

**Why I Oppose the Death Penalty: “The Talking Place: Discussing the Death Penalty”
Forum on the Death Penalty, Fairbanks Alaska, March 22, 1997**

[NOTE: I was invited to dialogue with Dr. Richard Land of (since) “The Ethics and Religious Liberty Commission” of the Southern Baptist Convention. The dialogue was organized by the Presbyterian Church in Alaska, and took place March 22, 1997 at the University of Alaska Fairbanks. It was teleconferenced throughout Alaska including into the Juneau legislature, and also translated simultaneously for the deaf. Questions were posed from the university audience and from the teleconferencing sites. There is a professionally produced video of the exchange, available upon request to me. Part I permitted a statement of my opposition to capital punishment. Part II dealt with specific biblical texts used erroneously, I argued, in defence of capital punishment. Dr. Land, sadly, went on to become one of the most outspoken American evangelical voices in support of the War on Terror. See: [“Land Letter”](#).

When I was initially invited, it was to a “debate”. I refused to attend. I said that a debate reflects a “winners” and “losers” mentality that is of little use except possibly as entertainment. But I said I would take part if it was a “dialogue”. The event eventually was called “To the Talking Place”, based on a local aboriginal tradition of the entire community coming to “the talking place” to work out differences respectfully and communally. It involved a morning pre-session by a Religious Studies professor at the University on how to read the Bible. The dialogue was moderated by a local radio host. It was highly tasteful and respectful.

Afterwards, Dr. Land shared with me that he was seventh generation Texan. That growing up white in that state meant profound “unlearning” on racial issues alone. That when his then 18-year old son, a top university American football draft pick that year as I recall, discussed the “dirty little war” in Vietnam, Dr. Land told me that, contrary to his Southern Baptist preacher-father, he informed his son that if America otherwise was caught up in another war of that sort, he was duty-bound to burn his draft card! (Dr. Land’s father had warned he would be disowned if he ever burned his draft card during the Vietnam War.) That Land in this light could ever have written such an incredibly “anti-Christ” missive as the “Land Letter”¹, shows the continued truth of Jeremiah 17:9, and of our own desperate

¹ The first comment on the ([“Land Letter”](#)) page is the following:
[1 ON APR 9, 2007, AT 10:02PM, STEVE HAYS WROTE:](#)

Does Dr. Land have plans to apologize for this false and unChristlike guidance? First, it seems strange for people who claim to be Biblical to appeal to Augustine and later writers for principles of behavior—since there was apparently no New Testament basis for such an argument. Second, the most fundamental assumption of this argument—that the invasion of Iraq was necessary to defend the US—turned out to be entirely false. Consequently, even by 4th/5th century standards this argument falls apart. Dr. Land and the Ethics ... Commission(!) of the Southern Baptist Convention endorsed an invasion as “just war” which was not “just war.” Dr. Land has left the church with blood on its hands. Will it take the SBC as long to repent of this stance as it took it to repent of its position on civil rights?

*need for “truth-telling” challenges throughout our lives. John Alexander observed in **Your Money or Your Life** that **it is the rarest fundamentalist who believes that the inspiration of Scripture actually extends to the words of Jesus...** So it seemed borne out once again in the life of Dr. Land.*

*Or as Douglas Frank warned in his sweeping historical/sociological/theological study of American Evangelicalism as it merged into the 20th century, entitled **Less Than Conquerors**:*

Whether in auspicious or declining times, as we have seen, we [Evangelicals] display a tenacious commitment to self-deceit. It is true that we are those who like to think we heed Jeremiah’s words, ‘Blessed is the man who trusts in the Lord.’ Our history, however, gives evidence of Jeremiah’s wisdom in adding these words: ‘The heart is deceitful above all things, and desperately corrupt; who can understand it?’ (Jer. 17:7, 9). In our very protests of trust in the Lord, we find occasion for our deepest self-deceits (p. 278).

My response to Dr. Land after hearing of his change of view in relation to Blacks, in relation to the Vietnam War, was: perhaps it was time to change “now” about the death penalty.

Sadly, Dr. Land’s “teachable moment” was seemingly entirely lost (except in his private thoughts?), and he only subsequently entrenched further in the great triple Christian West heresies of “just war”, “just deserts”, and “just hell” of eternal conscious torment. A personal letter to him in response to the “Land Letter” went unacknowledged, unanswered. There is none so blind as they who will not see. (For us all a sobering spiritual truth repeatedly on the lips of the prophets, of Jesus!)]

Part I

A. Introduction

I have come to participate in this forum today with some reluctance. On principle I am opposed to “debates”, since they already presuppose a winner and a loser. As I understand the Bible, Jesus draws a circle, and invites us to do the same, large enough to invite everyone into it, no exceptions, no losers. Even when he was at his harshest in condemnation of the Pharisees, Jesus still had a Nicodemus and a Joseph of Arimathea knowing he was nonetheless reaching out to them. I am pleased therefore that this is preferably called a “dialogue” today. Yet it cannot help but be set up as two opposing sides kind of “going after each other”.

Sincerely in Christ,
Steve Hays

I guess that is unavoidable on any issue that has such life and death implications as the death penalty.

B. *Biblical Hermeneutics and the Picture of God*

I was raised in the Church. My parents both came from other denominational backgrounds into the “denomination” in which I was raised, the *Plymouth Brethren*. If you know anything about that tradition, the Bible was kind of drilled into us. One Church historian refers to my tradition as “quintessentially fundamentalist”, in part because of its emphasis upon the Bible as the “Supreme Authority”. Some refer to this approach to the Bible as believing in a “paper Pope”.

