

CRIME AND PUNISHMENT

TEXT: Acts 7:54-60

So, today I'd like to briefly tell you the story of St. Stephen. Of all the stories in the book of Acts of the Apostles, this is the one most of us try to avoid. I find it nothing less than savage and bestial, a horrifying amalgam of anti-Judaism and barbaric blood lust. The fact that in our twenty-first century world execution by stoning is still practiced is a living reminder of the monstrous cruelty that such an act represents. In fact, regardless of the method, the fact that in our twenty-first century world any form of execution being practiced is monstrous cruelty. More on that later.

But nothing compares to the act of stoning an individual. To hurl rocks at a living human being, slowly stripping off greater and smaller pieces of flesh, crushing bones in legs, arms, and face, creating wounds in too many places to number, suggests to me a torture whose horror is literally beyond anything I can conceive. The sheer intimacy of the deed, its slice-by-slice decimation of a living body, the sound of stone hitting flesh—surely no person with any shred of humanity could participate in such a ritual murder.

But, of course, human beings did – and do— just that. Our reading from Deuteronomy is just one of the texts which describe stoning as the only appropriate punishment for many crimes. Stoning is an obscene way to die, staining with blood the victim and staining with shame those who hoist the stones.

So why was Stephen the victim of this atrocity? Let me briefly tell you the story of St. Stephen. It is found in chapters six and seven of the book of Acts. Stephen was chosen to be the head of the deacons. He was a very good man and the Bible also says that he was full of both the Holy Spirit and love. The early Christian community chose him to take care of the money. This money was to be used to take care of the widows, orphans and poor people. As in every good story and in every normal human situation, a conflict arose, and the conflict was around St. Stephen. A group of Jews were very jealous of Stephen and they brought him to a trial in a Jewish court. Stephen finally

stood up and made a long speech in his own defense and that speech goes on and on in chapter six. His speech is so long that it takes more than two pages in our Bible to hear the history of Abraham, Isaac, Jacob and Joseph and the other Old Testament heroes. Stephen recited a history of Jewish people being disobedient to God. All of a sudden, in verse fifty-one of chapter seven, it all changes. All of a sudden this long, disarming speech gets nasty and Stephen says: “*You people*, your fathers persecuted the prophets, and now you betrayed and killed the Messiah. *You people*, you are the ones who killed Jesus”. Well, Stephen’s bluntness made everybody mad when he said, “You people”. He had said, “You Jesus killers. You prophet killers. You worship your religious traditions and interpretations more than God.” Well, to make a long story short, these Jewish leaders took Stephen outside and threw him into a pit and started to throw stones at him. This was the normal way the Jews executed people: throw that person into a pit and throw rocks until that person is dead. As Stephen was dying, he moaned the words which have been remembered for two thousand years: “Father, forgive them, for they know not what they do.” These were the same words that Jesus spoke from the cross when Jesus gave the powerful sermon from the cross and forgave his executors. Instead of hatred for his killers, Stephen was like Jesus and prayed for their forgiveness. Another rock was thrown and then another and soon Stephen’s body was silent and lifeless and Stephen became the first martyr of the church.

So, first, a few words about martyrs. Martyrs die because of their love and faithfulness to Jesus Christ. Today, martyrs are getting bad press because of the martyrs of the fanatical Muslim terrorists that bombed the Twin Towers and claim to be martyrs for their faith. There is an enormous difference between a crazed terrorist and a true martyr. A crazed terrorist kills other people; a true martyr dies so that others might live. A false martyr takes the lives of others and kills innocent people. A true martyr is just the opposite of a false martyr: a true martyr dies because he offers himself as a living and loving sacrifice for Jesus Christ in order that others might live.

When we look back at the Biblical story of the stoning death of St. Stephen, we tend to glory in his heroic death as a Christian martyr. But here we are

today, still condemning many of our brothers – and occasionally sisters – to death in the name of the “State”. But opposition to the death penalty has grown in recent years amid concerns over whether some innocent people have been put to death, discrimination against African Americans in sentencing, the costs of appeals, and the methods states use to carry out killings.

