

lest it harm the whole body, so it would be good to put to death any member of society that “falls into any incurable evil”.<sup>7</sup> However, there are five reasons why Clement cannot be construed as justifying the death penalty. First, he considered the execution beneficial to the wrongdoer: “it will be for his good if he is put to death.” Second, the relevant passage also declares, “it is the highest, most perfect good, when one is able to lead back anyone from the practice of evil to virtue, and well-doing, which is the very function of the law.” Third, the only specific example Clement gave of “incurable evil” was covetousness—which was not a capital offence or a criminal offence at all. Fourth, Clement wrote the *Stromata* for pagan readers and used examples, quotations from pagan philosophers, current Greco-Roman views on morality, and other sources for the purpose of persuading them to embrace or think more highly of Christianity. He was the leading Christian intellectual of the A.D. 190s, Origen’s predecessor as dean of the Christian school in Egypt, and a pioneer in making Christianity acceptable to educated pagans.

Fifth, an ancient analogy that a non-Christian government justifiably inflicts the death penalty does not mean that a Christian may in good conscience be an executioner or otherwise contribute to it. What the other authors cited in this article were expounding was *Christian* morality, i.e. the ethics that were taught and practised by Christians. Because what they were describing was specifically *Christian*, unlimited in geography and binding even if they attained

political office, the ancients would no more have extended official Roman conduct to present-day believers than they would other objectionable practices of the Roman Empire.

<sup>1</sup> All quotations from Clement of Alexandria are at ANF 2.339.

<sup>2</sup> Irenaeus *Against Heresies* 3.3.3 (A.D. 180s) at vol. 1 p. 416 of *The Ante-Nicene Fathers: Translations of the Writings of the Fathers down to A.D. 325* ed. Alexander Roberts and James Donaldson. American Reprint of the Edinburgh ed. by A. Cleveland Coxe (Buffalo, N.Y.: Christian Literature Publishing Co., 1885-96; continuously reprinted Edinburgh: T & T Clark; Grand Rapids, MI: Wm. B. Eerdmans; Peabody, Mass.: Hendrickson) (hereinafter cited as ANF).

<sup>3</sup> Athenagoras *Presbeia* 35 under title *A Plea for the Christians* ANF 2.147.

<sup>4</sup> Tertullian *On Idolatry* 19.

<sup>5</sup> *The Treatise on the Apostolic Tradition of Saint Hippolytus of Rome* trans. and ed. Gregory Dix, revised Henry Chadwick (London: Alban Press; Ridgefield, Conn.: Morehouse, 1992) 26.

<sup>6</sup> *Apostolic Tradition* 16.10-11, 16.15-17 and 16.19-20 at pp. 25-27.

<sup>7</sup> Bardesan ANF 8.733.

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Pamphlet 595

## **Early Challenges to Capital Punishment**

David W. T. Brattston

The earliest church prohibited Christians from participating in capital punishment, as is evident from the following pronouncements by Christian writers before the Decian Persecution of A.D. 249-251. This period marks the 200<sup>th</sup> anniversary of the beginning of distinctively Christian literature, and the first quarter-millennium of our era. Dating from before the division into modern-day denominations, such writings are the common inheritance of all Christians.

In addressing a rebellious faction in the church at Corinth, *1 Clement* 45 recalled that when in the Old Testament the righteous were persecuted or put to death, it was only by the wicked, the unholy, and the hate-consumed. Various dated between A.D. 70 and 97, *1 Clement* is one of the oldest extant Christian documents outside the New Testament. This letter was written while in the church at Rome “there were many still remaining who had received instructions from the apostles.”<sup>1</sup> It was so authoritative and influential that it was included in some early editions of the New Testament. It refers in passing to a recent government persecution of Christians, which means that the death penalty was not far from the author’s mind as a punishment for some acts and beliefs regarded as criminal.