Will Campbell, a Southern Baptist preacher and writer, tells the humorous story of a man who came to his door one day to share his faith. Campbell let him go on for a time, not revealing that he was a Christian pastor, and a Southern Baptist like his visitor. The man at the door mentioned that he believed in the Bible, 100%. Campbell quizzed him closely on that to be sure he had heard correctly. When he repeated his statement, Campbell ceremoniously walked over to his coatrack, picked up his coat, and said to the man: “Sir, I’ve been just looking for someone like you! Come along with me right now! Let’s go!

For doesn’t Jesus say somewhere in that Bible of yours that he has come to *set the prisoners free*? Well sir, there is a prison just a few miles from here, and I want you to come with me right now to knock on the front gates, and in the name of Jesus declare with me: ‘We have come to set your prisoners free!’ “

The man was horrified and said back to Campbell: “When Jesus said that, he meant spiritually not physically....”

“Don’t you go doin’ any fancy exegetin’ on me!” Campbell shot back with a twinkle in his eye. “You say you take the Bible to be literally true. The Bible says that Jesus came to set the prisoners free, and I say that we ought to act on it right now! Further, I understand there are at least 15 million Southern Baptists like you in America who believe in taking Jesus and the Bible literally. I want you to help me mount a campaign all across America to ‘set our prisoners free!....’ “

That would-be door-to-door evangelist that day got more than he had bargained for.

The point of the story according to Campbell is: we all interpret our Bibles. And we are therefore in an immediate dilemma about *how* to understand them. The fancy word for the “how” is *hermeneutics*.

1. *Story of the Photographer and the Dark Blotches*

An unusual picture was once circulated around our Church when I was a kid. I remember it well. The brief notation below the picture explained that a man had been travelling along the highway after a pristine snowfall sparkled its brightness everywhere under a glorious

sun. At one point he stopped, and noticed an unusual play of shadow against the backdrop of the freshly fallen snow. Being an amateur photographer with his own dark room, he took out his camera and snapped a few pictures of the strange phenomenon. He was astounded when, upon developing them, one in particular displayed an amazing likeness to the traditional artists' depictions of the face of Jesus. We all were invited to see what he saw.

What I saw first however, as did most, were dark blotches against a snow-white background. There was no face of any kind to see. Except there was!

It took some doing, some adjusting, but finally I got it! I saw the face too!

Then, what was fascinating after that was, no matter how I looked at the picture, sideways glance, upside down, back to front even when held against a clear window, I never failed immediately to recognize the face of Jesus in that photo.

We all know this phenomenon.

But some never did see the face. Their eyes simply never adjusted. They even doubted that we who saw really "saw".

Theology means literally, a word, or words about God. What theology really is concerning is creating for us, the believer, an accurate *word-picture* of God's face. Now I'm not an artist, unfortunately. Still, my task at the outset is to draw a picture of God's face for you, to ask if this fits Scripture, tradition, and your experience.

Unfortunately, there are no artists' drawings of the real face of Jesus that have come down to us. So we have to discover the face of Jesus, and thereby the face of God, we Christians say, somehow in the written word - the Bible. The data of Scripture, in ongoing dialogue with Christians' interpretations through the ages and our faith community's understandings today all help us throughout our lives to form an ever sharper image of God.

Once an editor (in his 50's) of a theological piece I had written and was publishing said to me as the task was completed: "I have never been able to shake a picture of God I have had since my childhood. That picture is one of a God who is stern, harsh, totally demanding, punitive, a 'Hangin' Judge' ready to condemn me severely for anything I do wrong, and likely to relegate me to hellfire should I ever so slightly step out of line." He was a Christian, to be sure, and a faithful church-goer, he acknowledged, but he wasn't entirely sure that spending an eternity with such a "god" would not be more like his understanding of hell!

The dilemma we are in can be put as an analogy. The Bible is like a monstrous jigsaw puzzle, with a vast number of individual pieces to it. It's in fact the Ultimate Cosmic Jigsaw Puzzle, we Christians believe! I have seen once in my life the kind of jigsaw puzzle I am comparing the Bible to: one with identically shaped pieces. In the puzzle I saw, they were all squares. Now, it was a daunting enough task to put the puzzle together that I saw

with the original box and the picture on it. Try doing an identically shaped pieces jigsaw puzzle sometime! But what if there were rival box cover pictures, and debate about which was the authentic one?

I am suggesting that the biblical data is precisely like that kind of jigsaw puzzle with identically shaped pieces. I'm suggesting further that we would have no hope of putting it together at all were it not for the face of Jesus we discover in the New Testament revelation, which becomes for us the ultimate picture of the face of God. I am suggesting that all other box covers than that of Jesus as seen in the New Testament revelation, are inadequate or wrong. But I'm suggesting further that it is nonetheless difficult to see the face of Jesus properly. For some they "see", but all that is seen are dark blotches. And I think that one in that case does not really "see". Piece together the jigsaw puzzle when one only sees dark blotches, and one's picture of God will turn out entirely differently from doing it with the face of Jesus seen aright!

What do the biblical texts say:?

1 Jn 1:1-7

1 That which was from the beginning, which we have heard, which we have seen with our eyes, which we have looked at and our hands have touched-- this we proclaim concerning the Word of life.

2 The life appeared; we have seen it and testify to it, and we proclaim to you the eternal life, which was with the Father and has appeared to us.

