



Chapter 10: Book Review of *Against The Death Penalty: Christian and Secular Arguments Against Capital Punishment*, Gardner C. Hanks

After I published this review in a local Christian rag in 1998, I received a phone call from a volunteer for the prison visitation program I'd just become Director of in Abbotsford, British Columbia, Canada.

The Christian Reformed (Calvinist) volunteer came to my office to inform me how upset he had been by the review you're about to read. The Bible teaches the Death Penalty, he vigorously (*dogmatically!*) affirmed. And he was there to prove it to me!

After listening to him for quite a while, and a little response here and there, he then switched to a more conciliatory tone. He had, so I learned, become a prison volunteer with one stated proviso to our Volunteer Co-ordinator and friend, Jim Wilson: he refused to visit someone in prison for murder: they deserved the death sentence — though such was in Canada abolished in 1987. . . *But* — and then came the punchline — he ended up agreeing to visit a murderer after all, since such was the only available "match" at the time. *But more*: he was then actually happily matched to a second such!

In our true humanity, if we are so attuned, when we are told not to shoot until we see the "whites of their eyes,"¹ then *we will never shoot*, for up that close, we see in those eyes reflected back *their* — and *our* true humanity. . .

Such is ever the way of Christ.

Eleven years after the Canadian Parliament decisively voted against the return of the death penalty, the Reform Party of Canada has decided to make this issue a major thrust in 1998. The book's appearance therefore, though directed towards and informed by current American reality, is timely for Canadians too. The cold-blooded execution of Karla Faye Tucker, born-again Christian, is further pointer to the book's timeliness.

The title gives away its thrust. Of interest to Christian readers is, Hanks' own conversion is traceable to the leadership taken by Christians in their opposition to capital punishment. He was impressed by their powerful witness to "an executed Lord." Six months after their action in which he participated opposing the execution of John Spenklink (May, 1979 in Florida), "I became a Christian," the author tells us. Further,

My friendships with death row inmates and with family members of other men on death row have convinced me more than ever that the death penalty is opposed to everything the God I love and worship stands for.²

¹ See: "Battle of Bunker Hill,"

https://en.wikipedia.org/wiki/Battle_of_Bunker_Hill#%22The_whites_of_their_eyes%22, accessed August 23, 2024.

² Gardner, *Against the Death Penalty*, 15.

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His book is evangelistic in witness to his love for that executed Lord³ besides being apologetic against the death penalty.

Hanks explains that he struggled in writing the book concerning who is his audience. He decided to include much argumentation that secular people could readily appreciate, but also to be true to his own story, thus would begin and end with Christian reasons for opposing the death penalty.

In the Preface the author outlines the structure of the book:

. . . two beginning chapters devoted to biblical considerations; two on the history of opposition to such punishment; two chapters on deterrence theories; a chapter on repeat offenders and the death penalty; the next on the needs of victims; five chapters concerning myriad injustices around use of capital punishment; a chapter on wrongful convictions and the execution of innocents; two chapters on the staggering fiscal and social costs of capital punishment; a penultimate chapter on seeing the death penalty as "cruel and unusual punishment"; and a revisiting finally of the spiritual and moral considerations in opposition to such a heinous measure, what we learn in the Foreword writer Will D. Campbell⁴ once labelled "just plain tacky." There are also five helpful "Appendixes," two of which are specifically US-oriented.

The author at the outset uses compelling arguments to advance the proposition:

Since killing and revenge are incompatible with love, it should be obvious that capital punishment cannot be part of the reign of God inaugurated through Jesus Christ.⁵

Hanks himself was drawn to Christ because of God's love. He sees in Christ an image of God shorn of all vestiges of violence, especially the ultimate violence of state-sanctioned murder. He therefore interprets Romans 13 differently from dominant views (since the era of Constantine) of the state and capital punishment.⁶

Likewise, he disallows Genesis 9 as a timeless rationale for the death penalty, and reads the Old Testament as pointer to the New Testament opposition to capital punishment. He quotes I John 2:2 as a definitive NO to the need for any further atoning deaths:

[Christ] is the atoning sacrifice for our sins, and not for ours only but also for the

³ Please see *Volume 3* of this series, 262 - 266, for my book review of Taylor, *The Executed God*. See also that review here: <https://waynenorthey.com/justice/justice-that-transforms/>, accessed August 23, 2024.