Around A.D. 177, the philosopher Athenagoras of Athens wrote a defence of

Christianity and description of its beliefs and practices. In it he dealt with and refuted pagan allegations that the Christian faith commands its adherents to murder and practise cannibalism. Athenagoras stated that Christians not only are forbidden to kill anyone for any reason but also that we cannot endure even to see a man put to death, though justly. .... We, deeming that to see a man put to death is much the same as killing him, have abjured such spectacles. How, then, when we do not even look on, lest we should contract guilt and pollution, can we put a man to death?<sup>2</sup>

For this reason, he said, Christians oppose even such killing sanctioned by the law as gladiatorial combats, at that time perfectly legal and promoted by the secular authorities.

Tertullian was a prominent Roman lawyer prior to his conversion and ordination in middle age, which means he was probably familiar with death-penalty cases. Dating sometime between A.D. 198 and 220, Tertullian's *On Idolatry* indicates that Christians could not conscientiously inflict the death penalty. This treatise considers the dangers of contributing to sin inherent in certain professions and trades. One of these was the Roman military, partly because the higher ranks participated in capital punishments. For Tertullian, killing of any sort—including the state-ordered death penalty—excluded military service as a livelihood for Christians.<sup>3</sup> In *On the Resurrection of the Flesh* 16, he classified hangmen in the same category as lascivious women, gladiators, and priests of a pagan cult.

Attributed to the central Italian bishop Hippolytus, *The Apostolic Tradition* 16.17 (A.D. 217) is similar. Even if possessing the necessary government authorization and ordered to do so, a soldier “must not execute men”.<sup>4</sup> As a corollary, the church must cast out any Christian who volunteers for military service. *The Apostolic Tradition* considers such soldiers and volunteers to be in the same category as pimps, priests of idols, makers of idols, gladiators, and prostitutes.<sup>5</sup>

*The Book of the Laws of Regions*, also called *On Fate*, is ascribed to Bardesanes, who prior to his death in A.D. 220 was a friend and guest of a king of Edessa. It contains expositions of how the laws of various nations and regions differ from one another while Christians follow their own law (what we would call “ethics”) no matter where they are, with this law being identical everywhere in the known world. Among the contrasts was that one particular country stoned thieves to death, with the implication that Christians did not do so anywhere, even where secular law permitted them to. Nor did Christians commit “honour killings” of wives and daughters as non-Christians practised in another country.<sup>6</sup> In short, the Christian religion forbade all its adherents to inflict the death penalty for these offences.

In *Against Celsus* 7.26 the church father Origen in the late A.D. 240s contended that if Jews were free of Roman control and constituted their own sovereign nation again, they would probably practise stoning and burning of malefactors as Moses had commanded, e.g. put murderers to death. However, Origen wrote, if Christians were

in government they would be restrained by the laws of their religion from doing so. In fact, he wrote that God's purpose in destroying the Jewish state was partly to end capital punishment and other bloodshed by the people of God. Origen was dean of the world's foremost educational institution of the era (in Alexandria, Egypt) and later established one of his own in Palestine. He was the most influential and most prolific Christian preacher, Bible scholar, and writer of his own day and for centuries afterwards. He was probably the most knowledgeable Christian of the first half of the third century, or at least the most able to relate the consensus of ancient Christian teaching because he was one of the most travelled, being called upon as a consultant by bishops throughout the eastern Mediterranean.

Are the above writings representative of earliest Christian belief? By default, yes. Of the extant Christian documents I have examined from this period, these are the only authors to have considered the death penalty from the viewpoint of Christian ethics, and all considered it forbidden to Christians, even where permitted by secular law and would be so if ever Christianity constituted the government of a state. From these surviving records, it is clear that Christian writers discountenanced capital punishment in each of the first three centuries.

Clement of Alexandria's *Stromata* 1.27 has been cited as an early Christian source *in favour of* state-inflicted capital punishment, because Clement applied the analogy of surgery to the death penalty: just as a surgeon excises a diseased member or organ