3 We proclaim to you what we have seen and heard, so that you also may have fellowship with us. And our fellowship is with the Father and with his Son, Jesus Christ. 4 We write this to make our joy complete.

5 This is the message we have heard from him and declare to you: God is light; in him there is no darkness at all.

6 If we claim to have fellowship with him yet walk in the darkness, we lie and do not live by the truth.

7 But if we walk in the light, as he is in the light, we have fellowship with one another, and the blood of Jesus, his Son, purifies us from all sin. (NIV)

The biblical text allows that we may in fact only see dark blotches - "walk in darkness" even when we profess Christ.

John 1:1-5

1 In the beginning was the Word, and the Word was with God, and the Word was God.

2 He was with God in the beginning.

3 Through him all things were made; without him nothing was made that has been made.

4 In him was life, and that life was the light of men.

5 The light shines in the darkness, but the darkness has not understood it. (NIV)
Again, however, we may look, but only see darkness, dark blotches.

.....

John 1:14-18

- 14 The Word became flesh and made his dwelling among us. We have seen his glory, the glory of the One and Only, who came from the Father, full of grace and truth.
- 15 John testifies concerning him. He cries out, saying, “This was he of whom I said, ‘He who comes after me has surpassed me because he was before me.’”
- 16 From the fullness of his grace we have all received one blessing after another.
- 17 For the law was given through Moses; grace and truth came through Jesus Christ.
- 18 No one has ever seen God, but God the One and Only, who is at the Father’s side, has made him known. (NIV) Jesus is the face of God to us.

Heb 1:1-3

- 1 In the past God spoke to our forefathers through the prophets at many times and in various ways,
- 2 but in these last days he has spoken to us by his Son, whom he appointed heir of all things, and through whom he made the universe.
- 3 The Son is the radiance of God’s glory and the exact representation of his being, sustaining all things by his powerful word. After he had provided purification for sins, he sat down at the right hand of the Majesty in heaven. (NIV)
- God spoke in various ways once, but definitively in Jesus.

Heb 12:1-2

- 1 Therefore, since we are surrounded by such a great cloud of witnesses, let us throw off everything that hinders and the sin that so easily entangles, and let us run with perseverance the race marked out for us.
- 2 Let us fix our eyes on Jesus, the author and perfecter of our faith, who for the joy set before him endured the cross, scorning its shame, and sat down at the right hand of the throne of God. (NIV)
- Jesus is the Centre of our faith. No one, nothing, else!

What do all these texts say? A few key points:

1. Faith is all about “seeing” Jesus aright. No dark blotches on white, for we are called out of darkness into the light.
2. The Ultimate Picture of God is none other than the face of Jesus. To fill that out: when Jesus teaches something, exemplifies it in the Gospel texts, then at least one New Testament writer seems to reflect that theological understanding (remember, *theology* is all about a word-picture of God), we ought to sit up, take notice, and work on living out the truth of it. Now I was raised that way, as were many of you. And I still am trying to live out my Christian life according to that understanding.
3. If Jesus is the final, the ultimate picture of God, we need to be especially attentive to how that picture appears. We also need to be prepared to put the highly complex biblical jigsaw picture together according to the picture of Jesus as he teaches us about the picture of God. For that is what the whole enterprise of Bible interpretation is finally about: *seeing the face of God*. That’s what we want to see emerge everytime we approach our Bibles. And, (Matt 5:8) “ Blessed are the pure in heart, for they will see God.” (NIV)

But what then if we put the pieces together incorrectly? How are we to know? By looking again at the face of Jesus. And what if in our dealing with all the data of the Bible we see at times other pictures of God seemingly in tension, perhaps in contradiction of the picture of God in Jesus, what are we to do? We are to look again at the face of Jesus. And what if, in putting that jigsaw puzzle together, we discover that the image of God emerging challenges our long-held beliefs - even Christian beliefs - about how God is, and how we are to act in light of how we think God is? We are to look again at the face of Jesus, and still follow him, even when no one else will, and we perhaps walk alone/

For we are *Christians*, not mosaic lawyers. We are *Christians* of the New Covenant, not God's people of the Old Covenant. We are *Christians*, who take our cue from following Jesus when he said repeatedly in the Sermon on the Mount: "You have heard it said... but I say unto you.", and of whom our text says: "The Law was given through Moses, grace and truth through Jesus Christ (John 1:17)".

My dad was a lay preacher in our Plymouth Brethren tradition and a longstanding elder in our home assembly. Do you know what his favourite Bible verse was? It was of course in the King James version, and it went like this:

1 Sam 15:22

Behold, to obey is better than sacrifice, and to hearken than the fat of rams. (KJV)

In the New International version, it reads:

1 Sam 15:22

To obey is better than sacrifice, and to heed is better than the fat of rams. (NIV)

Do you know what the context of that favourite verse is? It comes from I Samuel chapter 15. Samuel, the man of God, the prophet of Israel, says to King Saul in verses two and three:

1 Sam 15:2-3

2 This is what the LORD Almighty says: 'I will punish the Amalekites for what they did to Israel when they waylaid them as they came up from Egypt. [One could add, several centuries earlier!]

