

"THAT DOES IT FOR ME!"

The decisional necessity & intellectual peril of using a clinker idea to close your mind on public issues of (the) moment

CONUNDRUM: If you don't close your mind, your brains will fall out:

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ELLIOTT THINKSHEETS
309 L. Ellz. Dr., Craigville, MA 02636
Phone/Fax 508.775.8008
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If you close your mind, your brains won't work.

This Thinksheet **reports & reflects** on

yesterday's 11.15-noon "Conversation of Consequence: The Death Penalty?" (after 9am Adult Study on the Trinity & 10am Worship). In silence, 23 of us sat in a circle & read through the 40 statements in #2871, circling the three numerals whose statements best represented each one's own convictions--then, on a 2nd reading, drawing a square around the three numbers whose statements were, to oneself, most repulsive. (I had shaped the 40 statements sharply, to elicit these +/- responses.)The #2871 numerals referred to here are preceded by "#."

In open discussion, we processed 1st the circles & then the squares. Each time after the 1st, I asked that the 1st speaker be someone who'd not spoken before. (As body temperature rises, mouth-control becomes more difficult.)

At the beginning, I said that I'm unhappy with all positions on this issue, including my own, which I tried not to obtrude during the discussion (but expound piecemeal in this, the following, Thinksheet). At the end, I said that my primary concern as biblical scholar is to correct the misuse of the Bible in private & public debate (& this Thinksheet aims to make those corrections anent the death penalty).

"A clincher idea"? It's what you say to explain, while standing on one leg (i.e., in a few words), your position-opinion-conviction on a two-sided or many-sided issue. When the words are a Bible quote, they have primary warrant-force: "God said it. I believe it. That ends it [for me]." Instances on #2871 are #4, #7, #9(two quotes), #26. Frequently heard *nonbiblical* clinchers appear in #2, #11, #20, #27, #30.

In order of force (number of votes), here are the affirmatives:

#10 (Please read this # in #2871: I'm not repeating in #2872.) I see that I should have separated these two biblical quotes! Putting them together made #10 the weightiest on the positive side.

....the 1st quote confines vengeance to God's hands. The urge to revenge is humanly understandable but biblically forbidden. Those who use this proscription as a c-i (clinker idea) against the death penalty do not distinguish (as Scripture does) between murder (as private vengeance) & execution (as public penalty). The latter has biblical warrant not only in the OT (e.g., Gn.9.5-6, God's "reckoning" for murder) but also in the NT (assumed by Jesus [Mt.10.28] & Paul [Ro.13.4]).... Christians should resist the temptation to denigrate opponents by attributing to them the lowest possible motive (& thus, selfrighteously, claiming for themselves the moral highground): I, who am pro-death-penalty, am anti-vengeance (except in God, where it does not bear the connotation of hot-blood vendetta).

....the 2nd quote is Jesus' gnomic rebuke to Peter, who'd taken the sword against the police, who were acting against Jesus legally though (as we see it) unjustly. In ethics, this saying is an instance of the reflexive sanction: you'll get coming to you the evil you gave. (When used positively--as in "bread cast upon the waters" & "the measure you measure out"--this sanction has balancing force.) Found throughout history & the world, it was at the core of Hellenistic ethics & near the core of Jewish ethics--& so, for both reasons, is strong in Christian ethics. ...When used against the death penalty, Jesus' sword saying is abused by being transposed from private (i.e., Peter) to public (i.e., the police, the government), & also by reading into it the perpetual-retaliation circle (violence is a circle breakable only by forgiveness, as Bp.Tutu's Truth & Reconciliation Commission). The latter ethical proposition is of some but limited use: e.g., those killed in the Holocaust are in no position to return violence against the Nazis--nor is anyone executed in said position (unless one believes, as Christianity does not, that the ghosts of the wronged return & take vengeance on the wrongers).

