

Crime and Punishment

A Biblical Perspective

The Cause of Crime

Crime is rampant throughout the world. Different nations combat crime in different ways with varying degrees of success. To properly deal with crime in society, we must first understand what causes crime. The Bible teaches that crime is caused by evil in men's hearts.

Then the Lord saw that the wickedness of man was great on the earth, and that every intent of the thoughts of his heart was only evil continually. . . . Now the earth was corrupt in the sight of God, and the earth was filled with violence. (Genesis 6:5, 11)

The fall of man brought about corruption in the heart of man, which manifested itself externally with violence, murder, theft, and all manner of criminal behavior. God established civil government in the earth as the means of restraining evil doers and protecting law-abiding citizens (Genesis 9:6; Romans 13:1-7; 1 Peter 2:13-14). It was given the use of the sword to enforce its authority to protect the life, liberty, and property of the people.¹

Why Does Crime Flourish?

If civil government does not fulfill its duty to restrain criminals in accordance with Biblical guidelines then crime will flourish. Ecclesiastes 8:11 says, "Because the sentence against an evil deed is not executed quickly, therefore the hearts of the sons of men among them are given fully to do evil." Swift execution of God's justice is necessary to keep a culture of crime from growing in a nation.

Combating Crime

What can individuals and governments do to combat crime? This question will be answered in more detail throughout this booklet, but understanding that sin and evil in men's heart is the cause of crime reveals that preaching the Gospel and seeing individuals converted to Christ is the only way to ultimately reduce crime in a nation. Only God through the atoning work of Christ can

change man's heart and give him a new nature, one that seeks to obey God and live in conformity to His law. God not only gives man a new heart, but He empowers him with His Holy Spirit to enable him to follow His blueprint for all of life. This is why crime diminishes when Christianity comes to a community. Where Christian revivals have occurred in history, courts and jails have become empty and police officers have had little to do.

Since men are fallen and sinful, crime will never be completely eliminated from this world, therefore, civil government has a vital role in bringing tranquility and quietness to this life (1 Timothy 2:2). The Bible says, "When a ruler executes judgment, he scatters away all evil" (Proverbs 20:8) and "The king gives stability to the land by justice" (Proverbs 29:4). Thus, civil leaders should administer God's justice in a timely fashion (while taking into account the provisions to protect people from false charges), protect law-abiding citizens, and punish criminals in accordance with Biblical guidelines.

Crime in America

Recent crime statistics reveal we as a nation have serious problems. Over 10 million crimes are committed every year in America. Every 3 seconds a crime occurs against someone's property (through theft, robbery, burglary, fraud, embezzlement, etc.), about 30,000 per day. Many crimes against property go unreported, and of those that are reported most of those are never solved. Capital and other violent crimes — such as murder, rape, aggravated assault, kidnapping — occur about every 35 seconds. In America, the crime clock continues to click: one murder every 22 minutes, one rape every 5 minutes, one robbery every 49 seconds, and one burglary every 10 seconds.

From the 1960s to the early 90s, the crime rate rose consistently (see Charts 1-4). While there has been some decline since the 90s the crime rate is still high, especially compared to earlier in our history. Capital

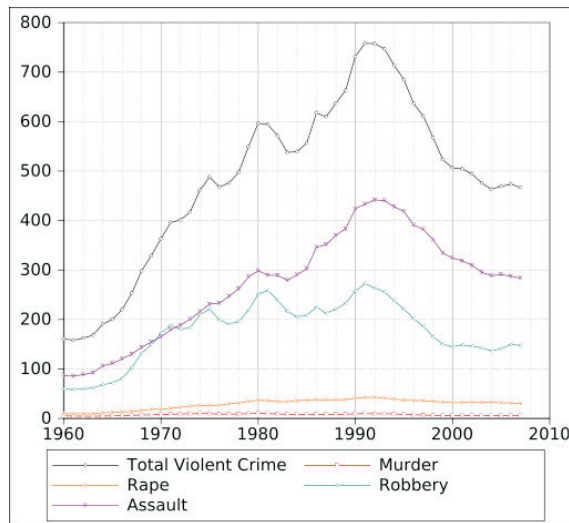


Chart 1. Violent crime rates in the United States per 100,000 population beginning in 1960. Source: Bureau of Justice Statistics.