3 Now go, attack the Amalekites and totally destroy everything that belongs to them. Do not spare them; put to death men and women, children and infants, cattle and sheep, camels and donkeys.'" (NIV)

We have two words for that policy today: "genocide" and "scorched earth". Now the text throughout I Samuel makes it very clear that Samuel is the prophet of God, and as such, speaks the word of God to the people of Israel. There is no hint in this text that there is any problem with Samuel's repeated declarations, "This is what the LORD Almighty says:..." So the text goes on with the story:

1 Sam 15:8-11

8 [Saul] took Agag king of the Amalekites alive, and all his people he totally destroyed with the sword.

9 But Saul and the army spared Agag and the best of the sheep and cattle, the fat calves and lambs-- everything that was good. These they were unwilling to destroy completely, but everything that was despised and weak they totally destroyed.

10 Then the word of the LORD came to Samuel:

11 "I am grieved that I have made Saul king, because he has turned away from me and has not carried out my instructions." Samuel was troubled, and he cried out to the LORD all that night. (NIV)

Now listen to the *dénouement* of the rest of the story:

1 Sam 15:13-35

13 When Samuel reached him, Saul said, "The LORD bless you! I have carried out the LORD's instructions."

14 But Samuel said, "What then is this bleating of sheep in my ears? What is this lowing of cattle that I hear?"

15 Saul answered, "The soldiers brought them from the Amalekites; they spared the best of the sheep and cattle to sacrifice to the LORD your God, but we totally destroyed the rest."

16 "Stop!" Samuel said to Saul. "Let me tell you what the LORD said to me last night." "Tell me," Saul replied.

17 Samuel said, "Although you were once small in your own eyes, did you not become the head of the tribes of Israel? The LORD anointed you king over Israel. 18

And he sent you on a mission, saying, 'Go and completely destroy those wicked people, the Amalekites; make war on them until you have wiped them out.'

19 Why did you not obey the LORD? Why did you pounce on the plunder and do evil in the eyes of the LORD?"

20 "But I did obey the LORD," Saul said. "I went on the mission the LORD assigned me. I completely destroyed the Amalekites and brought back Agag their king.

21 The soldiers took sheep and cattle from the plunder, the best of what was devoted to God, in order to sacrifice them to the LORD your God at Gilgal."

22 But Samuel replied: "Does the LORD delight in burnt offerings and sacrifices as much as in obeying the voice of the LORD? To obey is better than sacrifice, and to heed is better than the fat of rams.

23 For rebellion is like the sin of divination, and arrogance like the evil of idolatry. Because you have rejected the word of the LORD, he has rejected you as king." 24

Then Saul said to Samuel, "I have sinned. I violated the LORD's command and your instructions. I was afraid of the people and so I gave in to them.

25 Now I beg you, forgive my sin and come back with me, so that I may worship the LORD."

26 But Samuel said to him, "I will not go back with you. You have rejected the word of the LORD, and the LORD has rejected you as king over Israel!"

27 As Samuel turned to leave, Saul caught hold of the hem of his robe, and it tore. 28

Samuel said to him, "The LORD has torn the kingdom of Israel from you today and has given it to one of your neighbors-- to one better than you.

29 He who is the Glory of Israel does not lie or change his mind; for he is not a man, that he should change his mind."

30 Saul replied, "I have sinned. But please honor me before the elders of my people and before Israel; come back with me, so that I may worship the LORD your God." 31 So Samuel went back with Saul, and Saul worshiped the LORD.

32 Then Samuel said, "Bring me Agag king of the Amalekites." Agag came to him confidently, thinking, "Surely the bitterness of death is past."

33 But Samuel said, "As your sword has made women childless, so will your mother be childless among women." And Samuel put Agag to death before the LORD at Gilgal.

34 Then Samuel left for Ramah, but Saul went up to his home in Gibeah of Saul. 35 Until the day Samuel died, he did not go to see Saul again, though Samuel mourned for him. And the LORD was grieved that he had made Saul king over Israel. (NIV)

The NIV text says: "And Samuel put Agag to death before the LORD at Gilgal." Those translators were a bit squeamish. The KJV rightly reflects the Hebrew verb used here when it reads: (1 Sam 15:33) "And Samuel hewed Agag in pieces before the LORD in Gilgal."

So the context for my father's favourite verse about how important it is to obey the LORD at all costs is a story of genocide, unforgiveness (of Saul and King Agag), pure revenge of the kind Lamech boasted about in Gen. 4 when he said: (Gen 4:23-24): "... listen to me; wives of Lamech, hear my words. I have killed a man for wounding me, a young man for injuring me. If Cain is avenged seven times, then Lamech seventy-seven times." (NIV) all in the name of the LORD, and a savage slaughter of a King, when Samuel, the man of God, hacks Agag into little bits, gloating over him as he does about avenging for all the mothers Agag has rendered childless.

A simple question: Does the picture of God that emerges here or in other parts of the books of Samuel jive with the picture of God in Jesus, who wept over a whole people for their sinning, who said: "Father forgive them" about the people killing him wrongly, who absolutely forbade all revenge, and who healed the ear of a servant helping to arrest and kill him when a sword hacked that body piece off!? So what do you do with this text and many other, what one author dubs "texts of terror", throughout the Old Testament?

Now I ask: when my father read that favourite verse in context, what kind of scissors-and-paste exercise do you suppose he was going through to square that text with *his* Christian understanding? For my father was a forgiving, caring, compassionate man, who believed he was that way out of allegiance to Jesus.

