

# The death penalty

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## Exposition of the Biblical Text

At the very beginning of human history, "the LORD God commanded the man, saying, 'You shall not eat of the tree of the knowledge of good and evil, for in the day that you eat of it you shall surely die'" (Genesis 2:16-17). Said and done, Adam ate and immediately lost his communion with God—spiritual death had begun. Physical death too. Soon, there was the first murder (Genesis 4.8). Things got so bad that less than 2,000 years later the Sovereign Creator found it necessary to completely destroy the earth. The earth after the Flood was totally different, with a very different topography and climate. And there were only eight human beings to start all over again. It was to those eight that the Creator decreed a basic norm, a norm that continues to this day.

5 For your lifeblood I will surely demand an accounting. I will demand an accounting from every animal, and also from every man. Yes, at the hand of every man's brother will I require the life of man. 6 Whoever sheds man's blood, by man his blood shall be shed; because God made the man in His own image (Genesis 9:5-6).

Verse 6 contains a decree, a decree that was never revoked. Note that what is at stake is **the image of God**. Murdering the image of God is such a great crime that the Sovereign Creator allows only one way to atone: the murderer must be executed. Anyone who deprives another person of life without adequate justification (i.e., established by the Creator: execute a murderer, kill a thief at night [Exodus 22:1-4—there was no prison; crimes were resolved on the basis of restitution or indemnity], etc.) must pay with their own, since there is no way to indemnify. That is for the physical life. But if the murdered person died in disbelief, he lost eternal life as well. To deprive someone of the possibility of attaining eternal life (by killing in advance) is a crime without size—it is too big to measure. There is simply no way to expiate or indemnify. Leaving the murderer unpunished is to say that the murdered person was worthless—the image of God was worthless, the physical life was worthless, the eternal life was worthless. This is intolerable! I suppose that is why the Creator demands the maximum penalty in case of murder.

Now I want to follow the chronological sequence (more or less) of the divine revelation on the subject. I begin with Genesis 38:8-10. The Sacred Text declares that God killed Onan. Why? It was not because he didn't want to give a descendent to his brother—under the greater rigor of the Law of Moses the penalty was 'merely' public humiliation, not death (Deuteronomy 25:5-10). In the time of Onan the Mosaic Law did not yet exist. Until then, only one crime called for execution, precisely murder. Since life is in the seed, when Onan spilled the seed on the ground,

he purposely killed the human life in the seed—he murdered. And God punished! We may add here Exodus 21:22-23. A fetus is also a person, and whoever caused the death of a fetus received the maximum penalty.

In Genesis 42:22, Reuben, who for years had been imagining that Joseph had been killed, understands that God is now avenging Joseph's blood. In Exodus 20:13 the sixth commandment is, "Thou shalt not murder". The Hebrew word here explicitly means 'to murder'; the translation 'thou shalt not kill' misleads the reader. In Exodus 21:12 God repeats the decree of the maximum penalty—"he shall surely be executed"! In the next verse God exempts unintentional death, even taking the responsibility—"God permitted". But in verse 14 God returns to the case of a murderer; for such there is no exemption; he has to die! "You shall even take him from my altar, that he may die!" Just think about that! At that time the altar represented precisely the way to expiate sins. Running to the altar was the way to claim God's mercy and protection, but for a murderer the Sovereign Creator denies that expedient—a murderer must be executed. No matter how much someone doesn't like it, the Creator is immovable—whoever purposely kills the image of God (without just cause) will have to be killed in turn; there is no compensation.

Now let us consider Numbers 35:15-34, one of the most relevant passages precisely because it deals with the cities of refuge. The Creator makes a basic distinction between those who kill unintentionally and those who kill on purpose. He designated six cities to receive and protect the unintentional manslayer, precisely to prevent the death of an 'innocent' manslayer (he killed unintentionally) (Deuteronomy 19:5-6). But attention to a detail that greatly emphasizes the value that the Creator places on 'blood'. 'Blood' is of such high value that if the innocent manslayer left the city of refuge (for whatever reason, and before the death of the high priest) and was found and executed by the 'avenger of blood', that avenger "will not be guilty" (Numbers 35:27, 32). Even though unintentionally, the killer had shed blood, and the consequences were serious. However, for the murderer there was no mercy—"the murderer must be executed" (verse 16); "the murderer must be executed" (verse 17); "the murderer must be executed" (verse 18); "the avenger . . . will kill him" (verse 19); "the avenger will kill him" (verse 21); "shall be executed" (verse 30). In short, "You shall not accept a ransom for the life of a murderer, who deserves to die. He must surely be put to death!" (verse 31).