crimes were rare in early America. The chief judicial officer over all of New York, James Kent, said he only had eight convictions for murder in his 16 years of service (from 1798-1814).² Today, New Hampshire, with a population similar to New York in 1810, has among the lowest murder rates in the country; even so, it sees about 13 homicides each year (and the national average is about 5 times the rate in New Hampshire).

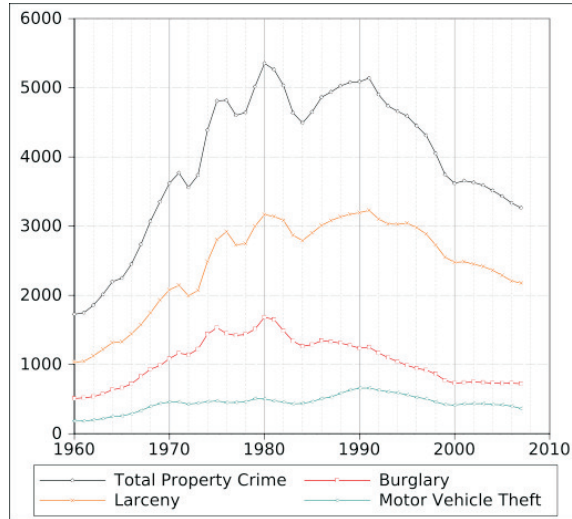
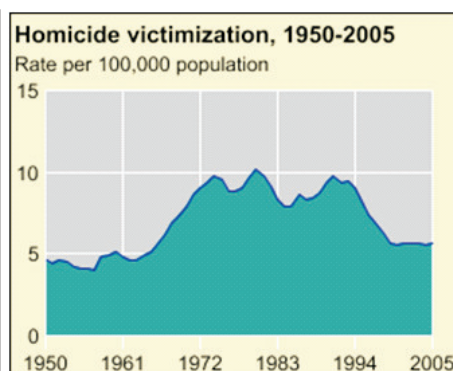
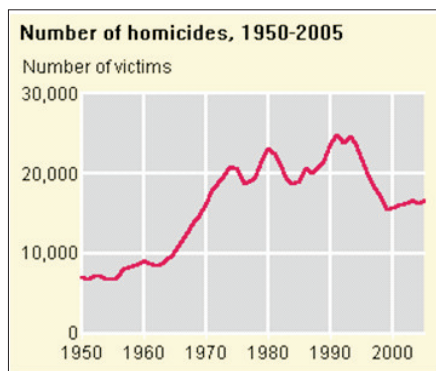


Chart 2. Property crime rates in the United States per 100,000 population beginning in 1960. Source: Bureau of Justice Statistics.

Criminals are getting younger. The violent-crime rate seems to rise and fall in tandem with the number of teens in the population, but recently, teen violence has exploded (murder arrests of teens jumped 92 percent since 1985) during a period in which the teen population remained steady or declined. The median age of criminals is dropping. In 1982, 390 teens ages 13-15 were arrested for murder. A decade later, this total jumped to 740.



Charts 3 & 4: Homicide rates, 1950-2005. Left, number of homicides; right, homicide rate per 100,000 population.

America's Response to Increasing Crime

The nation's response to the increasing crime rate was to build more prisons, and, in some states, to pass stricter laws requiring jail time ("three strikes and you're out" type of legislation), which required building even more prisons. At the end of the 1980s, over 0.5 million were in jail; at the end of 1990s about 1.7 million were in jail; and today about 2.2 million are in jail.