I suggest that my father had, all through his life, the right *intuitive* sense about putting the revelation of Jesus first, while he had an inadequate theology of revelation that treated the Bible as a *flat book* into which one could dip anywhere, and come up with an accurate picture of God. Whatever else, I suggest to you that the picture of God in I Samuel is a flawed picture, though no less part of God's revelation. And I suggest that Jesus alone can supply the corrective to all images of God that are incomplete, flawed, or are simply dark

blotches against the white of the full revelation of God in the face of Jesus Christ. What does the Apostle Paul say about our seeing Jesus' face properly?:

2 Cor 4:4-6

4 The god of this age has blinded the minds of unbelievers, so that they cannot see the light of the gospel of the glory of Christ, who is the image of God.

5 For we do not preach ourselves, but Jesus Christ as Lord, and ourselves as your servants for Jesus' sake.

6 For God, who said, "Let light shine out of darkness," made his light shine in our hearts to give us the light of the knowledge of the glory of God in the face of Christ. (NIV)

I suggest then, that there is only one way to see "the light of the knowledge of the glory of God", and that is "in the face of Christ." While I affirm that (2 Tim 3:16-17) "All Scripture is God-breathed and is useful for teaching, rebuking, correcting and training in righteousness,

so that the man of God may be thoroughly equipped for every good work.", we also must know how to "[handle correctly] the word of truth (II Tim. 2:15)". How to do that, I am suggesting, is for us so to gaze into the face of Jesus (the text says in Heb 12:2 "Let us fix our eyes on Jesus, the author and perfecter of our faith, who for the joy set before him endured the cross, scorning its shame, and sat down at the right hand of the throne of God."), that we will ultimately see God the clearest we can ever hope to see this side of death.

I suggest that the longer we gaze at Jesus, the better we will understand all Scripture, "and so, somehow, ... attain to the resurrection from the dead (Phil 3:11)." - somehow learn to see God aright. What does Jesus say?: (Matt 5:8) "Blessed are the pure in heart, *for they will see God.*" How do we achieve purity of heart? By staring into the face of Jesus. What does that mean, "gazing at Jesus"? Paul offers a succinct distillation of how to "gaze at Jesus" in the ethical section of his letter to the Romans when he says:

Rom 12:9-21

9 Love must be sincere. Hate what is evil; cling to what is good.

10 Be devoted to one another in brotherly love. Honor one another above yourselves.

11 Never be lacking in zeal, but keep your spiritual fervor, serving the Lord.

12 Be joyful in hope, patient in affliction, faithful in prayer.

13 Share with God's people who are in need. Practice hospitality. 14 Bless those who persecute you; bless and do not curse.

15 Rejoice with those who rejoice; mourn with those who mourn.

16 Live in harmony with one another. Do not be proud, but be willing to associate with people of low position. Do not be conceited.

17 Do not repay anyone evil for evil. Be careful to do what is right in the eyes of everybody.

18 If it is possible, as far as it depends on you, live at peace with everyone.

19 Do not take revenge, my friends, but leave room for God's wrath, for it is written: "It is mine to avenge; I will repay," says the Lord.

- 20 On the contrary: “If your enemy is hungry, feed him; if he is thirsty, give him something to drink. In doing this, you will heap burning coals on his head.” 21
Do not be overcome by evil, but overcome evil with good.

Now beware in reading this text! There is a centuries old view that we can somehow take Jesus seriously on the personal level, and for instance, not seek revenge, but then there is another level, that of the state, where we may do so after all! Let me say with all the force I can muster:

That is not a biblical view! There is simply nowhere in the teachings of Jesus where a signal ever is given that there is one ethic for the individual and another for the state! Nowhere! Nor for that matter, will such a differentiation be found anywhere in the Old Testament. The view is, nonetheless a pernicious, persistent, and heretical (meaning a “false choice”) notion that the Church has had for centuries which has no warrant anywhere in the Bible whatsoever! It is as much a non-Biblical notion as the idea that what Eve actually ate was an apple, or that the central view of justice (more to the point) of the Bible is “an eye for an eye”, tit-for-tat retaliatory justice. Yet there is a widespread notion that the Genesis story tells of Eve’s eating an apple, and theologians for centuries indicated that “eye for eye” was the central biblical view of justice. Nonsense!

You do know, do you not, that no specific fruit is mentioned that Eve ate? You do know, do you not, that “eye for eye” is found only four times in the biblical texts, and then only with reference to physical injury, and then only with the meaning of compensation: *the value of an eye for an eye, etc.?* Put bluntly: *nowhere does the Old Testament text call us to an exercise in retaliatory dentistry!* You do know that alternatively, the word *shalom* and related words, meaning peacemaking, restoration, wholeness is associated with a response to wrongdoing over 300 times in the Old Testament, and that Jesus specifically contradicted the “eye for eye” interpretation in the Sermon on the Mount? We’ll get to that later.

So why is it that such a non-Biblical view should have been foisted on the churches and for centuries? Because the Church has always found it too difficult, as have most humans who have ever lived, to live out a consistent ethic of enemy love. So it has chosen a classic sleight-of-hand hermeneutical trick worthy of the best of magicians, enabling it to reinsitute for the state to do what Jesus definitively said was not to be done: *any kind of retaliation towards the enemy*. So John Stott can say that a Judge whose wife is murdered may legitimately do what the Judge as a private citizen is disallowed to do: sentence the murderer to death - i.e. bring down revenge upon the murderer’s head. And I say, *balderdash!* That is casuistry! Casuistry is defined as: “false application of principles esp. with regard to morals or law”. This is, to use the analogy, to say one is gazing intently at the face of Jesus, when after all, all one is doing is looking at a bunch of ugly blotches on the page! And there is nothing uglier than deliberately doing an end-run around Jesus’ breathtaking teaching of love of enemies to allow us to do through the state after all what Jesus has disallowed us to do categorically: destroy our enemies. For as the Rom. 13:10 text says tersely (after most interpret it a few verses earlier to be a call or a permission to destroy the enemy): “Love does no harm to its neighbor. Therefore love is the fulfillment of the law.” *And Jesus taught nothing if he did not teach that love of enemies is the specific*

extreme test case of love of neighbour. Now that succinct summary, in 15 English words, of the law dismantles all legitimization of the death penalty.