Why is God so severe? The explanation is given in verse 33 (see also Deuteronomy 19:13, which speaks of 'innocent blood'): "You shall not pollute the land in which you are. Blood pollutes the land, and no atonement can be made for the land for the blood that is shed in it, except by the blood of the one who shed it." Blood pollutes the land. *Blood pollutes the land. **Blood pollutes the land.** BLOOD POLLUTES THE LAND. **BLOOD POLLUTES THE LAND**!!!* And no atonement can be made for the land . . . except by the murderer's blood. Please take note: in the midst of all the sacrifices

and burnt offerings reported in the Old Testament, there is not even one for a murderer—not even one. Don't you think we should take the Sacred Text seriously? If the Sovereign Creator Himself **forbids** accepting a ransom for a murderer's life, how would He offer such a ransom? Please note: the words of Sovereign Jesus in Matthew 12:31 and Mark 3:28 concern the future life, not the consequences in this life.

Attention please: the blood of Christ and the grace of God do not necessarily free us from the consequences of our sins in this life. Whoever commits adultery carries consequences until death. Whoever cuts off his foot lives without that foot until he dies. Etc. And it doesn't even have to be a sin: if I accidentally kill my son, I'll be without that son until death. We also bear the consequences of the sins of others. The blood of Christ and the grace of God do not (necessarily or automatically) deliver us from the consequences, for this life, of our own (or others') wrongdoings. The Creator demands a murderer's death. That is, his physical death. A murderer can embrace the Gospel of Christ and save his soul, like the evildoer on the cross—that evildoer trusted the Lord Jesus and went to Heaven, but he did not escape physical death at that time. He paid for his crime.

Deuteronomy 21:1-9 shows once again the importance that the Creator attaches to the problem. If a corpse was found, and there was no way to identify the murderer, a detailed procedure was required for the people to get rid of the **bloodguilt**. That procedure was quite demanding, thereby reinforcing the gravity of that guilt. (In verse 4 the correct verb is 'to break' the neck.)

2 Kings 24:3-4 makes clear that the fall of the kingdom of Judah was due to the iniquities of Manasseh, and mainly because of the innocent blood shed. "For he had filled Jerusalem with innocent blood, which the LORD would not pardon." Did you get that? The Lord did not want to forgive!

Psalms 106:38, 40 repeats that innocent blood stains the earth and kindles the wrath of God. Proverbs 6:16-17 declares that "the Lord hates . . . hands that shed innocent blood". Jeremiah 22:3, 17-19 shows that the judgment against Jehoiakim rested, in part, on innocent blood. Ezekiel 22:3-16 is stronger: "Woe to the city that sheds blood" (verse 3); "you have become guilty by the blood which you have shed" (verse 4); verses 6, 9 and 12 return to the subject, and verses 13 to 16 declare the punishment.

Isaiah has a lot to say on the subject. In 1:15 God declares that He no longer hears their prayers because "your hands are full of blood". 1:21 adds that the city is full of murderers (obviously they were not being executed). 4:4 speaks of cleansing Jerusalem of the **bloodguilt** from its midst. Isaiah 59:1-15 is almost violent. In the first place it is because "your hands are contaminated with blood" that God no longer listens to them. "They make haste to shed innocent blood" (verse 7). Now

notice verses 9-15, which portray the consequences: "justice is far from us", "there is only darkness", "salvation is far off". Verses 13 and 14 speak of "transgressing and lying against the LORD, . . . justice is turned back, and righteousness stands afar off; for truth is fallen in the street, and equity cannot enter." It seems to be a portrait of many countries that were once 'Christian'. The 'evangelical' people of the country are characterized by "transgressing and lying against the Lord", since they reject the death penalty that the Sovereign Creator decrees. That must be why God does not hear our prayers for the nation. That must be why our country is increasingly plunging into corruption, economic chaos, moral rotteness, mindless violence—without any solution or salvation appearing. Our land is polluted by innocent blood spilled without punishment, and the Sovereign Creator does not forgive!

It will not work to argue that God's grace nullifies His moral law. Pay attention to Romans 1:18-32, where it is clear that the application is current. So much so that in verse 32 God's sentence is that those who do the things mentioned (including "murder") "are worthy of death". "Are", not 'were'—the verb is in the present tense, also in the Original Text. In other words, Paul asserts that the sentence has not changed; even in the age of the Church, of grace, certain people are still liable to death—by divine sentence. 1 Corinthians 10:6-12 declares that Israel's experiences in the wilderness "happened to them as examples" and "were written for our admonition" (verse 11), and concludes: "Therefore let him who thinks he stands take heed lest he fall." All the cases cited resulted in physical death, and if they were recorded "for our admonition" it is because we may face something similar. You can't be too careful! 1 Corinthians 6:9-10, Revelation 21:8 and 22:14-15 were also written after the day of Pentecost.

