

## **Capital Punishment Revisited** **by Dr. Shelton Smith**

Should Karla Faye Tucker Have Been Executed?  
Is It Scripturally Right or Wrong?

An admitted, drug-crazed, pick-ax killer of two people and former teenage prostitute, who was born again in prison and became a model prisoner, Karla Faye Tucker, age 38, was executed at the Huntsville, Texas penitentiary, February 4, 1998, for her heinous crimes.

The first woman to be executed in America since 1984, and the first one in Texas since the Civil War, Karla Faye captured the attention of the news media and captivated the hearts of millions of Americans during the last few weeks of her life.

She never denied that she committed the murders. Having run the gamut of the legal process over a fifteen-year period, she ran out of time on February 4 when Texas Governor George Bush failed to grant either a stay of execution or a commutation of her sentence to life imprisonment.

If one listened to several TV interviews which she did in January, it would have been hard for that person not to empathize with her and to be caught up in the emotions of her plea for life. She was obviously a changed person. Her testimony for Christ was clear and compelling.

Amnesty International, which categorically opposes all capital punishment, lobbied hard on her behalf. Charismatic TV evangelist Pat Robertson made repeated emotional appeals on her behalf. The Roman Catholic pope issued a formal statement, which he does routinely on high-profile capital punishment cases. A spokesman for the North American Catholic Seminary said, "Capital punishment is outmoded and inhumane." The brother of one of the murder victims, himself a Christian, went on television twenty-four hours before the execution to express his desire for clemency. Jerry Falwell appeared on MSNBC three hours prior to execution, making clear his belief in capital punishment, yet at the same time requesting the Texas governor to show mercy.

The day of the execution a crowd of about five hundred people conducted demonstrations outside the Huntsville facility. Some hoped to stop the event, while others were cheering to get it done. There was reportedly a circus-like atmosphere outside the prison.

### **WHAT'S THE ISSUE?**

What is the issue here, and why did the nation rivet itself upon the plight of Karla Faye Tucker?

(1) The media, by and large, is a mouthpiece for whatever liberal vendetta is handy, and many media personalities are strongly opposed to the death penalty. So this case in which a woman was facing the executioner was tailor-made for them. It gave impetus to their cause.

(2) In Karla Faye Tucker's case, she was a woman and a born-again Christian. The media saw this as a double-banded opportunity to grind their axe.

(3) If they don't execute her because she is female, then it proves that capital punishment is administered unfairly. If they do execute her, it may prove that she was denied clemency (without regard to her legal rights) just to prove "all is fair in love, war and in executions."

(4) Many Christians came to her defense simply because she gave such a sweet, stirring testimony of her salvation and because of the straight walk she had in prison over the past fourteen years. The media, of course, loved seeing Christians appeal for mercy on behalf of a pickax murderer.

(5) Her conversion and apparent rehabilitation (we would say transformation) made it appear that she was a truly changed person and a prime candidate for a commutation to a life sentence. After all, if she was no longer a threat to society, why execute her?

Do all of these issues really matter? Was the state of Texas right or wrong in proceeding with the execution of Karla Faye? As Christians, should we support or oppose capital punishment?

### **WAS IT RIGHT TO EXECUTE KARLA FAYE TUCKER?**

Well, let's review the heart and core of the case:

(1) Karla Faye Tucker was a confessed pickax murderer of two people. She never denied that she was guilty. It was a heinous crime in which two people's lives were snuffed out ruthlessly and without mercy. She was not a petty thief; she was a murderer.

(2) Because they do have a death-penalty provision for capital crimes, the state of Texas was on target legally and constitutionally to do exactly what they did. Most people who are executed are men because most capital crimes are committed by men. But women do also commit such crimes. When they do, they are subject to the same provision of the law as are the men.

(3) Texas has executed dozens of men, but prior to Karla Faye there was only one other woman who had been executed.

The fact that Karla Faye Tucker was female should not have had, and apparently did not have, any bearing upon her status. To give mercy to a murderer based

upon the gender of the killer would open a Pandora's box of difficulties.

(4) But Karla Faye was a Christian! For fourteen years she had given daily evidence of being genuine. Everybody who knew her knew her to be a sweet-spirited Christian. Her walk (even in prison) matched her talk. She married the prison chaplain. She was not only a model prisoner but a Christian whose life reflected Christ in glowing fashion.

