

MCC WASHINGTON OFFICE GUIDE TO THE Death Penalty



State Killing

Is the death penalty appropriate? Is it consistent with biblical values regarding life? More than 3,300 people are on death row and 1,012 people have been executed since the United States reinstated the death penalty in 1976 (as of March 1, 2006).

Did you know?

Every western democracy except the United States has abolished the death penalty.

More than half the countries in the world 105 have now abolished the death penalty in law or practice. Ninety countries retain the death penalty. [Source: Death Penalty Information Center (DPIC), Amnesty International.]

Thirty-eight states, the federal government, and the U.S. military have the death penalty.

New court ruling on juveniles.

On March 1, 2005, the U.S. Supreme Court ruled that the execution of a person who committed a crime as a minor is unconstitutional (*Roper v. Simmons*). Prior to that ruling, the United States has led the world in executing juveniles. [Source: NAACP Legal Defense Fund]

The death penalty is inequitable.

Several studies indicate those selected for death are disproportionately people of color, male, poor, and those whose victim was white. Black defendants are seventeen times more likely to be executed for killing a white person than in cases where a white defendant kills a black person.

Mennonite Central Committee (MCC) U.S. Washington Office is a Mennonite and Brethren in Christ presence on Capitol Hill, which gives and encourages prophetic witness to the way of Christ on matters of U.S. public policy. To order resources contact: MCC Washington Office, 920 Pennsylvania Ave. SE, Washington, DC 20003; mccwash@mcc.org
Compiled by Karl S. Shelly (July 1998); revised by David Whettstone (December 2001); revised by Rachel Derstine (March 2006).

Innocent people could or might have been executed.

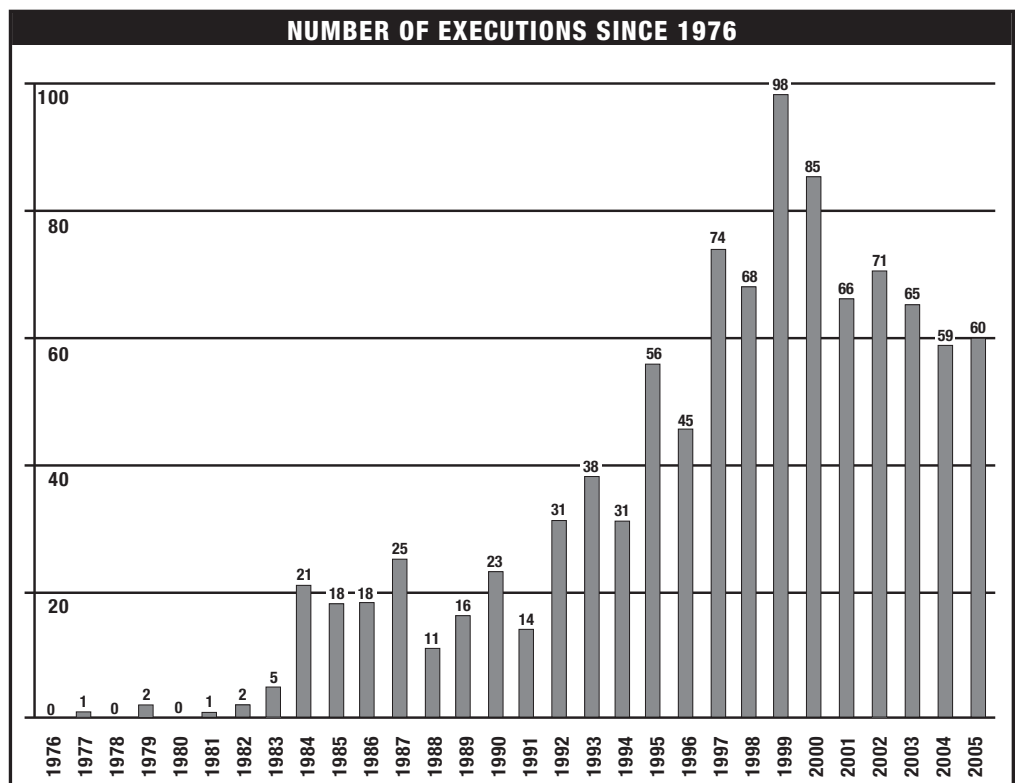
Since 1973, over 123 people in 25 states have been released from death row with evidence of their innocence. [Source: DPIC.] Former Supreme Court Justice Sandra Day O'Connor has stated, "If statistics are any indication, the system may well be allowing some innocent defendants to be executed."

