked thing, and shall stone to death that man or woman with stones.**

6 **Whoever is deserving of death shall be put to death on the testimony of two or three witnesses; he shall not be put to death on the testimony of one witness.**

7 The hands of the witnesses shall be the first against him to put him to death, and afterward the hands of all the people. **So you shall put away the evil from among you.**

Inquire diligently. If certain — must be two or three witnesses. The legal criteria must be met.

Deuteronomy 19:15-21

15 "One witness shall not rise against a man concerning any iniquity or any sin that he commits; **by the mouth of two or three witnesses the matter shall be established.**

16 **If a false witness rises against any man to testify against him of wrongdoing,**

17 **then both men in the controversy shall stand before the Lord, before the priests and the judges who serve in those days.**

18 **And the judges shall make careful inquiry,** and indeed, if the witness is a false witness, who has testified falsely against his brother,

19 **then you shall do to him as he thought to have done to his brother;** so you shall put away the evil from among you.

20 And those who remain shall hear and fear, and hereafter they shall not again commit such evil among you.

21 Your eye shall not pity: life shall be for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

Two or three witnesses. False witnesses are punished. That way false witnesses would become few and far between.

The legal process requires at least two witnesses — one is not sufficient. An important principle that carried through to the New Testament ... and how God's Church should run.

1 Timothy 5:17-20

17 Let the elders who rule well (*preside over/ take care of the congregation*) be counted worthy of double honor, especially those who labor in the word and doctrine.

18 For the Scripture says, "You shall not muzzle an ox while it treads out the grain," and, "**The labourer is worthy of his wages.**" (Luke 10:7)

19 **Do not receive an accusation against an elder except from two or three witnesses.**

20 Those who are sinning rebuke in the presence of all, that the rest also may fear.

The Apostle Paul uses this phrase again:

2 Corinthians 13:1-2

1 This will be the third time I am coming to you. "**By the mouth of two or three witnesses every word shall be established.**"

2 I have told you before, and foretell as if I were present the second time, and now being absent I write to those who have sinned before, and to all the rest, that **if I come again I will not spare**—

Paul was ready to judge — "I will not spare".

2 Corinthians 13:10

10 Therefore I write these things being absent, lest being present I should use sharpness, **according to the authority which the Lord has given me for edification and not for destruction.**

No doubt Paul would “inquire diligently”.

Matthew 18:15-20

15 **“Moreover if your brother sins against you, go and tell him his fault between you and him alone.** If he hears you, you have gained your brother.

16 But **if he will not hear, take with you one or two more, that by the mouth of two or three witnesses every word may be established.’**

17 And if he refuses to hear them, tell it to the church. But **if he refuses even to hear the church, let him be to you like a heathen and a tax collector.**

18 “Assuredly, I say to you, whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven. *(In relation to the decision you have made in this situation regarding that person)*

19 “Again I say to you that if two of you agree on earth concerning anything that they ask, it will be done for them by My Father in heaven.

20 **For where two or three are gathered together in My name, I am there in the midst of them.”**

Jesus requires 2 or 3 witnesses to underpin a church decision!

So there was a clear legal process in the Old Testament regarding law-breaking ... especially relevant for capital punishment. There must be reliable witnesses ... experienced judiciary ... diligent inquiry ... certainty.

None of this applies anywhere on the earth today. We as individual believers cannot carry out capital punishment.

People who mock: “shouldn’t you stone your disobedient children” don’t understand there is no Biblical legal system in existence today.

With our understanding of God’s nature we can see that God’s laws are for man’s good. Certain conduct is bad for society ... and needs to be firmly controlled. The death penalty is reserved for the most serious crimes.

Let’s look at some of those crimes.

Leviticus 20:9

9 **‘For everyone who curses his father or his mother shall surely be put to death.** He has cursed his father or his mother. His blood shall be upon him.

Curses parents (contemptuous of your parents ... “running” them down!)

Leviticus 20:10

10 **The man who commits adultery with another man's wife, he who commits adultery with his neighbour's wife, the adulterer and the adulteress, shall surely be put to death.**

Adultery — death penalty. This supports the sanctity of marriage. Marriage is a picture of Jesus Christ and His wife — the Church.

Leviticus 20:13

13 **If a man lies with a male as he lies with a woman, both of them have committed an abomination. They shall surely be put to death.** Their blood shall be upon them.

Homosexuality. God doesn't want it. That is harmful to society. Harmful to marriage.

Leviticus 20:15-16

15 **If a man mates with an animal, he shall surely be put to death, and you shall kill the animal.**

16 **If a woman approaches any animal and mates with it, you shall kill the woman and the animal. They shall surely be put to death.** Their blood is upon them.

Bestiality — death penalty.

Leviticus 20:27

27 **A man or a woman who is a medium, or who has familiar spirits, shall surely be put to death; they shall stone them with stones.** Their blood shall be upon them.' ”

Spiritists. They are passing on words from a demon being.