So in light of the case I'm presenting about how we are to interpret our Bibles, how can one justify beginning anywhere other than with Jesus? How can we begin, for instance, with any portion of mosaic Law, or with Genesis 9, or any other portion of the Bible that is *before* the revelation of Christ? That is not where we will find God's face most fully shown.

Let's turn now to a passage which supplies us with the fuller version of Paul's teaching in Rom. 12 & 13. Let us look into the face of God when we read:

Matt 5:38-48

- 38 "You have heard that it was said, 'Eye for eye, and tooth for tooth.' 39
But I tell you, Do not resist an evil person. If someone strikes you on the right cheek, turn to him the other also.
- 40 And if someone wants to sue you and take your tunic, let him have your cloak as well.
- 41 If someone forces you to go one mile, go with him two miles.
- 42 Give to the one who asks you, and do not turn away from the one who wants to borrow from you.
- 43 "You have heard that it was said, 'Love your neighbor and hate your enemy.'
44 But I tell you: Love your enemies and pray for those who persecute you, 45
that you may be sons of your Father in heaven. He causes his sun to rise on the evil and the good, and sends rain on the righteous and the unrighteous.
- 46 If you love those who love you, what reward will you get? Are not even the tax collectors doing that?
- 47 And if you greet only your brothers, what are you doing more than others? Do not even pagans do that?
- 48 Be perfect, therefore, as your heavenly Father is perfect. (NIV) And again, the Lukan version:

Luke 6:27-38

- 27 "But I tell you who hear me: Love your enemies, do good to those who hate you,
28 bless those who curse you, pray for those who mistreat you.
- 29 If someone strikes you on one cheek, turn to him the other also. If someone takes your cloak, do not stop him from taking your tunic.
- 30 Give to everyone who asks you, and if anyone takes what belongs to you, do not demand it back.
- 31 Do to others as you would have them do to you.
- 32 "If you love those who love you, what credit is that to you? Even 'sinners' love those who love them.
- 33 And if you do good to those who are good to you, what credit is that to you? Even 'sinners' do that.
- 34 And if you lend to those from whom you expect repayment, what credit is that to you? Even 'sinners' lend to 'sinners,' expecting to be repaid in full.

- 35 But love your enemies, do good to them, and lend to them without expecting to get anything back. Then your reward will be great, and you will be sons of the Most High, because he is kind to the ungrateful and wicked. 36 Be merciful, just as your Father is merciful.
- 37 “Do not judge, and you will not be judged. Do not condemn, and you will not be condemned. Forgive, and you will be forgiven.
- 38 Give, and it will be given to you. A good measure, pressed down, shaken together and running over, will be poured into your lap. For with the measure you use, it will be measured to you.” (NIV)

I think we are not human, nor honest, if we do not admit to the temptation to take scissors and paste to these teachings of Jesus! Ouch! we all say. No wonder the Church has hidden for centuries behind a biblically unfounded two-tiered ethics that discerns one ethic for the individual and another for the state. How conveniently an end-run can be done around Jesus to allow us to resort to all the violence we want under the guise of the state! So Jesus himself would say: (Matt 23:23) “But you have neglected the more important matters of the law-- justice, mercy and faithfulness.” (NIV) And again: (Matt 23:31-32) “So you testify against yourselves that you are the descendants of those who murdered the prophets. Fill up, then, the measure of the sin of your forefathers!” (NIV) Pharisaism turns, ultimately, upon a justification of violence. Jesus says no to violence, instructing Peter, for instance to put up his sword, whereby, Church Father Tertullian indicates, Jesus disarmed the Church forever. *Except the Church did not accept Jesus’ ethics, and instead it picked up, or at minimum, blessed the sword, and so in the main, an anti-Christian ethic has dominated the Christian Church since the era of Constantine.*

Finally, let us see the face of God in the story of the woman caught in adultery, and of the Prodigal (recklessly extravagant) Son which should really be entitled “The Prodigal Father” - for in the end the father is more recklessly extravagant in his mercy than his son is in his folly. God’s face in Jesus forgives the woman with the challenge to sin no more. God’s face in the Prodigal Father story Jesus tells does not even let the Son get his “I’m sorry” speech out before he is overwhelmingly embraced and welcomed back to the family!

Remember what I said earlier about the rule of thumb that if Jesus taught something, exemplified it, and at least one New Testament author theologized about it, we ought to sit up and take notice?

Alright, here goes:

1. Jesus taught love of enemies in Matt. 5 and Luke 6
2. Jesus stated from the cross: “Father forgive them... (Luke 23:34)”, and Paul universalized this in Romans (3:25-26) thus: “God presented [Jesus] as a sacrifice of atonement, through faith in his blood. He did this to demonstrate his justice, because in his forbearance he had left the sins committed beforehand unpunished--he did it to demonstrate his justice at the present time, so as to be just and the one who justifies those who have faith in Jesus.” (NIV)

3. Paul in Romans 5:6 - 11 says that God in Christ showed love to us his enemies, offering reconciliation; and again in Ephesians 5:1 & 2 we are told that we are to imitate God by living a life of love as Christ offered himself in love to us his enemies.