After all, some say the purpose of punishment is rehabilitation. This woman clearly was a changed person, so why execute her? Why was Governor Bush of Texas so stubborn? Why would not the courts give some leniency to her?

Well, very simply, the fact that Karla Faye Tucker was a Christian had absolutely nothing to do with her death-row status and ultimate execution. Indeed, Governor Bush was right! The state of Texas was right. Karla was executed on February 4, and rightly so.

Now this may at first seem to be harsh, vindictive, inhuman and without compassion. I've heard all those things said, and more. But let me explain myself and my judgments on this.

## **I. CAPITAL PUNISHMENT IS A BIBLE TEACHING**

"Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man."-Gen. 9:6.

"He that smiteth a man, so that he die, shall be surely put to death."-Exod. 21:12.

"But if any man hate his neighbour, and lie in wait for him, and rise up against him, and smite him mortally that he die, and fleeth into one of these cities:

"Then the elders of his city shall send and fetch him thence, and deliver him into the hand of the avenger of blood, that he may die."-Deut. 19:11,12.

"A man that doeth violence to the blood of any person shall flee to the pit; let no man stay him."-Prov. 28:17.

For Christians the rightness or wrongness of capital punishment lies not in what's popular or unpopular. The issue cannot be decided based on what groups stand where. The one criterion which is both infallible and instructive is the Bible. What does the Bible teach?

From the earliest annals of history (Gen. 9), God had established the principle and the practice of capital punishment. It is very clearly taught in these listed passages.

Sometimes critics of capital punishment will try to diminish the impact of these verses by saying, "Well, that was the Old Testament." True enough-but consider carefully.

Genesis 9 predates the Law by hundreds of years. The Lord gave the earliest human societies the authority to deal strongly with capital crimes.

Such authority was given to protect life and to promote the proper respect for

life: " for in the image of God made he man" (Gen. 9:6). In other words, the right to execute the murderer will establish the right perspective about the value of everybody's life.

God respects life. He gives it to us. He looks with disfavor upon anyone who is so mindless as to kill someone else purposely. Therefore, if a person knows his own life will be jeopardized if he kills someone else, there's going to be a whole lot less violence.

It's true that the statements in Exodus and Deuteronomy should be viewed as an expression of law. But remember, it is God's law. What He initiated in Genesis 9, He incorporated into the Law (Exod. 21 and Deut. 19). Those provisions of the Law have never been rescinded or amended. There is nothing in all of Scripture which even remotely suggests that the mind of God has been altered on this.

## **II. THE NEW TESTAMENT DOES NOT NEGATE CAPITAL PUNISHMENT BUT INSTEAD COMMENDS IT**

"Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God." Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation." For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same:"For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil."Wherefore ye must needs be subject, not only for wrath, but also for conscience sake."For for this cause pay ye tribute also: For they are God's ministers, attending continually upon this very thing."Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honour to whom honour."-Rom. 13:1-7.

Note specifically verse 3: "rulers are a terror to the evil." Does that not suggest that our civil authorities do have the right to act strongly against those who perpetrate evil deeds?

The clincher is verse 4: "But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil." Government is here given authority to bear "the sword," to be the "revenger," and "to execute wrath upon him that doeth evil." This is a full endorsement of government's authority to deal forcefully with those who become a threat within human society.

### **BUT WHAT ABOUT THE SERMON ON THE MOUNT?**

All right, let's consider the Sermon on the Mount. I have just now finished reading the entire three chapters of Matthew 5 through 7 to ascertain what possible bearing it might have on the capital punishment deliberations.

First, I cannot find anything there which suggests we should not have capital punishment. In fact, the only passages which might even remotely be considered are as follows:

"Think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfil."For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled."-Matt. 5:17,18.

The moral requirements of the Law have never changed. Idolatry, lying, stealing, murder, etc., are rebellion against divinely appointed authority, and as such they are always wrong. Dr. Rice says (John R. Rice Reference Bible, p. 1008): "There are some parts of the Law to which we no longer are in bondage, since the things they represented have been fulfilled in Christ. Among these are circumcision, restricted diet, and special Sabbaths (Col. 2:16,17)." So it is worthy of note that things in the Law related to murder are unchanged. "Ye have heard that it was said by them of old time, Thou shalt not kill; and whosoever shall kill shall be in danger of the judgment:"But I say unto you, That whosoever is angry with his brother without a cause shall be in danger of the judgment: and whosoever shall say to his brother, Raca, shall be in danger of the council: but whosoever shall say, Thou fool, shall be in danger of hell fire."-Matt. 5:21,22.

