



Is capital punishment demanded?

Background

The Supreme Court on the 29th of June 1972 abolished the death penalty by a 5 to 4 vote, calling it, *"cruel and unusual punishment."* Since then *"...at least 19 states have passed laws attempting to restore the death penalty ... the matter is pending in 15 more states."* Is right and wrong so delicate that one man can determine the ethic for approximately 300 million people?

Classis Orange City in May of 1974 received an overture to appoint a committee to study the matter. It was called to limit its study to the question, *"Does God's Word **demand** capital punishment or only **permit** it?"*

Since then Synod's study committee of Dr. Henry Stob, Clarence Vos, Hessel Bouma III, Stephen Monsma and Louis Vos came with the result of its work to Synod of 1979 as report 29. Synod of 1981 will decide, D.V. the matter.

In sum, this is what report 29 concludes:

- a) Scripture *permits* us to use capital punishment. It does not *demand* it.
- b) That prudence demands its use only under exceptional cases. Its use should be under severe restraint and only when the very being of the state is threatened.

We believe on the basis of Genesis 8:20-9:17 that capital punishment is DEMANDED of the state.

- We believe that these Scriptures are creation ordinances.
- Secondly, that therefore they are universal ordinances.
- Thirdly, that other arguments against capital punishment are not fundamental.

A creation ordinance

What is a creation ordinance?

A creation ordinance is one in which God has laid down general promises and laws affecting all men at all times and everywhere.

Does this passage contain creation ordinances? We believe so. God first gave the ordinances to Adam and then repeated and enlarged them to Noah.

1. Notice Genesis 8:21, *"I will never again curse the ground because of man..."* Is that a universal promise? Has it been kept? Yes. If we believe that the flood was universal, then we must believe that the promise has been kept. The world has never again been destroyed by a flood.
2. Again we read in Genesis 8:22, *"While the earth remains, seedtime and harvest ... shall not cease."* Is the continual change of seasons a universal promise? Has it been kept? Yes.
3. Genesis 9:1, 7, *"And God blessed Noah and his sons and said to them, 'Be fruitful and multiply and fill the earth'"* repeating and strengthening it the second time. Has this been rescinded? If man should not multiply then the earth would be depopulated in a very short time. And what a blessing would result if Christians would still heed this command. As Teddy Roosevelt said, *"To the birthrate belongs the spoils."* Christians by their very numbers could Christianize the world.

4. Once again we read a creation ordinance. Genesis 9:2 says, *"The fear of you ... shall be upon every beast of the earth ... every bird ... and upon everything that creeps ... and all the fish of the sea..."* Has this ordinance ever been retracted? No! Animals and birds and fish flee from man because of fear placed by God.
5. *"Every moving thing that lives shall be for food for you and as I give you green plants, I give you everything"* Genesis 9:3. Is this not still in effect?
6. Genesis 9:4 contains a restriction: *"Only you shall not eat flesh with its life that is its blood."* This appears to be a *"...prohibition against eating any living flesh, as for example, cutting the flesh from a living animal and devouring it. This has always been the mark of barbarity and is still against God's law. Cruelty to animals remains a sin."* (Rev. P. Van Tuinen: *The Banner: Voices*) The ordinance was repeated at least six times to Israel. Why this ordinance? Because blood is representative of the God-given life principle receiving its highest symbolism in the death of Christ for sinners, *"Justified by His blood"* (Romans 5:9). It was restated in the New at the Synod of Jerusalem, *"...that the Gentiles who turn to God ... should ... abstain from the pollutions of idols and from unchastity and from what is strangled and from blood"* (Acts 15:20, 29). Has this ordinance ever been altered or withdrawn?
7. What about Genesis 9:5a? *"For your lifeblood I will require a reckoning; of every beast I will require it..."* This command was amplified to Israel when God said in Exodus 21:28 *"When an ox gores a man or woman to death, the ox shall be stoned..."* This command is verified by the deep-seated instinct of the race. Villagers in India still today band together to seek out and slay a man-killing tiger. Even in our own country, is not instinctive anger felt when a zoo-kept lion kills a person and is shot? Are not these instances of the fact that this ordinance of God to protect His image in man is still instinctively obeyed?

If a wild or domesticated animal would forfeit its life because of the destruction of a man, how much more a rational, human being?

8. Genesis 9:5 continued, *"...of every beast I will require it and of every man. Of every man's brother, I will require the life of man."* What does the last phrase mean? The best exegetes of Scripture: Luther, Calvin, Delitzsch, Keil, J. P. Lange, Ellicott, etc., believe that this text, *"...of every man's brother I will require the life of man"* is mankind. Humanity itself is appointed the avenger of the willful murderer.

Notice the *monopleuric* (one-sided) nature of this covenant ordinance. God does all the speaking and man doesn't have a word to say. God without consultation with man is telling us that the murderer must be slain. Before the commandment of the Lord of all the heavens and earth, Noah is simply silent. For God proclaims in His majestic omnipotence, *"I will never again curse the ground. I will never again destroy every living creature..."* God says, *"I will establish my covenant with you and your descendants." It's my law, it's my covenant, it's my ordinance.*

The general ordinances to man became more specific to Israel so that even an ox that gored had to be put to death. Old covenant Israel's laws were the highest expression of God's will for His people. But by extension are not the spiritual seed of Abraham to keep these creation laws? As men of God, must we not seek to establish His ordinances throughout the world? Is it not incumbent upon us then to seek to restore the death penalty in our United States?