The death penalty costs as much or more than life imprisonment.

Studies show that a single capital case, from arrest to execution, can cost between \$1 and \$3 million. Cases resulting in life imprisonment average around \$500,000 each, including incarceration cost. [Source: National Coalition to Abolish the Death Penalty.]

The death penalty does not deter crime.

The average murder rate in states which have abolished the death penalty is 36% lower than that in states still using it. [Source: DPIC.] Some murderers genuinely do reform. But for those who need long-term restraint, imprisonment can effectively protect society. Thirty-seven out of 38 states with the death penalty, and 11 out of 12 states without the death penalty have life without parole sentencing options. [Source: DPIC.]



Biblical and Theological Perspectives on the Death Penalty*

Old Testament Themes

The Old Testament allows the death penalty to be applied in several cases, including adultery, accidental manslaughter and rebellious teenagers (Exodus 21). However, *limitations* are prominent. “An eye for an eye” was not a command to seek vengeance, but a limit on retribution. The standard of proof for death penalty convictions was higher than the current “beyond a reasonable doubt” standard and required absolute certainty of at least two eye witnesses (Deuteronomy 17 and 19). Additionally, unequal wealth and power and unequal justice were as much a sin as were crimes.

Murderers in the Bible: Cain, Moses, David, Paul. Should they have been executed?

Another theme in the Old Testament is *mercy* for the offender. After the first recorded murder, God grants protection to Cain, the murderer (Genesis 4). Cities of refuge were sanctuaries where the guilty could escape the revenge of the victim’s family (Numbers 35, Deuteronomy 4 and 19, Joshua 20). The themes of Deuteronomy 32:35 (“To me belong vengeance and recompense”) and Leviticus 19:18 (“You shall not take vengeance . . . but love your neighbor as yourself”) recur frequently in the Old Testament.

*Text adapted from *Death as a Penalty: A Moral, Practical and Theological Discussion* by Howard Zehr (Mennonite Central Committee, revised 1998)

New Testament Themes

Jesus built on the Old Testament tradition that *life is sacred*. Jesus teaches that we are to love and forgive those who harm us. If we love God, Jesus says we are obligated to show that love in our actions toward others. Christ moves us from the Old Testament perspective of limited retaliation to non-retaliation and active love (Romans 12, I John 4, Luke 6:27–36).

Christ was asked to rule on a death penalty case. His response:
“Let one without sin cast the first stone.”

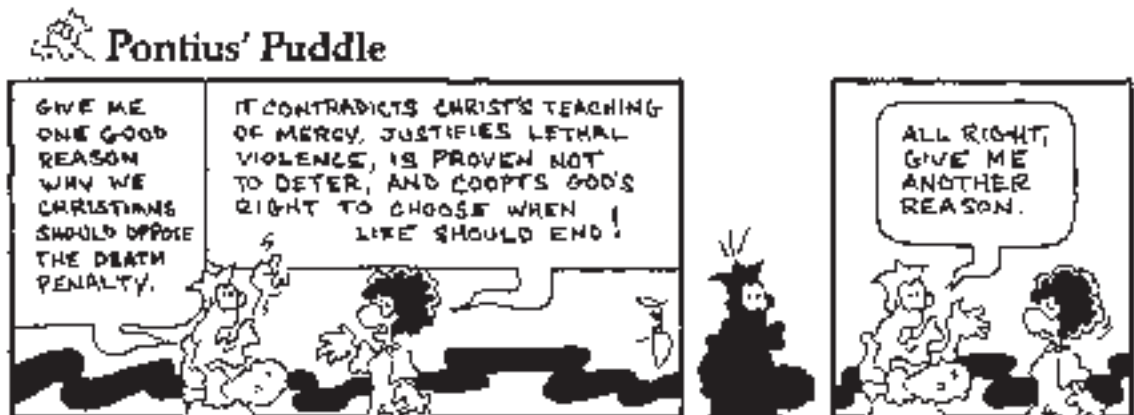
(JOHN 8:7)

Christ’s death on the cross, itself an application of capital punishment, canceled the Old Testament basis of shedding blood to testify to life’s sacredness (Hebrews 10). Christ died that others may live. By trading places with the guilty and the enemy, by dying in the place of the murderer Barabbas, Christ closed off any sacrificial reason for the death penalty.