So, you see, killing, and even the kind of furious anger which threatens another person, is the subject of strong penalty (even in the Sermon on the Mount). "But I say unto you, That ye resist not evil: but whosoever shall smite thee on thy right cheek, turn to him the other also."-Matt. 5:39. 'Turning the other cheek' is a wonderful principle for Christians to appropriate in their dealings with others. It is a general principle to be applied except in cases where there are other specific scriptural instructions. Those rules of behavior in interpersonal relationships are in no way applicable to matters of law and order, crime and justice. Since we have other specific instructions on those matters, the general rule as here stated does not apply, as in the case of capital punishment.

"Judge not, that ye be not judged."For with what judgment ye judge, ye shall be judged."-Matt. 7:1,2.

These instructions on how and when to "judge" should not be applied to criminal cases. This is teaching on interpersonal relationships among Christians. It is unrelated to the Bible necessity for civil authorities to deal with outlaws. "Therefore all things whatsoever ye would that men should do to you, do ye even so to them: for this is the law and the prophets."-Matt. 7:12. This wonderful verse is often referred to as the Golden Rule. It too addressed interpersonal relationships among Christians.

If a person is contemplating a crime such as murder, then he should consider "whatsoever ye would that men should do to you, do ye even so to them." But once a crime has been committed, the Golden Rule has been forfeited, and society is under obligation to deal strongly with whoever broke the rule.

So when we examine the rightness or wrongness of capital punishment, we cannot appeal to the Sermon on the Mount and expect to find reason or rationale for not executing criminals. To do so would twist Jesus' words to say things He did not say or intend.

### **BUT WHAT ABOUT LOVE VS. LAW?**

We are asked to remember the teachings of Christ which elevate love to the highest limits of the Law.

"Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind." "This is the first and great commandment." "And the second is like unto it, Thou shalt love thy neighbour as thyself." "On these two commandments hang all the law and the prophets." -Matt. 22:37-40.

Indeed, it is a great passage, and it has great meaning for us. It is the standard of Christian conduct in all matters. It is our trademark. It is the fountain from which mercy is drawn. By its generosity we forgive and we go on. Yes! Yes! Yes! This is true, and to this we heartily concur.

But it does not mean that justice is blind or stupid. It does not license the degenerate outlaw to trample underfoot the innocent and unwary. It provides no liberty for criminal activity. The commandments of love do not supersede or override the law of justice. We do not administer justice indiscriminately or without respect for the criminal, but when the person commits a murder, he judges himself and puts himself in jeopardy. Society is bound by the laws of love and justice to act responsibly in punishing the criminal.

### **BUT JESUS IS THE GOD OF LOVE, NOT RETRIBUTION (THEY SAY)**

I suggest you reread the Sermon on the Mount with your eye focused for hints of retribution (see Matt. 5:22,25,26,29,30; 6:1; 7:6,13,19,20,23,26,27). It is a shallow understanding of the Scripture that tries to pit the God of the Old Testament against the God of the New Testament as though they were two entirely different entities. It is a false interpretation of Scripture which would try to isolate God the Father from God the Son. Jesus said, "I and my Father are one" (John 10:30). They cannot be viewed separately without distorting the truth. "If I do not the works of my Father, believe me not." "But if I do, though ye believe not me, believe the works: that ye may know, and believe, that the Father is in me, and I in him." -John 10:37,38.

Jesus is both love and retribution. He is able to hate sin and love sinners at the same time. His love demands His justice. It is for that reason that there

are both a Heaven and a Hell. When His love is spurned, His justice responds. Consequently, the criminal should understand that his crimes within society and against others cannot be shielded by the Saviour's love. God's justice will be administered to establish order in society.

On one hand, the Saviour's love is forever offered (and, thankfully, Karla Faye received His love and was saved); but she still owed a societal debt which had to be paid. The justice of God preserves human society by requiring payment for gross and capital offenses. It is both love and justice that balance the equation and give us the whole picture on this matter.