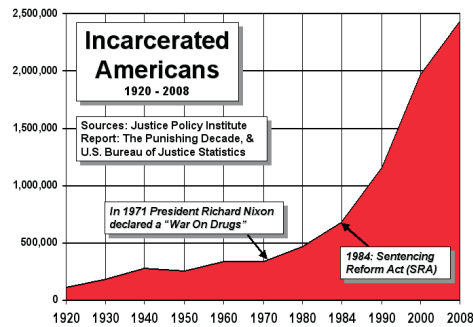


Chart 5. Incarcerated Americans.

Cost of Crime

The cost of crime continues to mount: \$78 billion for the criminal justice system, \$64 billion for private protection, \$202 billion in loss of life and work, \$120 billion in crimes against business, \$60 billion in stolen goods and fraud, \$40 billion from drug abuse, and \$110 billion from drunk driving. When you add up all the costs, crime costs Americans a stunning \$675 billion each year. A greater consequence of crime's effect is the steadily declining sense of security and personal liberty of American citizens.

The victims of crime suffer the most and pay the largest price; however, the cost to the public is great as well. Since our criminal system operates upon the pagan Roman idea of retribution toward the criminal (as opposed to the Biblical idea of restitution to the victim and restoration of Godly order³), we punish criminals by putting them in prison. Increased crime has resulted in a shortage of prisons to house all the criminals. While many new prisons have been built, there is still not enough room. Prisons are overcrowded. In recent years, due to a shortage in prison space and a lack of revenue, some states have begun releasing criminals from jail before their sentences are complete (e.g. California). Federal, state, and local governments spend approximately \$62 billion per year on adult and juvenile corrections.⁴ Federal and state governments are projected to need as much as \$27 billion — \$15 billion in additional operational funds and \$12 billion in additional capital funds — over the next five years to accommodate projected prison expansion and operation.⁵ We are spending over \$30,000 per year per inmate. It would be cheaper to send them to college.

Correctional Institutions?

Does our criminal punishment system work? Do citizens feel safer today than in times past? Is our society growing more tranquil and quiet? The statistics and experience of citizens say no.

Prisons are termed correctional institutions, but little correction occurs. The rate of recidivism is about 60%.⁶ In reality, prisons are centers of violence, where many low level criminals learn how to be greater criminals. Our present system does not work. God has a better way to deal with law breakers.

Biblical Means of Dealing with Crime

What is crime and how should a society deal with it?

Crime is rooted in the sinful nature of man. Sin is acting contrary to God's standard as revealed in His Law-Word. Crime is unlawful behavior (as delineated by God in His Word) that usually threatens the life, liberty, or property of others, either directly (such as robbery or murder) or indirectly (such as treason or perjury). There is criminal activity that potentially only affects one's own person, such as drug use. Such activity is still an assault on life (and our lives are not our own since God who created us ultimately owns us; we are merely stewards of our bodies).⁷

Crime comes under the jurisdiction of the state or civil government. While all crimes (as defined by God, but not necessarily the state) are sins, all sins are not crimes punishable by civil authorities. Many sins (violation of God's Law-Word) are outside the jurisdiction of the state; some sins are to be dealt with by the family, some by the church, and many by God Himself. It is very important that civil leaders understand the distinction of crime and sin, the source of crime, and how to administer God's justice when crime is committed.

Civil governments throughout history have declared many actions to be criminal that according to God are not criminal at all, including reading the Bible and worshiping God according to the dictates of one's own conscience. Where laws exist that are contrary to God's higher law, it is the duty of Christians to seek to change these. Sometimes men have criminalized bad behavior, with the goal of limiting behavior that was not criminal according to God, but rather was sinful, or potentially sinful. The Eighteenth Amendment to the United States Constitution is one such example. This well-intended but ill-conceived prohibition amendment, adopted in 1919, caused more problems than it attempted to solve and was eventually repealed in 1933.⁸

Some use prohibition to proclaim we cannot legislate morality, nor should we try to legislate morality. However, every law is a legislation of someone's

morality. Murder and theft are moral issues. Enacting laws against these actions is a legislation of morality. The important question is, “whose morality should we legislate?” There are really only two answers: either God’s morality (which He reveals in His Word, the Bible) or man’s. While all law legislates morality, it is very important to understand that man cannot legislate goodness. Laws cannot change the heart of man; they cannot elevate men above the level of their faith and morality.