Jesus did not die for some sinners. *He died for all*. Unless we believe that *every person*, whether murderer or not, *is redeemable and must have the chance to be redeemed*, there is no real gospel. Depriving a person of the possibility of reconciliation with God and humanity is the real tragedy of capital punishment.

BIBLICAL TEXTS FOR STUDY

- Genesis 4; 9:6
- Exodus 20:13; 21:12–29; 22:18–21; 31:14
- Leviticus 19:17–18; 20; 24
- Numbers 15:32–34; 35
- Deuteronomy 17–22; 24:16
- Ezekiel 33:11
- Matthew 5:38–39
- John 8:1–11
- Romans 13



Faith that Reflects, Faith that Acts

Practical Efforts Against the Death Penalty

Biblical Passages for Reflection

- Genesis 9:6 states, “Whoever sheds the blood of a human, by a human shall that person’s blood be shed; for in his own image God made humankind.” Is this verse prescriptive or descriptive?
- Can we imagine Jesus supporting the death penalty? What do his words and actions tell us?
- Does Christ’s atoning death apply to everyone? Even a murderer? Does this have binding effects on the state and all people? (Romans 5:22–26; 2 Corinthians 5:17, 21; Hebrews 10:10, 14; 1 John 2:2; 4:7–12)
- Some suggest that Jesus’ death calls into question authorities and the powers that lie behind them (Colossians 2:14,15). How might this affect our outlook on the death penalty?

For Further Reflection

Are we all murderers in God’s eyes?

How do we practice grace and forgiveness? Is it possible that anger and hate, moving from individual to society, can contribute to murder? Does capital punishment foster the cycle of anger and hate?

Do victims’ families need the death penalty?

What are the needs of victims’ families? What does a community need in the case of a capital crime? What are the consequences of a criminal justice system and society centered on the execution of a murderer? Are victims’ needs effectively met by killing someone else, causing another family grief and pain, adding to the cycle of violence and vengeance?

Marietta Jaeger and numerous victims’ family members have answered “no.” Her 7-year-old daughter was kidnapped and murdered years ago. Jaeger has testified: “To kill somebody in [my daughter’s] name is really to violate her and profane her. I’d rather honor her life by saying that all of life is sacred and all of life is worthy of preservation.” *Marietta Jaeger on Forgiveness* (1988, 28 min., MCC video) available for loan from MCC.

*Mourn for all those who are put to death.**

Murder and capital punishment are an assault on us all. Every time a killing occurs, we all feel the pain, the horror, the sin. It’s as if evil just keeping marching on. But there’s healing in mourning. Each time we mourn, we affirm the

God-cherished character of the one who has been killed. Each time we mourn, we deepen our sense of solidarity with those whom God is raising from the dead. Each time we mourn, we take on a little more of God’s own spirit. Each time we mourn, we gain a little more of the strength we need.

Action Ideas

- **Start** a personal relationship with a person on death row through letter writing or visitation.
- **Reach** out to crime victims and their families through prayer and practical aid. The life and work of Sister Helen Prejean demonstrates that opposition to the death penalty is not an anti-victim stance. It should mean honoring victims, their families and communities and caring for every life.
- **Educate** yourself; create a “culture of resistance.” The facts and biblical reflection support speaking out against capital punishment. We need to draw others into deep relationships with God and people that make capital punishment unthinkable. The families of those on death row and legal aid groups who offer competent defense need your help, whether in your own state or in an area with a high level of capital convictions.
- **Learn** your elected officials’ position. Some politicians support state killing with little accountability. We must encourage alternatives. Urge your elected officials to support preventive programs that break the cycle of violence, revenge and retribution. Help create sentiment and support that empowers them in this direction. *What kind of prayer and preparation do these actions require?*
- **Lead** your congregation to publicly oppose executions through media and public statements, ringing church bells or displaying a banner** outside when the state executes, participating in execution vigils, attending a capital trial, writing an op-ed piece for a local paper and hosting public meetings on this issue.