Now I will ask you, does the picture on the box of the jigsaw puzzle called God's Word show the face of a God who in Jesus supports destruction of enemies called murderers, or does the picture on the box called the Bible show the face of a God who reaches out even to the murderers to bring them into his circle of friends?

So when Sister Helen Prejean, foremost Christian advocate against the death penalty, and author of the book, *Dead Man Walking*, and advisor to the movie by the same title, says: "Most Christians in support of the death penalty have a wrong picture of God. They see him as an angry, punitive Judge, rather than as a loving heavenly Father.", do you disagree?

If I ask you how many times it was on Jesus' lips to refer to God as Judge, and how many times he referred to God as (loving, heavenly) Father - the picture of a father Jesus painted in the story of the "Prodigal Father" - do you know the answer? To the first question the answer is: *never!* To the second question, the answer is: *171 times! - with the idea of God as "daddy", Abba, or "nurturing mother" like a mother hen, always hovering just in the background.*

Can you see why I say that our picture of God in the end determines our view of the death penalty? What loving parent demands the killing of her or his own children and remains a loving parent? If you say that is precisely what God did to his own Son, then I say your picture of God and of the atonement is wrong, and that we must turn to that the next time.

Part II

In 1986 I was asked to participate in a public forum on the death penalty organized by a community college. In Canada we knew that the issue was heating up. In fact, in 1987, there was a free vote on the matter in the House of Commons. I think you are aware that the 1976 decision to abolish the death penalty for our nation was upheld at that time.

The forum was not in a Christian context. But the Fraser Valley just east of Vancouver is known as the "Bible Belt", so the criminology instructor who organized the event, invited a Christian view on the matter to be given. I gave it as part of a panel of four to speak to the issue. The disclaimer was that of course I was only giving *a* Christian view. When the question time came, a man stood up right away with a question for Mr. Northey. He began by quoting Matt. 23:23 in the KJV: "... ye... have omitted the weightier matters of the law, **JUDGMENT!!!**" He thundered out that last word with all the gusto he could muster reminiscent of preachers who come to a point in their sermon notes where is inserted: "Weak point. Thump pulpit loudly now!" Then he proceeded with a diatribe against me and my kind for having neglected the law precisely in this way in my opposing the death penalty. If "Christian expletive" is not an oxymoron (contradiction in terms) he unleashed precisely that kind of violent vituperative invective upon me and my ilk for the next

several minutes. His strongest accusation was that I was not, as I had claimed, an evangelical, rather a Liberal of the worst kind, who could not see or accept the plain teaching of Scripture. He proceeded to call down judgment upon me, and issued a warning of dire consequences for the safety of our nation if Canada continued in its lawlessness by refusing to reinstate the death penalty. So vehement was he that I felt genuinely embarrassed as a Christian to be associated with that display of “Christian” sentiment. I realized too with a sudden chill that he apparently would have wanted the death penalty to be carried out on me for the offence of “wrongly dividing the word of truth” according to him!

When he finished, the moderator asked if I wished to respond. I indicated, as I tried to lock eyes with him, that it would perhaps be better if the two of us talked the issue over more at the end of the evening.

I looked for him immediately afterwards. But he was nowhere to be found. He had seemingly come to dump on me (if I failed to take the right position) and had no interest whatsoever in dialogue. Too often I have found amongst Christians that kind of angry, judgmental, and mean-spirited response to a NO position on the death penalty!

What I would have raised with him, had he given me the chance, is the following: *First*, he was quoting from the KJV where the Greek word, *krisis* used can have that connotation of condemnation and judgment. But it can also mean “justice” especially with reference to divine justice. In fact, most other translations use the word “justice”. By this time (Chapter 23) in the Matthew text, we know from Jesus that the Pharisees are a highly selfrighteous, judgmental lot. It is a little hard to believe that Jesus would be challenging them on their failure to show condemnation and judgment! *Second*, the text is misused if a huge exclamation mark is placed after the word, “judgment”. In the KJV, the text says actually: “ye... have omitted the weightier matters of the law, judgment, mercy and faith.” There is already a hint of a continuum or even a parallelism here, that argues against the sense of this statement to mean “judgment” in the way my accuser meant it. Jesus is quoting from Micah 6:8, which often is considered to be the high water expression of Old Testament spirituality. Here is what the passage says in the KJV:

Micah 6:8

8 He hath shewed thee, O man, what is good; and what doth the LORD require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?

The passage follows a specific disavowal of mountains of sacrifice, in favour of “justice, mercy, and faithfulness”. It precedes God’s castigating his people for their failure to treat others justly, compassionately, mercifully, caringly. Twice already in Matthew’s Gospel (9:13, 12:7), Jesus says explicitly: “I desire mercy, not sacrifice” with reference to God’s way, God’s “face”. The Gospel is nothing if it is not about a dismantling of the very scapegoating mechanism to be found in all cultures and all times that lead in fact to putting Jesus upon the Cross! The Gospel is nothing, in other words, if it is not about denying capital punishment! The terse statement of Jesus about desiring “mercy, not sacrifice”, slightly more fully reiterated here with reference to the Micah 6 text, is in fact the death knell of the death penalty! *Third*, one could not therefore have chosen a better passage to put the point home that true spirituality sees a face of God that is simply opposite to the

face showed that night by such an angry diatribe, a face that rules out capital punishment. It is a face that (Matt. 5:45) “Causes his sun to rise on the evil and the good”, that (Luke 6:35) is “kind to the ungrateful and wicked”, that says (Ezek 33:11) “ ‘As surely as I live, ... I take no pleasure in the death of the wicked, but rather that they turn from their ways and live. Turn! Turn from your evil ways! Why will you die, O house of Israel?’ “ (NIV)

