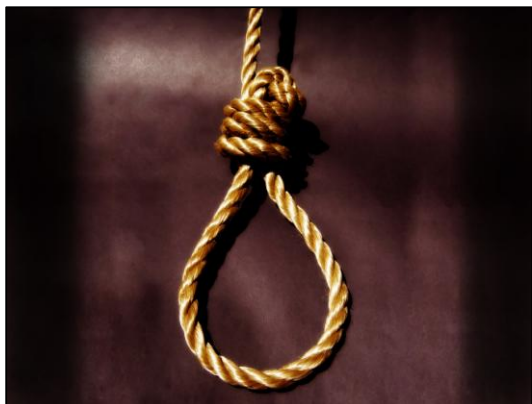


Capital Punishment

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An issue that stirs up the hearts of Christians everywhere is capital punishment (the death penalty). Oddly enough, there are die-hard Christians who oppose abortion, but support the death penalty and vice versa. The subject makes for very interesting conversation among believers.

History of Capital Punishment

Capital punishment was widely accepted in ancient times. It wasn't until the 18th century, mainly due to the writings of Montesquieu and Voltaire, that a movement to abolish the death penalty began. Venezuela abolished the death penalty in 1863, with Costa Rica following in 1877, Great Britain in 1971, Canada in 1976, and France in 1981. Over half of the countries in the world today have eliminated the death penalty as a punishment for crime.

In 1972 the U.S. Supreme Court ruled against state death penalty laws, only to see the ruling overturned in 1976. While the number of individuals sentenced to death between 1982 and 1999 averaged between 250 and 350 annually, those actually put to death numbered much less. In 2003 there were 65 individuals put to death in the US, representing an estimated 2% of the prisoners on death row. As of 2008 a large majority of the 50 states still have capital punishment laws in place, with five states carrying out a bulk of the executions since 1977 (Bureau of Justice Statistics).

Scriptural Support for Capital Punishment

The scriptures provide a number of references to capital punishment, mostly in the Old Testament, but also in the Book of Mormon and the Doctrine and Covenants. Relying on the scriptures collectively does not produce a direct justification for capital punishment. Ultimately Romans 13:1-7 delivers authority to the government to determine when capital punishment is due.

Studies on Capital Punishment as a Deterrent

There are a number of recent studies that point to the death penalty being a significant deterrent to future murders. In an Associated Press article dated June 11, 2007, titled *Studies: Death Penalty Discourages Crime*, the following studies were cited to support that claim: Naci Mocan of the University of Colorado at Denver co-authored a study in 2003, with re-examination of the data in 2006, which estimated on average each death penalty execution that takes place leads to five fewer homicides. Mocan, an economics professor and opponent of the death penalty, said: "The conclusion is there is a deterrent effect...The results are robust, they don't really go away... I oppose the death penalty. But my results show that the death penalty deters—what am I going to do, hide them?"

Liberal law professor Cass Sunstein from the University of Chicago co-authored a paper in 2005 titled *Is Capital Punishment Morally Required?* A critic of the death penalty Sunstein says "If it's the case that executing murderers prevents the execution of innocents by murderers, then the moral evaluation is not simple...Abolitionists or others, like me, who are skeptical about the death penalty haven't given adequate consideration to the possibility that innocent life is saved by the death penalty."

A study conducted by an Emory University professor concluded that for every 2.75 years eliminated from the time spent on death row, one murder would be prevented. A 2006 study by professors at the University of Houston concluded that the Illinois moratorium on executions in 2000 likely led to approximately 150 additional homicides over the four year period following the moratorium.

Conclusion

There is widespread difference of opinion on capital punishment in the Christian community, with passionate arguments on both sides. Many mainstream Christian churches rigorously oppose capital punishment, while other sects either support the action or leave such matters up to their members to decide. The question of whether and in what circumstances the state should impose capital punishment is likely best left by the prescribed processes of civil law.

As the ability to harvest and use DNA evidence improves, the likelihood of judicial errors should decrease accordingly, likely fueling the ongoing debate of capital punishment. Regardless of the advances in DNA, the moral issue of the death penalty is not likely to be solved anytime soon, as advocates on both sides have plenty of ammunition to support their cause.

The Foundation generally supports the use of the death penalty in matters of overwhelming evidence. This support is based upon the priority of protecting society from harden criminals, and the Christian doctrine of the spirit world by which such criminals will be given an opportunity to hear the gospel beyond mortality.

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