

Dead Man Walking – Part 2
(2 Samuel 11:26-12:15 and Mathew 5:38-41)

The Case Against the Death Penalty

Last Sunday we considered the case for the death penalty. You will recall that the Old Testament provides the biblical authority for those who support capital punishment. This morning we will look at the case against the death penalty. From a biblical perspective, this case finds its authority in the New Testament. The very heart of the New Testament – and the gospel message – is that God loves us and shows mercy to all, even to the vilest criminals. Christ came to redeem the world, not to condemn it and taught that every person, regardless of his or her sins, has great worth in the eyes of God.

God of infinite forgiveness, be present among us especially this morning as we struggle with issues that confront and challenge what we believe as Christians – as children of God. Open our hearts and minds to the scripture read and to your word proclaimed. Help us to be open to your transformative love as we seek to understand your plan for the redemption of the world. In Christ Jesus we pray. Amen.

We know that Jesus said he came to fulfill the law, not to abolish it. But at the same time, he turned the law upside down – interpreting it in terms of God's desire to reform and transform the world. In the scripture from Matthew that was read this morning the Old

Testament law of “an eye for an eye” as retributive justice is abandoned in favor of showing mercy.

You have heard it was said, “An eye for an eye and a tooth for a tooth.” But I say to you, do not resist an evil doer. If anyone strikes you on the right cheek, turn the other also. [Matthew 5:38-39 *NLT*]

I have a friend who is a practicing Orthodox Jew from whom I have learned much about Judaism. As it turns, however, the learning experience has been just a bit one-sided. One day, my friend asked me if it was really true that Jesus taught Christians to “turn the other cheek.”

I found that quote from Chapter 5 of Matthew in my Bible and let him read it for himself. His response was revealing as well as surprising. He told me that was the stupidest thing he had ever read and he questioned who among reasonable people would let someone take advantage of them by “turning the other cheek.” Now I have no idea which side of the death penalty fence this man stands on, but his candid response left no doubts in my mind about his views on retribution.

Those who would oppose the death penalty look first to the moral and ethical aspects of engaging in precisely the same violent behavior that society seeks to punish. The state acts on

behalf of its citizens and those who make the laws and enforce them. That includes us even if we are not legislators, lawyers, or police officers. When some one is given a lethal injection it's as though we – together as a society – are participating in the death. In simple terms it's the old adage that I learned from my mother at an early age: "Two wrongs don't make a right."

The second point frequently made by opponents of the death penalty is that it's not an effective deterrent. One study in California indicated that while fewer homicides were reported on the day following an execution, the number of homicides reported on the day of the execution as well as on the preceding day actually increased. The conclusion of the study was that execution had no effect on the total number of homicides.

A third point frequently made by those who oppose the death penalty is the possibility of wrongful conviction and execution. This received considerable attention here in Illinois several years ago when former Gov. Ryan placed a moratorium on carrying out the death penalty. You will recall that in the wake of that moratorium, some death row inmates were released from prison when new DNA evidence cast serious doubt on their convictions.

Perhaps the most compelling case that can be made by Christians who oppose the death penalty, however, is that it fails to recognize the humanity of the convicted criminal. In her book, *Dead Man Walking*, Sister Helen Prejean reflects on the teachings of Jesus as she ministered to one Matthew Poncelett on death row in the Louisiana State Penitentiary. Sister Helen understood that we – all of us – are worth much more in God's eyes than

who we are at the lowest point in our lives. She knew that while it's easy to kill a monster, it's hard to kill a human being.

Sister Helen saw the human being in Matthew Poncelett. She helped him to accept responsibility for his worst actions – the senseless murder of two teenagers. By accepting responsibility for our worst actions we can be reformed as children of God – that is to say, we can be transformed. The gospel is all about being transformed by our experience of God in the world. By putting the murderer to death, some say, we are getting in between the sinner and God's redemptive nature. That translates to the idea that given enough time, some criminals will find God in prison, confess their sin, and come to Christ. The death penalty may short-circuit God's redemptive process in the human being that lies beneath the monster.