The “Moratorium Now” Campaign (of the Quixote Center) asks local churches, city councils and other organizations to pass resolutions urging elected officials to halt executions. For more information: PO Box 5206, Hyattsville, MD 20782; 301-699-0042; www.quixote.org/ej; ejusa@quixote.org.

*Mark William Olson, former editor of *The Other Side* magazine, 300 W. Apsley Street, Philadelphia, PA 19144; 1-800-700-9280, www.theotherside.org.

**One source: *For Whom the Bells Toll*, 19 Dearborn St., Medford, MA 02155; www.curenational.org/bells; dotbop@juno.com.

Resources on the Death Penalty

Books and Videos

Against the Death Penalty: Christian and Secular Arguments Against Capital Punishment

Gardner Hanks (Herald Press, 1997). Research data and biblical critique of the death penalty.

Beyond the News: Murder Close Up

Mennonite Media Ministries video (1995, 35 min.). A study of murder and its effects. Asks whether the death penalty is ever right. Stories from families of victims. 1-800-999-3534. Also available for loan from MCC.

Changing Lenses: A New Focus for Crime and Justice

Howard Zehr (Herald Press, 1995). A very readable critique of our criminal justice system and a call for a “restorative justice” model which focuses on the needs of crime victims and offenders.

Religious Statements on the Death Penalty (free); **Living and Dying According to Voice of Faith**, \$5 (skits for education and reflection); **Sermons . . . Reflections**, \$4; **Dead Man Walking study packet**, \$3.

American Friends Service Committee, 1501 Cherry St., Philadelphia, PA 19102; 215-241-7130; fax 215-241-7110; www.deathpenaltyreligious.org; Pclark@afsc.org.

Death as a Penalty: A Moral, Practical and Theological Discussion

Howard Zehr (Mennonite Central Committee, revised 1998). A booklet discussing the issues surrounding the death penalty.

Who Owns Death? Capital Punishment, the American Conscience, and the End of Executions

Robert Jay Lifton and Greg Mitchell (William Morrow, 2000). Analysis of the status of the U.S. death penalty, including psychological aspects and contentions that the death penalty is slowly losing its support.

Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment

Christopher D. Marshall (William B. Eerdmans, 2001). Provides restorative justice perspectives.

The Death Penalty: An Historical and Theological Survey

James J. Megivern (Paulist Press, 1997).

The Death Penalty in America: Current Controversies

Hugo Adam Bedau, editor (Oxford University Press, 1997).

We witness to all people that violence [including capital punishment] is not the will of God.

CONFESSION OF FAITH IN A MENNONITE PERSPECTIVE (1995)

Organizations

Amnesty International USA— Program to Abolish the Death Penalty

600 Pennsylvania Avenue SE, 5th Floor
Washington, DC 20003

Phone: (202) 544-0200

E-mail: dpprogram@aiusa.org

Web: www.amnesty-usa.org/abolish

General and faith-based resources; annual National Weekend of Faith in Action on the Death Penalty.

Death Penalty Information Center

1320 18th Street NW, 5th Floor
Washington, DC 20036

Phone: (202) 293-6970

E-mail: dpic@essential.org

Web: www.deathpenaltyinfo.org

Provides extensive analysis and information on the death penalty.

Death Row Support Project

PO Box 600, Dept. S
Liberty Mills, IN 46946

Phone: (219) 982-7480

Facilitates correspondence with people on death row.

MCC U.S. Washington Office

110 Maryland Avenue NE, Suite 502
Washington, DC 20002

Phone: (202) 544-6564; Fax (202) 544-2820

E-mail: mccwash@mcc.org

Web: www.mcc.org

Murder Victims Families for Reconciliation

2161 Massachusetts Avenue
Cambridge, Massachusetts 02140

Phone: (617) 868-0007

E-mail: cushing@mvfr.org

Web: www.mvfr.org

Opposes the death penalty and other violent responses.

National Coalition to Abolish the Death Penalty

1436 U Street NW, #104
Washington, DC 20009

Phone: (202) 387-3890

E-mail: infor@ncadp.org

Web: www.ncadp.org

Hosts annual conference and leads advocacy efforts.

Southern Center for Human Rights

83 Poplar Street, NW
Atlanta, GA 30303

Phone: (404) 688-1202

E-mail: rights@schr.org

Web: www.schr.org

Represents people facing the death penalty.