

ASSORTED BIBLICAL AND TALMUDIC CITATIONS
REGARDING CAPITAL PUNISHMENT

1. *Genesis*: 9:6 -- "Whoso sheddeth man's blood, by man shall his blood be shed, for in the image of G-d was man made."
2. *Exodus* 21:12, 17 -- "He that smiteth a man, so that he dieth, shall surely be put to death. ... "And he that curseth his father or his mother, shall surely be put to death."
3. *Leviticus* 24:17-22 -- "And he that smiteth any man mortally shall surely be put to death. And he that smiteth a beast mortally shall make it good: life for life. And if a man maim his neighbor; as he hath done, so shall it be done to him: breach for breach, eye for eye, tooth for tooth; as he hath maimed a man, so shall it be rendered unto him. And he that killeth a beast shall make it good; and he that killeth a man shall be put to death. Ye shall have one manner of law, as well for the stranger, as for the home-born; for I am the Lord your G-d."
4. *Numbers* 35:11-33 -- Requires establishment of cities of refuge to which manslayers who commit unintentional killings can flee to escape retribution; requires two or more witnesses before anyone can be sentenced to death; requires that ransom not be accepted in exchange for punishment for murderer. Prohibits "pollution of the land" by allowing a killer, either manslayer or murderer, to dwell among the rest of society.
5. *Deuteronomy* 19:11-13 -- "But if any man hate his neighbor, and lie in wait for him, and rise up against him, and smite him mortally that he die, and he flee into one of these cities (of refuge); then the elders of his city shall send and fetch him thence, and deliver him into the hand of the avenger of blood, that he may die."
6. *Deuteronomy* 21:18-21 -- "If a man have a stubborn and rebellious son, that will not hearken to the voice of his father, or the voice of his mother, and though they chasten him, will not hearken unto them, then shall his father and his mother lay hold on him, and bring him out unto the elders of his city, and unto the gate of his place, and they shall say unto the elders of his city: 'This our son is stubborn and rebellious, he doth not hearken to our voice, he is a glutton and a drunkard. And all the men of his city shall stone him with stones, that he die; so shalt thou put away the evil from the midst of thee; and all Israel shall hear, and fear.'
7. *Samuel II* 12:1-15 -- Nathan the Prophet came to King David after David had sent Uriah to the battlefront, and Uriah had gotten killed, so that David could take Uriah's wife, Bathsheba, for his own. And Nathan told David a story of a

rich man who had a large flock and a poor man who had one lamb, and the rich man took the poor man's sole lamb to feed a traveler. Nathan asked David what he thought of this. David was greatly angered, and said that the rich man that had done this deserved to die. And Nathan told David that he, David, was the rich man, for he sent Uriah to the battlefield to die so that David could take his wife, Bathsheba. But Hashem loved David, and did not kill him. Rather, he cursed David with a life of constant battle, and also he cursed David that his first child with Bathsheba would die. After this occurred, David repented, and he and Bathsheba had another child, Solomon.

8. *Ezekiel* 18:27-28 -- "And if a wicked person turns back from the wickedness that he practiced and does what is just and right, such a person shall save his life. Because he took heed and turned back from all the transgressions that he committed, he shall live; he shall not die."
9. *Ezekiel* 33:11 -- "It is not my desire that the wicked man shall die, but that the wicked turn from their evil ways and live."
10. *Mishnah Makkot* 1:10, one rabbi posited that any court which sentenced to death one man in seven years would be considered a bloodthirsty court. Rabbi Eleazar ben Azariah replied that the same would apply if even one man in **seventy** years were put to death. Ultimately, Rabbis Akiba and Tarfon indicated that had they sat in the Sanhedrin, no man would ever have been put to death. Rabban Simeon ben Gamaliel, expressing a minority view, disagreed on the basis that the death penalty could deter the killing of innocent people.
11. *Mishnah Berakhot* 10a. -- It is told that some robbers in the neighborhood of Rabbi Meir were causing him trouble. He prayed that they would die. Beruriah, his wife, said to him, 'How do you make such a prayer? Do not pray that the lives of the sinners cease, but rather that their sins should be no more. For if their sins cease there will be no more wicked men. Pray for them that they should repent.' He did so and they did repent.
12. *Tractate Sanhedrin* 37B – Gemara says, "The rabbis taught: What means a supposition? The court may say to them: Although you saw that one ran after his companion to a ruin and you ran after them, and found a sword in his hand from which the blood dripped, and you also saw the one killed move convulsively, you saw nothing (so long as he did not kill him in your presence). Circumstantial evidence is inadmissible in the Sanhedrin. There must be two witnesses who actually saw the homicide. .NOTE: What if what you saw was the result of a lion mauling the dead man, and his friend's sword was dripping with lion's blood from slaying the lion. If you testified that this was an intentional homicide, you would be liable yourself for the death penalty for falsely testifying against a defendant....."