In the continuing story of King David that was read this morning, the prophet Nathan confronts David with his evil deed – the murder of Uriah. Nathan tells the story of the rich man with many animals and the poor man with only a single lamb. David became angry at that behavior of the rich man and the killing of the poor man's beloved lamb. "Surely as the Lord lives, the man who did this deserves to die." [2 Samuel 12:5b *NIV*] Imagine David's reaction when Nathan told him, "You are the man." [2 Samuel 12:7b *NIV*] Nathan goes on to explain the wideness and depth of God's mercy and forgiveness – to the point that even David's terrible deed is forgiven. Because David was a man of great power the biblical authority did not pre-empt God's redemptive work in him. The question is today, does the

death penalty pre-empt God's redemptive work in the world.

Another point in the case against the death penalty is disputably economic. As a result of the automatic appeals process that has been put in place for most capital cases, it's not clear anymore that death is a less costly alternative to life in prison. The lengthy appeals process can cost tax payers hundreds of thousands to millions dollars and can consume more than ten years. In 2004 new laws were enacted here in Illinois that can increase the cost of prosecuting cases as much as tenfold when the state elects to pursue the death penalty. These costs are in addition to the cost of the lengthy appeals process.

Let's summarize the case against the death penalty. Biblical authority comes largely from the New Testament and focuses on the need for redemption and mercy for all – even the vilest of criminals. The idea of putting a murderer to death has moral and ethical implications in a democracy where citizens may feel some responsibility for the taking of a human life. Death penalty opponents argue that the death penalty is not a deterrent to violent crime; that our judicial system doesn't always protect the innocent; that it interrupts God's redemptive efforts at salvation; and that life in prison may be more cost effective when a criminal cannot be reformed and returned to society.

What Do You Think?

What do you think? As citizens in a democratic society, are we incidental participants in the death of convicted murderers? I want to reinforce that my purpose here is not to tell you what to

think or how to respond to this issue. But it's essential for us as Christians to live up to our theological task of discerning the way in which God would have us respond to this and other "hot topics" in our world today.

I want to leave you with this thought. The ultimate goal of our system of justice is to reform those who find it difficult to live within the constraints of a moral and ethical society. The goal of the gospel is one and the same – to transform and redeem the sinner through God's grace. While we are not all murderers, we are all sinners.

The death penalty doesn't take this into account. By putting even convicted killers to death we may be interfering with God's redemptive work in the world. By exercising power over life and death we undercut God's authority. Adam Hamilton points out that the death penalty, according to scripture, is what each of us deserves. "But Jesus, who is rich in mercy, took our place in the gas chamber of his day – the Roman crucifix – paid a debt he did not owe so that you and I could be set free from death."¹ And so, I leave you to wrestle with this. As Christians, we are the recipients of a gospel that offers grace not retribution. If we accept that grace and at the same time dispense retribution aren't we just another dead man walking?

¹ Adam Hamilton, *Confronting the Controversies: A Christian Looks at the Tough Issues* (Copyright © 2001 by Abington Press, Nashville, TN), page 61.

Questions for Reflection

1. As moral agents of God, what do think about the suggestion by those who oppose the death penalty that all members of our society have some responsibility for the death of convicts who are executed?
2. Look through the books of Exodus, Leviticus, Numbers and Deuteronomy and find at least one example or application that calls for the death penalty in Old Testament times. Does your example support the use of the death penalty today?
3. Reflect on 2 Samuel 12:1-15 and the account of David as he is granted forgiveness for his sins that were punishable by death under Mosaic Law. What can you conclude about God's mercy and the forgiveness of sins based on this account?
4. What can we do as individuals, as members of the local church, and as members of the body of Christ to discern God's will for our response to the continued use of the death penalty in our society?
5. If possible, watch the movie *Dead Man Walking* or *The Chamber*. How might your present understanding and beliefs about capital punishment change in light of these stories?