(Do we really have an adequate view of God's love? "Whom the LORD loves He chastens, yes scourges every son whom He receives" (Hebrews 12:6); see also Revelation 3:19. [I myself have been scourged, literally, and I can assure the reader that it is not pleasant.] In Deuteronomy 33:2-3 the "fire of the law" is an expression of God's love. Precisely because He is concerned for our true wellbeing, the Creator imposes the earthly consequences of our sins. God's love **necessarily** includes hatred of evil, because of the consequences of evil that befall the objects of His love.)

And as for the Law of Moses, the decree in Genesis 9:6 is independent of it, as well as of the covenant with Abraham, for it precedes it by many centuries. If I am not mistaken, the decision taken by the Council of Jerusalem and recorded in Acts 15:29 reaffirms Genesis 9. The four things prohibited (and the prohibition is "necessary", verse 28) are expressed in the Original Text by one word each, a rather cryptic statement, therefore. So cryptic, in fact, that it can give rise to discussion when we want to define the exact intended meaning. However, the third item, "strangled", seems to pertain to the prohibition first promulgated in Genesis 9:4—to consume blood is forbidden (see also Leviticus 17:10-11). That being the case, the second

item, "blood", must have another reference. The most likely candidate would be shed blood, precisely the decree in Genesis 9:5-6. We must avoid 'bloodguilt'; remember that this guilt is acquired in two ways: to murder, and to fail to execute a murderer.

That the New Testament makes no change in the Creator's stance on bloodguilt is clearly seen in 1 Corinthians 11:27-30. According to verse 27, whoever drinks the cup unworthily will be "guilty of the blood" of the Lord. And what is the consequence of that? Verse 30 gives the answer: "because of this . . . many sleep". "Sleep" means they are dead; in other words, God killed them. The Apostle Paul, inspired by the Holy Spirit, declares that as far as the "many" were concerned, the Creator had literally punished 'bloodguilt'—the culprit died. I confess that the severity of God in this case surprises me, but there it is. Let no one be deceived; the Creator is still punishing the 'bloodguilt'!

Leviticus 18:6-30 prohibits certain practices because they contaminate the land, and it can get to the point where the land "vomits" the people. But what a striking picture: the soil itself loathes the residents! And what are those practices? All kinds of incest (verses 6-17), intercourse with a menstruating woman (verse 19), adultery (verse 20), human sacrifice (verse 21), anal sex (verse 22) and sex with an animal (verse 23). Verse 29 decrees the death penalty for all those practices; Leviticus 20:1-22 decrees death for the same sins one by one, ending with the possibility of the land spewing them out (verse 22). We already know that shed blood (without punishment) pollutes the land, and that God demands the death penalty for murder. But why is the Creator's reaction to the aforementioned practices the same? I suppose it is because of this: sex with an animal, anal sex and sex with a menstruating woman destroy the seed of the man, and it is that seed that transmits "the image of God", life. Therefore they are types of homicide—remember the case of Onan. Human sacrifice is obvious murder. Incest and adultery degrade the seed. In short, the Creator takes His 'image' seriously!

In summary, here in Brazil we are living in a land contaminated by 'bloodguilt'. Every day, at least a hundred people are killed violently (across the country, on average) and the government never avenges that blood (in isolated cases, some individual does, only then the 'law' goes after the avenger much harder than it did after the assassin). In present-day Brazil, the law protects the criminal more than the victims. If someone murders your child, the only option you have is to mourn your child, for there will be no punishment for the criminal. Brazilian society declares that your child's life has no value, because anyone can take it without reparation. You may even acquiesce, but the Creator does not acquiesce, He does not forgive. Innocent blood spilled, no! The 'image' despised, no! The land polluted, no!

## Possible Objections

1. "In the few countries that still retain the death penalty, there are no clear indications that the death penalty serves to discourage murder." This question is beside the point. This is not why the Sovereign Creator has decreed the penalty. We must demand the maximum penalty because the Creator decrees it, simply that. [It should be noted, in passing, that the 'death penalty' in the United States is a hoax, and should not enter as an argument in this question, but as a hoax.] Now then, since someone raises the question, the manner in which the media approach the subject is generally somewhat biased. If I am not mistaken, the police forces around the world agree that at least 80% of the crimes committed are committed by those who have already committed them—they are repeat offenders. More than half of the murders are done by repeat offenders. Now then, it is obvious that if every murderer were killed the first time, we would reduce the murder rate by more than half—beyond question. The executed assassin will not kill anyone else, not he. We would be saving the lives of all the other people he would kill later.