Our Governor Jay Inslee has said, “The fact is that the death penalty is not anywhere close to being used in an equitable measure”, as he announced a moratorium on executions in 2014. At the time of the edict there were nine inmates on death row in the state penitentiary in Walla Walla.

Nationwide, the number of executions has fallen dramatically, from a peak of 98 in 1999 to 20 last year, according to the nonprofit Death Penalty Information Center. There are about 2,900 people on death rows across the country, down from a peak of nearly 3,600 in 2000. Over the last decade 18 states, along with the District of Columbia, have mandated that the most severe punishment is life in prison without the possibility of parole. These moratoriums are one way for governors to halt executions without putting the issue directly to voters in a referendum or to state legislators.

But our Governor’s stance is far from universal in our country, as evidenced by the public response to the governor of Arkansas and his continued legal battles to move ahead with a series of executions that he scheduled to begin on Easter Monday this year. United Methodist clergy were among those speaking out against the “unprecedented” pace of executing seven men by April 27. It began with the execution of Ledell Lee, then the state turning its attention to three more executions planned for the coming days. The reason for this frenzied pace? According to the Governor, one of the drugs in the lethal injection cocktail the state uses expired at the end of April. So he signed the orders on February 27 for eight executions. In his statement to National Public Radio, Governor Hutchinson said, “In order to fulfill my duty as governor, which is to carry out the lawful sentence imposed by a jury, it is necessary to schedule the executions prior to the expiration of that drug.”

“Arkansas’s decision to rush through the execution of Mr. Lee just because its supply of lethal drugs are expiring at the end of the month denied him the opportunity to conduct DNA attesting that could have proven his innocence,” Nina Morrison, a lawyer with the Innocence Project and an attorney for Lee, said in a statement after the execution. “While reasonable people can disagree on whether death is an appropriate form of punishment, no one should be executed when there is a possibility that a person is innocent.” Four of the eight inmates’ executions were later blocked by court order, but that left four men to meet their demise in an Arkansas prison.

So my question is: Should Christians support the death penalty today? I recently ran across a 2014 piece by Dr. Al Mohler, president of the Southern Baptist Theological Seminary (the flagship of the Southern Baptist Convention and one of the largest seminaries in the world), who argues that Christians should support capital punishment. He mitigates that view with these three qualifications:

1. There should be every protection for the rights of the accused.
2. There should be every assurance that the social status of the murderer will not determine the sentence for the crime.
3. There should be no reasonable doubt that the accused is indeed guilty of the crime.

The first problem with Dr. Mohler’s reasoning is that we do not live in a just society – so entertaining the notion that the death penalty will be justly applied is wishful dreaming.

In his article Mohler admits as much: “Christians should be outraged at the economic and racial injustice in how the death penalty is applied. While the law itself is not prejudiced, the application of the death penalty often is. There is very little chance that a wealthy white murderer will ever be executed.” Shouldn’t a Christian who in principle supports the death penalty, but who also acknowledges all the current injustices associated with it, argue for a halt in the implementation of the death penalty until these injustices are corrected? Is Dr. Mohler aware that, according to a statistical study

conducted by the National Academy of Sciences, *one in twenty-five people imprisoned under a death sentence is likely innocent?*

Into the real gist of the problem with Mohler's reasoning, his basic argument from Scripture in support of the death penalty is simply that the Bible calls for capital punishment in the case of intentional murder, namely: Whoever sheds the blood of a human, by a human shall that person's blood be shed; for in his image God made humankind. (Genesis 9:6) However, a literal reading of Scripture also calls for the death penalty for crimes of a lesser nature, such as adultery, disrespecting of one's parents, and disobeying the Sabbath. "If a man commits adultery with the wife of his neighbor, both the adulterer and the adulteress shall be put to death." (Lev. 20:10) "Whoever curses father and mother shall be put to death." (Exodus 21:17) "When the Israelites were in the wilderness, they found a man gathering sticks on the Sabbath day. Those who found him gathering sticks brought him to Moses, Aaron, and to the whole congregation.. Then the Lord said to Moses, 'The man shall be put to death; all the congregation shall stone him outside the camp.'" (Exodus 15:32-35) Applying the Bible's literal legislation would mean executing at least three-quarters of the earth's population.