As mentioned earlier, a society must understand the source of crime before they can effectively deal with crime. The Bible clearly states that wickedness and sin in the heart of man is the source of crime (Genesis 6:5, 11). As a result of man’s sin – that is, disobedience to God – evil entered his heart. What was in the heart of man manifested itself in his actions (the world was filled with violence). Recognizing the true nature of man – he is a sinful, fallen being in need of a savior – is the beginning place for a society to correctly deal with crime. Both preventative and corrective measures must be taken.

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Other topics covered in *Crime and Punishment* include:

Preventative — Teach Truth and Biblical Morality

Corrective — Biblical Means of Punishment

Biblical Penalties for Crime

1. Crimes Against Property Require Restitution.

1) The prison system as a means of punishment for convicted criminals is not Biblical. It is a pagan method.

2) Restitution to the victim.

3) Laws of restitution set forth in Scriptures

Fruit of Adhering to God’s Law Concerning Property Crimes

“Legal Theft”

Inflation Is Theft

Theft by Voting

Biblical Solution for Government Theft

2. Minor Offenses

3. Capital Crimes — Incurability and Serious Offenses Against Life

Biblical Principles of Capital Punishment

What crimes merit the death penalty?

Means of Capital Punishment

Civil Government Is the Institution God Ordained to Carry Out Capital Punishment.

Opposition to the Death Penalty

Blessings of Obedience

4. Cities of Refuge for Accidental Death (Numbers 35; Deuteronomy 19:1-13)

Safeguards for Those Accused of Crime

Goal of Restitution and of Restoration of Godly Order

What Can We Do?

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End Notes

1. For more on the purpose and responsibility of civil government see the following books published by the Providence Foundation: *Liberating the Nations*, *Watchmen on the Walls*, and *Building Godly Nations*. (Available through www.providencefoundation.com)

2. James Kent, *Memoirs and Letters of James Kent*, William Kent, editor (Boston: Little, Brown, and Company, 1898), p. 123.

3. Some of the Biblical penalties for crimes do inflict punishment upon the criminal, and as such are retributive, but the primary goal of the punishment is to bring about Godly order in society and not to inflict revenge upon the criminal. The death penalty removes the criminal from being able to kill other innocent people. Paying four or five fold restitution for theft not only restores to the individual his property (and covers lost production, time, etc.) but it teaches the thief that crime is bad business.

4. Bureau of Justice Statistics, "Key Facts at a Glance: Direct expenditures by criminal justice function, 1982-2004" available at <http://www.ojp.usdoj.gov/bjs/glance/tables/exptytab.htm>

5. "Public Safety, Public Spending: Forecasting America's Prison Population 2007-2011." Available at http://www.pewpublicsafety.org/pdfs/PCT_CorrectionsReport_3-1.pdf

6. Not surprisingly, the recidivism rate is below 10% for prisoners who go through a faith-based program where the emphasis is placed on changing the inner man rather than on mere external behavior.

7. Libertarians argue that individuals should be free to take whatever drugs or be involved in whatever activities they want to as long as they are not harming the life, liberty, or property of anyone else, but, since we belong to God and must seek to preserve our own bodies, some activities that threaten our lives can be criminalized. In addition, when we destroy our own lives, the lives, liberty, and/or property of others are almost always assaulted as well. Wisdom is needed to determine what drugs should be considered illegal because an excess of almost anything can kill us, including eating food. However, good food is essential for life, while many drugs have no benefit and only bring destruction.

8. Prohibition was passed with the laudable goal of reducing drunkenness and its bad effects. Consuming alcohol is not sinful in itself, though excess consumption is a sin, as the Bible repeatedly warns against this. Drunkenness can lead to criminal behavior and it would be legitimate for governments to declare some related behavior as criminal, such as drunk driving. The ultimate solution to drunkenness is transformation of the heart and mind of men by the power and truth of God.

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