⁴ See: [https://en.wikipedia.org/wiki/Will_Campbell_\(Baptist_minister\)](https://en.wikipedia.org/wiki/Will_Campbell_(Baptist_minister)), accessed August 23, 2024.

⁵ Gardner, *Against the Death Penalty*, 40.

⁶ In *Stassen and Gushee, Kingdom Ethics*, we read:

A team of New Testament scholars in Germany has studied Romans 13 in its historical context.

These scholars have concluded that Paul was not teaching about the death penalty but was urging his readers to pay their taxes and not to participate in a rebellion against Nero's new tax. An insurrection against taxes had recently occurred and had led to Christians, including Priscilla and Aquila, being expelled from Rome. Another insurrection was brewing. The Greek word for "sword" (*machaira*) in Romans 13:4 refers to the symbol of authority carried by the police who accompanied tax collectors. Paul was urging Christians to make peace, pay Nero's new tax, and not rebel. He was not arguing for the death penalty, as he so often has been interpreted as doing. He was arguing against the violence of insurrection. (See: Friedrich, Pöhlmann, and Stuhlmacher, "Zur historischen Situation," 131 and following.)

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sins of the whole world.

As Howard Zehr⁷ states in another Foreword,

The book is exactly what the subtitle says. . . One by one, Hanks addresses the issues, steering through them without becoming lost — no mean feat with a subject as complex and emotional as this one.⁸

I am surprised that there is no reference to the finest exegetical study I know on Genesis 9 with relation to capital punishment, published in *The Acts of Synod 1981*,^{9/10} by a group of Christian Reformed scholars.

I have twice used their material in a public forum on the issue.¹¹ Baldly and overwhelmingly, they demonstrate that Genesis 9 *cannot* be used as a timeless basis for state killings (a point conceded once exegetical evidence was adduced in both my dialogue experiences).¹²

There was also no inclusion of James Megivern’s outstanding study, *The Death Penalty*, as mentioned above.

I could also have hoped for a development of the theme of scapegoating with reference to capital punishment. The work of brilliant anthropologist/literary critic René Girard,¹³ interpreted and expanded theologically in James Alison’s books (and those of many others), *Knowing Jesus* and *Raising Abel*, would have contributed significantly to the theological presentation. Their massive enterprise argues,

The perception that God is love has a specific content which is absolutely incompatible with any perception of God as involved in violence, separation, anger, or exclusion. . .¹⁴

“[I]n truth, and without any remorse or sadomasochism, Jesus loved his slayers.”¹⁵ is

⁷ See: https://en.wikipedia.org/wiki/Howard_Zehr, accessed August 23, 2024.

⁸ Gardner, *Against the Death Penalty*, 12.

⁹ See: “Report 31” (<https://www.crcna.org/welcome/beliefs/position-statements/capital-punishment>, accessed August 23, 2024.)

¹⁰ A study report adopted by Synod 1981 states that

. . . “capital punishment should . . . pertain . . . only to those exceptional instances . . . as are called forth by a substantial threat to the foundation and structure of a free and responsible democratic society, and thus to the safety and welfare of the people” and that the administration of justice should be surrounded “with such safeguards as will tend maximally to preserve and enhance life.”

The report concluded,

Given that human life is sacred, that the magistrate is fallible, that time for repentance is desirable, and that imprisonment will normally satisfy the demand for justice . . . it is not desirable that capital punishment be routinely inflicted upon persons guilty of murder in the first degree. Only under exceptional circumstances should the state resort to capital punishment” (“Report 31,” 72-73, 489-91).

¹¹ See my post: “Why I Oppose the Death Penalty” (<https://waynenorthey.com/2024/07/09/why-i-oppose-the-death-penalty-the-talking-place-discussing-the-death-penalty-forum-on-the-death-penalty-fairbanks-alaska-march-22-1997/>, accessed August 23, 2024), updated, July 9, 2024.

