



# The Death Penalty *by Victor Thasiab*

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The ELCA social statement on the death penalty is available for free download at [www.elca.org/socialstatements](http://www.elca.org/socialstatements). You can order a free printed copy online at that address or by calling 800-638-3522, ext. 2996.

In 1991, the Evangelical Lutheran Church in America adopted a social statement on the death penalty. The text begins by considering the long-standing relationship between violence and community. “Violent crime has a powerful, corrosive effect on society. Bonds of trust, the very assumptions that allow us to live our lives in security and peace, break down. Instead of loving, we fear our neighbor. We especially fear the stranger.”

After recognizing the harm, anger, sorrow, and injustice involved in the aftermath of violence, the statement identifies and acknowledges our vulnerabilities to both feelings of revenge and fantasies of simple solutions.

What was the state of the death penalty question in the ELCA at the time? Admitting the controversial nature of the issue, the text

reads, “While we all look to the Word of God and bring our reason to the death penalty issue, we can and do assess it with some diversity.”

It is important to note that the social statement itself regards the deliberation of the ELCA on this matter as unfinished. A section in the endnotes sets out common arguments for and against capital punishment. The statement presents shared affirmations, a restorative approach to the topic, how justice and capital punishment are related, and resulting ELCA commitments.

The government’s God-given, protective role, specifically expressed in the form of execution, is immediately acknowledged. “God entrusts the state with power to take human life when failure to do so constitutes a clear danger to society.” The social statement qualifies this view, though, guarding against any over-eager interpretation. “[T]his does not mean that governments have an unlimited right to take life” or “must punish crime by death.” At this early point in the document, the text already openly questions whether it is even possible to administer the death penalty justly.

By the end, the social statement concludes that it is not.

The statement cites Scripture that supports the Christian calling to “respond to violent crime in the restorative way taught by Jesus and shown by his actions.” What does this mean? The restorative justice approach involves “addressing the hurt of each person whose life has been touched by violent crime.”

The statement claims that such an approach “makes the community safer for all,” although it leaves unaddressed the question of how it might do so. (This is an opportunity for the ELCA criminal justice social statement currently in process.)

### THE CYCLE OF VIOLENCE

The social statement presents an opposition to capital punishment. Three reasons are offered in support for the ELCA’s position: 1) executions represent an unacceptable, non-restorative approach to violent crime; 2) executions can reinforce social injustice; and 3) the death penalty cannot possibly be administered justly.

The state and society’s excessive focus on the violent offender coupled with the consistent disinterest in victim well-being (including

the well-being of family and others negatively affected by crime) primarily characterize this unacceptable, non-restorative approach. In addition, executions deny the opportunity for offender “conversion and restoration.”

The second reason, the claim that executions can reinforce patterns of social injustice, is explained this way:

Violent crime is, in part, a reminder of human failure to ensure justice for all members of society. People often respond to violent crime as though it were exclusively a matter of the criminal’s individual failure. The death penalty exacts and symbolizes the ultimate personal retribution. Yet, capital punishment makes no provable impact on the breeding grounds of violent crime. Executions harm society by mirroring and reinforcing existing injustice. The death penalty distracts us from our work toward a just society. It deforms our response to violence at the individual, familial, institutional, and systemic levels. It perpetuates cycles of violence. . . . Lutheran Christians have called for an assault on the root causes of violent crime, an assault for which executions are no substitute.

The irony should provoke thought—the permanent incapacitation of violent offenders by execu-

tion actually “perpetuates cycles of violence.”

Finally, the text argues that it is impossible to administer capital punishment justly. “The race of the victim plays a role in who is sentenced to death and who is sentenced to life imprisonment, as do gender, race, mental capacity, age, and affluence of the accused.” The imperfectability of the system combined with the irreversibility of the practice grounds this church’s position.

The social statement sums up its opposition: “The practice of the death penalty undermines any possible moral message we might want to ‘send.’ It is not fair and fails to make society better or safer. The message conveyed by an execution, reflected in the attention it receives from the public, is one of brutality and violence.”

The statement then concludes with ELCA commitments that range from the welcome and care of everyone connected to the criminal justice system to ongoing deliberation and advocacy for reform along the lines developed in the social statement. 🌿

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