#4 "Thou shalt not kill" is, in the Decalog, parallel with (among others of the Ten Commandments) "Thou shalt not commit adultery." As the latter is committed by one human being with another, the former is committed by one human being against another (which thus, contextually, limits the killing to murder). I am appall-

ed that even the Pope (in adopting Card. Bernardine's "seamless garment" for life against death) takes "kill" out of its murder context & applies it to the full range of killing: no war, execution, contraception (killing of spermata & ova), abortion, suicide, assisted suicide. It violates not only the literary context but also the historical: no Hebrew-Israelite-Jewish evidence of theological sanction against the death penalty.... On #2, the group was almost as much affirmative as negative.

#6 Myopic. The few executions of innocents are vastly outweighed by the piles of corpses of innocents murdered by parolees (recidivists).

#9 Jesus' "Turn the other cheek" (Mt. 5.39) is perverted by those who re-address it from the people to the government--to advise on what to do about McVeigh (who killed en masse by truck-bomb) or Kaczynski (who killed by mail-bomb)? Jesus condemns the "eye for an eye" (previous verse) vindictive spirit in individuals, but does not attack proportional punishment or accuse government of acting vindictively when carrying out the death penalty. (Am I arguing from silence? No: again, Mt. 10.28.) Further, any penalty--not just death--could be accused of vindictiveness. (+ #7)

Some support also (in order of force) for #3, #23, #12, #13, #22, #8, #25, #39.

In order of force (number of votes), here are the negatives (revulsions!):

#1 struck many as a Scrooge-like undervaluing of humanity.... #35 was almost as revolting, but I must allude to (1) the importance of community purity in the Bible (& not just in Lev.), & (2) the hellfire image is from perpetual burning at the city (Jerusalem) garbage-rubbish-waste dump (called "Gehenna"), the metaphoric base being the physical fact that urban incineration is necessary for purification (a fact ancient Jerusalem knew, but not medieval Europe's rat-&-plague-infested cities).... #25: 80% of U.S. prisoners are in on drug-related charges, yet the U.S. (unlike, e.g., Indonesia, which has no drug problem) does not consider drug-pushers garbage, to be removed by execution. I do, but the government does not consider drug-pushing all that serious. When the sense of the sacred collapses from deity into the (Enlightenment) divine individual, everybody's considered fit to live (the situation in Europe, where theonomy has been replaced by individual autonomy--#40).

#6 I was surprised that so many rejected the choice of death ("at any time during incarceration") or life-without-parole or (was this the revolutive idea?) torture-with-parole. Viktor Frankl rightly taught that dignity is in choice: why remove that dignity from the prisoner (as Socrates' judges did not)? (See the rest of #6, especially for the possible semantic spread of "torture.")

#27 was so loaded against the death penalty as to offend a number of participants. And the next # suffers from the semantic spread of "a human being," so offended.

#21 seemed to some to be a specious answer to #20. But #20 questionably assumes that the purpose of the death penalty is to frighten the populace against murder.

#30 Some were offended by the \$ treatment of the issue. Further, "life" is less \$ only because appeals from the death sentence are still virtually endless.

#24 Poor logic. In 1620 Plymouth there were 58 capital crimes: does that argue against murder as a capital (lit., off-with-your-head) crime? (See #29.)

#33 Some found that sentence repulsive, "cruel & unusual punishment." (See #39 & #37 (but no generation can guarantee "life without parole"!)).

Minor objections to #32 (Death is penalty, but is it punishment?), #22 ("Penitentiaries" don't produce penitence-repentance, with a few exceptions.), #3, #4, #6, #8.

Interesting list of statements on which there were no votes. These seem noteworthy: #11 ("Life is sacred, which means inviolable." Also, #14.) #17 (not "playing God" when doing what God decrees [e.g., Ro. 13]). #19 (death only for repeat offenders). #26 (It's an abuse of Scripture to quote only the 1st half of the sentence.) #31 got one sympathy vote. #34 (The public wants the death penalty.) #36 (A good argument against the death penalty, but no support in the group.) #38 (Death is the historic alternative to incarceration--but other & better alternatives today?)