¹² Other reasons for disallowing use of Romans 12 are found in, Friedrich, Pöhlmann and Stuhlmacher, “Zur historischen Situation.” See footnote above.

¹³ See much on my website here: <https://waynenorthey.com/?s=death+penalty>, accessed August 23, 2024; and here:

<https://waynenorthey.com/?s=capital+punishment>, accessed August 23, 2024.

¹⁴ *Raising Abel*, 48.

¹⁵ Alison, *Raising Abel*, 188. Please see Luke 23:34a:

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the amazing Gospel reversal of the death penalty and all violent ways! Nonetheless, Hanks has been quite thorough in drawing on secular and biblical sources.

This book may help convince the open but undecided, and bolster the opposition to the death penalty of the “already converted.” It is likely to give pause at least to the thoughtful retentionist.

But for the “Pharisee” in the church ranks, whose name is “Legion,” Jesus’ words in Matthew 23:23 (KJV) will be used in ringing denunciation of all Christians “against the death penalty” (as once used in a vituperative diatribe against me and my “despicable ilk” during a secular public forum). I heard:

“But ye, Mr. Northey, have omitted the weightier matters of the law,” he thundered at me, then crescendoed with “*judgment!!!*”

And to my verbal executioner that night, “*judgment*” meant capital punishment. That such an inversion of the thrust of the cited passage¹⁶ could have been used in defence of capital punishment is sure proof of the enormous capacity of, and temptation towards, *wrongly “dividing the word of truth.”*¹⁷

I warmly recommend this book with the warning: *Lector caveat* — let the (*contrary*)

Jesus said, “Father, forgive them, for they do not know what they are doing.”

Some have even suggested that Jesus in his humanity could not find it in himself to forgive “them” . . . (See: MacCallum-Paterson, *Justice That Heals*.)

As well, Gil Bailie, in *Violence Unveiled*, tells of the account written by Janny Scott of the *Los Angeles Times*, of the scene outside the Florida State Prison when, in 1989, Theodore Bundy was executed at the stroke of midnight.

The scene was, she wrote, “. . . one of the wildest.” She goes on:

Parents brought children, men brought wives. Hundreds of reporters camped out in a pasture. It was like a tailgate party, someone said. Or Mardi Gras. . .

The journalist wrote that the “execution was done in the name of civilization.” Bailie comments that this is a classic and succinct summation of the underlying anthropological dynamic at work, then continues:

If we humans become too morally troubled by the brutality to revel in the glories of the civilization made possible by it, we will simply have to reinvent it. This is what Nietzsche saw through a glass darkly. This is what Paul sensed when he declared the old order to be a dying one 1 (*cont’d*) Corinthians 7:31). This is the central anthropological issue of our age.

This is similar to Sister Helen Prejean’s assertion:

I am convinced that if executions were made public, the torture and violence would be unmasked, and we would be shamed into abolishing executions (Prejean, *Dead Man Walking*, 197; See the film based on the book:

[https://en.wikipedia.org/wiki/Dead_Man_Walking_\(film\)](https://en.wikipedia.org/wiki/Dead_Man_Walking_(film)), accessed August 23, 2024, which won the Academy award in 1995). (Was she reading René Girard or Bailie then?)

However, sadly as we know, culture has not come even close to being “reinvented” in most of today’s world.

¹⁶ See Micah 6:8:

He has shown you, O mortal, what is good. And what does the LORD require of you? To *act justly* — *ya-’ă-šeh miš-pāṭ* (do right as, in Genesis 18:25) — and to love mercy and to walk humbly with your God.)

Jesus was referencing that text. The full-on Pharisaism displayed that evening was precisely what Jesus was roundly critiquing in Matthew 23.

My interlocutor enacted an abhorrent misuse of Scripture that night. (In retrospect, I have wondered how he treated his wife and kids. . .)

¹⁷ II Timothy 2:15.

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reader beware! (cont'd)

References

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