2. "According to 2 Chronicles 33:12-13, Manasseh came to the point of repenting and humbling himself, and he obtained the mercy of God." It is true that God did not kill him for all his terrible sins, including a lot of murder—it was the people who 'paid the price', and especially a subsequent generation. It may cause us some surprise, but the sins of the authorities tend to fall much more on the people than on them themselves. Since the avenging of blood was handed over to organized society (Genesis 9:6), when the head of the government murders, there is no longer anyone to avenge—as long as he remains in power, he goes unpunished (with the maximum penalty). But the land is contaminated, and the people pay. It follows that great care should be exercised in choosing our rulers. It seems to me that as evangelical people we have been very negligent in this area, and we are getting the consequences. We must look for true disciples of Jesus Christ, capable people with integrity who cannot be 'bought', and compete with them for positions at all levels of government. And we must obey 1 Timothy 2:1-4.

3. "Many former murderers are now converted and are serving the Lord, some even prominently. Should they be executed?" They still live due to the law and culture of the country that do not respect the Creator's norms. In fact, in most cases, they would not even have become murderers, if the surrounding culture and laws were embracing biblical values. Presumably they are not in violation of the current law, and therefore there is no social context in which to execute them. The biggest problem is to correct the law, because the Creator Himself has established that we should obey the constituted authorities.

I understand that anyone who genuinely converts will seek to make restitution for the wrong he has already done. A thief seeks to make right what he stole. A liar seeks to undo the consequences of his lies. But a murderer cannot repay or

indemnify—there is no way. The crime of murder is irreversible (unless God restores a life). God's grace can reach him, but the 'bloodguilt' has to be exacted—society and the land itself pay. The larger question would be this: is it fair to punish society and the land just to benefit an individual? God always seeks to make evil revert to good in some way, to recover some good even within a damaged social framework, but it is nothing more than a palliative—the proper solution is for society to embrace the Creator's norms. And that is what God's people should be working toward. (The case of Saul of Tarsus does not fit here because he was 'executing', obeying a higher order of the Sanhedrin.)

4. "If the maximum penalty were reinstated in Brazil, it would be applied unfairly—the poor would be executed, but the rich would always find ways to escape." It seems clear that in the current social and political context this would indeed happen; the law would be applied unevenly. And so? Is that a sufficient argument for continuing with the disastrous situation as it is? It seems obvious to me that we will have to fight on several fronts at the same time. Among them we have to work towards an incorruptible judiciary. However, any decrease in the 'bloodguilt' that plagues us would be an advantage.

5. "If there is a death penalty, there is a risk of executing innocent people." Of course, there will always be risk in this life. I believe, however, that the Creator Himself will agree that it is better to err attempting to do what is right than to err by omission or even rebellion. In other words, we will reduce the 'bloodguilt' that hangs over us, because any mistakes will represent a small percentage of the total number of executions. And I wonder to what extent God will punish a sincere mistake; that is to say, when society, wanting to obey the Creator, executes a supposed murderer unjustly.

6. "The death penalty does not resolve the causes of murder, such as social injustice, etc." Perhaps this is the argument most read and heard on our subject. It reflects humanist/relativist/materialist, rather than biblical, presuppositions. It is preached that the individual is fatally a product of his context, and therefore has no personal responsibility—it is society's fault. But the Creator strongly disagrees with this view. The human being is created with conscience, with will, with choice; he is not an animal, he is not a robot—he can overcome his context. Each individual is personally responsible for his actions, which is why there will be an Accounting. We should certainly strive to correct social injustices, but none of that takes care of 'bloodguilt'.

### **Conclusion**

'Life penalty' — this is what we are experiencing in Brazil today, since we are part of a society that is under the wrath of the Creator. And we evangelicals are to blame for that. We have not been 'salt' or 'light'; we agree with the humanist values of society, instead of denouncing them. Let us work to undo the damage. Better late than

never! Let us publicly promote biblical values, consciously and coherently. Let us raise the prophetic voice of those who are fully committed to Jesus Christ, His Word and His Kingdom, whatever the cost. Who knows, maybe God will grant us to transform the society so He can heal our land (2 Chronicles 7:14). But if even God's people do not want to "turn from their wicked ways", then there is no hope. Our land is doomed!