## **WHERE DO VARIOUS GROUPS STAND ON THIS?**

Most fundamental preachers and Christians believe the Bible teaches that society has the right to execute a criminal who has committed a capital offense. That is our position. We enthusiastically endorse it. In clean-cut cases it should be done without regard for gender, race, politics or other extenuating factors. Many evangelicals also favor the death penalty, but you will find some of them have been influenced against it.

Among liberals the overwhelming sentiment is against capital punishment; in fact, almost all of them, whether Baptists, Metho-dist or whatever, if they are liberal, will be against it.

The official position of the Roman Catholic Church is strongly against capital punishment in every case and circumstance.

In political circles the Republicans are usually for it, and the Democrats are typically against it. However, you will find a few people in each party who do not line up with their party.

The ACLU almost always sides with the criminal and opposes the death penalty. The ABA announced in February of 1997 its endorsement of a "moratorium on executions until 'critical flaws' in the capital punishment system are repaired" (USA Today, 2/4/97). The ABA has a decidedly liberal bias in much of its agenda, and this is a case in point.

The U.S. Justice Department opposes any such moratorium for fear it "would harm the government's ability to crack down on terrorism" (USA Today, 2/4/97).

## **CHRISTIANS SHOULD TAKE A BIBLICAL STANCE**

It is evident, I think, that the strongest case from Scripture is one that is decidedly pro capital punishment. Therefore, Christians should not hesitate to stand up in favor of the execution of those who commit horrible crimes. Gross crimes deserve and demand stiff sentences. Those who commit murder forfeit their right to live themselves. Society should not be obligated to provide the upkeep of a Ted Bundy or a Charles Manson over an extended period of years. They should be brought to justice, tried, and when convicted, given full appeal; and

then when due process has been accomplished, the sentence should be executed forthrightly. Preachers and other Christians should be openly vocal and supportive of the public officials who do their duty in carrying this out. Respect for human life must be upheld. When anyone is so cold, cruel and calculating as to take another person's life purposely, there is only one sane, right and reasonable action for society. That person must be dealt with severely. Only capital punishment adequately addresses the consequences of such a crime.

If human life can be taken cheaply (a ten- to fifteen-year prison sentence or less), then no one is safe anyplace anytime. The automatic implementation of capital punishment upon those convicted of capital crimes such as murder will indeed discourage even the thought of such things.

### **BUT IS IT A DETERRENT?**

Well, let me ask you some questions which help to settle that in your mind. Does it deter your child from lying, stealing, etc., if you spank him for so doing? For those of you who live where the fog still hasn't lifted, the answer is yes.

Does it deter your neighbors from speeding to put up a speed limit sign on your street? It does!

Does the fear of arrest keep some people from stealing cars? It does!

Does the threat of time in jail keep some people honest with the IRS? Indeed!

Well, in the same light, the execution of murderers discourages many people from committing murder. It also is a permanent deterrent for the person who is executed. It settles it for him. He will not ever again do it to someone else. Capital punishment is, in our view (and I believe to all those who have an honest heart), a major deterrent and should be employed aggressively for specified capital offenses.

### **SO, SHOULD KARLA FAYE TUCKER HAVE BEEN EXECUTED?**

In a word, yes! It's not easy to be consistent on this when you know the story of her conversion and changed life. Her testimony was an inspiration, but her legacy will have a long-lasting impact.

The message is clear and unmistakable:

Male or female? It isn't a consideration. If you commit a murder, you cannot plead your gender and expect commutation.

But she was on drugs? She did not know what she was doing? It doesn't matter. Drugs, alcohol or whatever, if you get "stoned" and go stone someone else, you should be executed. Intoxication cannot justify or excuse such heinous crimes. But she got saved? For fourteen years she has been a sweet Christian? Thank God! But you cannot excuse violent acts by later cleaning up your act. Forgiveness is wonderful, and forgive we will do. But the debt to society must still be paid.

You cannot cancel the punishment for murder because the murderer has "changed."  
The crime is done, and the lives of the two murdered people cannot be restored.  
The merits of capital punishment must not be assessed on the current character  
of the person but on the basis of the crimes he/she committed.

With Karla Faye Tucker so visible on TV over the last months of her life, many  
of us came to love her and appreciate her for what she had become. But because  
of what she had done, we could not discourage the implementation of the death  
sentence. It was a just sentence, and it was right that it should be done.