Elsewhere: Murder ... Kidnap ... Rape. All got the death penalty.

God's laws are good laws. If taught and practised they're for a nation's benefit. Minimise the numbers of rape ... murder ... adultery ... and lots of problems.

But were often ignored. And today ... commonly rejected as harsh and unloving. Hence the Pope can condemn the death penalty as an affront to man's dignity. No! It is an attempt to keep law and order in society.

God knows better.

Some carnal people know better too!

Luke 23:32

32 **There were also two others, criminals, led with Him to be put to death.**

Luke 23:38-43

38 And an inscription also was written over Him in letters of Greek, Latin, and Hebrew:

THIS IS THE KING OF THE JEWS.

39 **Then one of the criminals who were hanged blasphemed Him, saying, "If You are the Christ, save Yourself and us."**

40 **But the other, answering, rebuked him, saying, "Do you not even fear God, seeing you are under the same condemnation?"**

41 **And we indeed justly, for we receive the due reward of our deeds; but this Man has done nothing wrong."**

42 Then he said to Jesus, "Lord, remember me when You come into Your kingdom."

43 And Jesus said to him, "Assuredly, I say to you today — you will be with Me in Paradise." (***You will be with Me in Paradise ... when the time comes.***)

The one criminal said "we receive the due reward"! Fair and just to receive the death penalty.

An interesting story about whether Jesus would impose the death penalty:

John 8:1-11

1 But Jesus went to the Mount of Olives.

2 **Now early in the morning He came again into the temple, and all the people came to Him;** and He sat down and taught them.

3 **Then the scribes and Pharisees brought to Him a woman caught in adultery.**

And **when they had set her in the midst,**

4 they said to Him, "Teacher, this woman was caught in adultery, in the very act."

5 **Now Moses, in the law, commanded us that such should be stoned. But what do You say?"**

6 **This they said, testing Him, that they might have something of which to accuse Him.** But Jesus stooped down and wrote on the ground with His finger, as though He did not hear.

7 **So when they continued asking Him, He raised Himself up and said to them, "He who is without sin among you, let him throw a stone at her first."**

8 And again He stooped down and wrote on the ground.

9 **Then those who heard it, being convicted by their conscience, went out one by one, beginning with the oldest even to the last.** And Jesus was left alone, and the woman standing in the midst.

10 **When Jesus had raised Himself up and saw no one but the woman, He said to her, "Woman, where are those accusers of yours? Has no one condemned you?"**

11 She said, "No one, Lord."

And Jesus said to her, "Neither do I condemn you; go and sin no more."

This was a trap! They were not looking for scriptural understanding!

Some say that Jesus went against the Old Testament law (His own law?).
"Mercy is above the law".

Is it okay to break any law if it's out of kindness and "mercy" (in your eyes)?

But how could Jesus have done any differently?

According to His own Old Testament law ... there must be diligent enquiry ... two or three reliable witnesses ... an impartial judiciary ... and where was the man who also must be punished.

John Chapter 8 is not an official court of justice.

It is possible also that Jews had no legal right to impose capital punishment without Roman approval ... so God's court structure even then was no longer in existence.

Certainly the woman has an opportunity to repent and change her life. But unrepentant adulterers will be in the Lake of Fire.

And ultimately ... the time is coming ... when God will deal with all who persistently want to live contrary to His ways.

Revelation 16:1, 17-21

1 Then I heard a loud voice from the temple saying to the seven angels, "Go and pour out the bowls of the wrath of God on the earth."

17 Then the seventh angel poured out his bowl into the air, and a loud voice came out of the temple of heaven, from the throne, saying, "It is done!"

18 And there were noises and thunderings and lightnings; and there was a great earthquake, such a mighty and great earthquake as had not occurred since men were on the earth.

19 Now the great city was divided into three parts, and the cities of the nations fell. And great Babylon was remembered before God, to give her the cup of the wine of the fierceness of His wrath.

20 Then every island fled away, and the mountains were not found.

21 And great hail from heaven fell upon men, each hailstone about the weight of a talent. Men blasphemed God because of the plague of the hail, since that plague was exceedingly great.

God will stone to death many of the wicked! The death penalty — capital punishment — just as He prescribed in the Old Testament.

God is consistent.

So ... in a Biblical-based legal system ... the death penalty was used (perhaps sparingly).

But ... believers today do not live in a Bible-based jurisdiction. We do not stone rebellious sons ... or daughters ... or adulterers ... or homosexuals.

But that does not mean that they have a free pass.

For those who are stubborn and rebellious ... the death penalty awaits all.

Revelation 21:7-8

7 He who overcomes shall inherit all things, and I will be his God and he shall be My son.

8 But the cowardly, unbelieving, abominable, murderers, sexually immoral, sorcerers, idolaters, and all liars **shall have their part in the lake which burns with fire and brimstone, which is the second death.**" (*The Death Penalty for those who persistently refuse His offer ... who persistently refuse to repent*)