If we hold that these ordinances were ONLY for the Jews, under what classification would they come? Under ceremonial law? The ceremonial laws passed away with Israel as a nation. The ceremonial laws had only to do with the ceremonies of Israel's life but the taking of life for the protection of the image of God can surely not be classified as a *ceremony* on a par with the offering of incense; with the sacrifice of animals and the specifics of tabernacle construction. It is sensed immediately, is it not, that what we have here is something far more basic and fundamental than mere ceremonies of Israel's religion?

No, we cannot escape the conclusion: These are creation ordinances!

A universal ordinance

If Genesis 9:6 is a creation ordinance it is therefore a universal ordinance.

It is universal because the language is universal. *"Whoever sheds the blood of man, by man shall his blood be shed; for God made man in His own image."* Notice the language of universality. The words WHOEVER and MAN are universal terms. So too is the meaning of the phrase: *"...in His own image."* All men have been made in the image of God. All these are universal words.

But if one would discount the whole passage from Genesis 8:20-9:17 as applying to all men of all time and everywhere, certainly one would be forced to admit the universality of THIS particular phrase, *"FOR GOD MADE MAN IN HIS OWN IMAGE."*

It is our conviction that because of this paramount fact — the image of God in man and God's insistent desire to protect that image, this is why He gave the commandment to protect it. The violator of life must forfeit his life.

For is not the image of God in man a tremendously high image? The image of God in man is variously attested in Scripture and that vigorously. Each evening after God created, He pronounced His work good! But after He created man, we read, *"...and behold, it was **very** good"* (Genesis 1:31.) David in Psalm 8:5 sees a man's noble image and exclaims: *"Thou hast made him a little less than God."*

Rev. Peter Eldersveld said, *"Have you ever watched a potter at work? It's a delicate art, isn't it? He takes a lump of clay and, fashions a beautiful statue out of it. You marvel at his genius. But now suppose he could make that statue live ... well, that's what God did when he made us. That statue can walk, talk, and think, and understand; it can study the stars ... and split the atom! Yes, and that man can know God! ... When you go to the famous art galleries ... where they exhibit the treasures of painting and sculpture, you may admire them ... but you may not mutilate them. The world has nothing but contempt for people who trample the treasures of art. If the marring of a statue produces consternation, should not the destruction of God's highest creative genius?"*

The image of God in man: *"So beautiful — with so much potential ... it **must** be protected. And God does protect it! So much so that if man ruins that high patrician image of God, God ruins him!"*

Because the costly blood of Christ has been shed to save that high-born image of God in man, therefore God calls us to shed the blood of anyone who despises and destroys it.

Calvin says, *"This doctrine, however, is to be carefully observed that no one can be injurious to his brother **without wounding God Himself**".* In His commentary on the epistle to the Romans (Owens, p. 481) Calvin's comment is this, *"...if the Lord by arming the magistrate has also committed to him the use of the sword, whenever he visits the guilty with death, by executing God's vengeance, he obeys his commands. **Contend then they do with God** who think it unlawful to shed the blood of wicked men."* So capital punishment is not a matter of private vengeance but of divine justice as administered in the name of God.

Hence Jesus also says, *"...all who take the sword will perish by the sword"* (Matthew 26:52). God Himself, if governments do not protect human life, protects it by his threat to the murderer.

The Apostle Paul adds his witness to the sword in Genesis 9:6 by implying that there are offenses worthy of death, for he says in Acts 25:11, *"...if then I am a wrongdoer, and have committed anything for which I deserve to die, I do not seek to escape death..."* Paul believes in capital punishment.

The enormity of the crime of destroying the image of God is not simply that it produces pain and deprivation to the individual and loss to society — but that it is assailing the image of God, the distinguishing essence of humanity. The murderer has allied himself with that *"great demonic homicide who is called ... a manslayer from the beginning"* (John 8:44). Satan is a slaughterer of God's image.

As Dr. Taylor Lewis (in J.P. Lange) succinctly remarks, *"The image of God is universal, the language is universal, the reason is universal, the consequences of impunity are universal."*

Arguments against capital punishment are unconvincing

Some have asked, "If Genesis 9:6 reveals God's demand for the death penalty, why was Cain allowed to live?"

Rightly understood, the example of Cain argues for the death penalty. After his murder Cain declared his fear that the first person he met would slay him. How did this enter his mind? God Himself had written it on the tablets of his heart. He had placed it in the instincts of the human race as a recognized principle from the beginning. The murderer shall not live. But God interfered and saved his life. Quite true. But, if God had not interfered, his life would have been justly taken in obedience to the general laws of God, implanted in the consciences of all men. Therefore, unless God similarly interferes now by a specially marked revelation, the original rule holds and the murderer is to be put to death. God *"set a mark on Cain,"* because without this he was liable to death. Everyone knew instinctively that the murderer had to be put to death.

Another argument advanced against capital punishment is that we thereby remove all possibility of repentance of the sinner and hence his hope of redemption. But this charge is unfounded. Receiving the death sentence may be exactly the means that God uses to bring him to repentance and salvation. The death penalty is not *"...a foreclosure of this grace of God for him."* It may be just the opposite.

It is charged that the poor and ignorant are the only ones who suffer capital punishment. The rich escape death by legal devices. We should see to it that everyone, rich or poor, experiences the same treatment. Justice must be improved, not abandoned.

It is argued that Genesis 9:6 makes no distinction between kinds of murders. But the Bible is not a judicial handbook. It reveals God's general laws.

We believe that God's Word demands the death penalty for those who murder in the first degree, that is, for coldly calculated (premeditated) murder by morally responsible individuals.

Nicholas Vogelzang

© 2015
www.christianstudylibrary.org