Mohler also references this curious and problematic text at Romans 13:1-4: "Let every person be subject to the governing authorities; for there is no authority except from God, and those authorities that exist have been instituted by God... (The governmental authority) is God's servant for your good. But if you do what is wrong, you should be afraid, for the authority does not bear the sword in vain! It is the servant of God to execute wrath on the wrongdoer." The problem with this passage is that it contradicts a basic principle laid down by Luke in Acts 5: "When they brought them (the apostles), they had them stand before the council. The high priest questioned them, saying ' We gave you strict orders not to teach in his name, yet here you have filled Jerusalem with your teaching, and you are determined to bring this man's blood on us.'" But Peter and the apostles answered, "We must obey God rather than any human authority." So, which

is it then? Are we to obey our “governing authorities”, or are we to obey Jesus? Surely Dr. Mohler would say that first and foremost Christians must obey Jesus.

Okay, what did Jesus say about crime and punishment? Most famously, this: Let anyone among you who is without sin be the first to throw a stone at her.” (John 8:7) “Love your enemies, do good to those who hate you, bless those who curse you, pray for those who abuse you... Your reward will be great, and you will be children of the Most High; for God is kind to the ungrateful and wicked. Be merciful, just as your Father is merciful.” Shouldn’t Christian thinking about all things moral and ethical begin and end with Jesus? And yet, in all of Mohler’s argument supporting the death penalty, not *once* is Jesus mentioned. Not. Once. To quote the Christian Lady: How convenient.

So, what do you think Jesus would have us do? The more I reflect on this issue, the more I agree with the majority of Americans. Though I can’t say for certain, I have a feeling that our executed first-century teacher would not support the death penalty or want his followers to do so.

Christians who support the death penalty often cite the passages from the Old Testament that allowed for capital punishment. But Jesus told his followers not to observe the Jewish law that allowed for retributive justice: “you have heard that it was said, ‘Eye for eye and tooth for tooth’. But I tell you, do not resist an evil person. If anyone slaps you on the right cheek, turn to them the other cheek also.”

There is no reason to believe that Jesus or those early Christian leaders would feel any different about the matter today with our broken justice system. The most reliable predictor of whether someone will be sentenced to death is not the amount of evidence, but the race of the victim. Geography is also an important factor, which is why a handful of counties are responsible for most of the executions in the United States. And then of course wealth is a factor, as almost all death-row inmates could not afford their own attorney. Although Americans often boast about a system that provides equal justice for all, the reality is that factors outside of the case’s merits often determine its outcome. It’s

hard to imagine that a Jesus who aligned himself with the poor and powerless, marginalized and maligned would support the broken system we often call “justice” in America.

Close to us, as United Methodists, the United Methodist church has opposed the death penalty since 1956. Our Social Principles read: “We believe the death penalty denies the power of Christ to redeem, restore, and transform all human beings. The United Methodist Church is deeply concerned about crime throughout the world and the value of any life taken by a murder or homicide. We believe all human life is sacred and created by God and therefore, we must see all human life as significant and valuable. When governments implement the death penalty (capital punishment), then the life of the convicted person is devalued and all possibility of change in that person’s life ends. We believe in the resurrection of Jesus Christ and that the possibility of reconciliation with Christ comes through repentance. This gift of reconciliation is offered to all individuals, without exception, and gives all life new dignity and sacredness. For this reason, we oppose the death penalty (capital punishment) and urge its elimination from all criminal codes.”

As a follower of Jesus the Christ, and as a member of the United Methodist Church, I stand on the conviction that all life is sacred and that the deliberate taking of life of any individual is contrary to the will of God. Amen.