The Atonement

How can one, in just a few minutes, touch upon a biblical teaching, the atonement, that has induced the outpouring of rivers of ink and the felling of a forest or two to wrestle with its expression, ever since Anselm in the 11th century attempted the first systematic treatment of the subject in a famous treatise, *Cur Deus Homo* -Why God Became Man? But I will raise briefly the doctrine of the atonement - how we understand the significance of Christ’s death on the Cross - to look at the whole dynamic of “scapegoating” and the Gospel’s response to it.

Last Fall while serving on a panel at a conference on the work I do, “Restorative Justice”, I saw a man vigorously wave his head in affirmation as I alluded to the work of literary critic and anthropologist, René Girard. I knew who the person was, and talked to him afterwards. He is a Mennonite professor of many years’ counselling experience, and author of several books. His name is David Augsburg. He was an avid reader of René Girard, and of several authors inspired by his work spanning three decades on the origins of violence in human cultures. David Augsburg said this to me in our brief discussion: “I knew for years in my counselling that the punitive ideas of the traditional view of the atonement did not work. But it took my reading of Girard to grasp theologically why that was the case.”

If anyone is familiar with Girard’s writings, or with the annual international conference of interdisciplinary and inter- and non-faith scholars he has inspired, entitled “Colloquium on Violence and Religion”, you will know that it is ludicrous to do justice to the enormous volume of writing Girard and his theories have generated. Years ago, Jacques Ellul, the now-deceased famed French ethicist, indicated that Girard would never attract attention of biblical theologians because of his non-systematic and non-sacrificial reading of the Bible. But he was wrong. Several theological works alone have been produced, engaging Girard’s cultural theories of scapegoating. And there is a growing body of literary and social sciences literature too.

Girard began developing his scapegoating theory while studying literature. I will not attempt to summarize some of his key understandings about concepts such as “mimetic desire”, violence, the scapegoat, the scapegoat mechanism, etc. Girard eventually turned his attention to the Bible. Not only did he renew his own childhood faith commitment at this time, but he began to perceive the astounding relevance of the Bible to his own study of violence. In his own words:

“The Bible was the first to replace the scapegoat structure of mythology with a scapegoat theme that reveals the lie of mythology (“Discussion”, p. 118).” And again: “I certainly do not believe that the Bible gives us a political recipe for escaping violence and turning the

world into utopia. Rather, the Bible discloses certain truths about violence, which the readers are free to use as they see fit. So it is possible that the Bible can make many people more violent... Religious truth and social usefulness do not necessarily go hand in hand... In the Hebrew Bible, there is clearly a dynamic that moves in the direction of the rehabilitation of the victims, but it is not a cut and dried thing. Rather, it is a process under way, a text in travail... a struggle that advances and retreats. I see the Gospels as the climactic achievement of the trend, and therefore *as the essential text in the cultural upheaval of the modern world* (Robert G. Hamerton-Kelly, ed., *Violent Origins*, Stanford: Stanford University Press, 1987, p. 140 - 141 - italics added).” The “lie of mythology”, according to Girard, is *the legitimization of officially sanctioned violence by any culture and all cultures, by any state and all states.*

We have in Canada an organization called. C.A.V.E.A.T. It stands for “Canadians Against Violence Everywhere Advocating its Termination”. If only! In fact, it is a victims rights group, advocating anything but the “termination” of violence! On the contrary, it advocates full recourse to violence in the **extermination** of all who commit violent crime, and it supports the return of the death penalty! Do you see? No culture has ever really been against violence. Our Western culture not the least! On the contrary, we fully legitimize violence!

I participated last week in a conference that attracted 300 delegates to discuss the Restorative Justice work we do. It was organized by the British Columbia Youth Police Network. One word in there - “Police” - should already give a hint of where I am going with this. The theme of the conference was: “Youth Taking a Stand Against Violence”. Now how do the police in all our Western cultures - and especially in the U.S. - deal with violence? By resort to violence! I believe the statistic is that fully one third of American prime time TV is about “cop shows” using violence against violence. They call it “crime time”. Our culture is fascinated not only with illicit violence, but with legitimized violence. Only think of *Rambo* and whose favourite movie that was..... A former actor/President loved it! Why?!

Further, guess where this conference was held? At the Canadian Forces Base in Chilliwack, B.C. The army hosted a conference organized by the police that was looking at how to curb violence in society. Yet, *these are precisely the two institutions in Canada which are legitimized to use violence!* And how is one going to talk at such a conference about stopping *that* violence?

In the 1987 campaign we held in Canada against the death penalty, a very simple and effective slogan was used, impossible of refutation: “Why kill people who kill people to show that killing people is wrong?” It could be stated more generically to the issue of violence: “Why do violence to people who do violence to people to show that doing violence to people is wrong?” Now the great irony is this: secular people get the logic on first blush - even if they do nothing about it! *But Christians have been brainwashed for so many centuries to believe that there nonetheless is a biblical differentiation between personal and state violence!., It is Christians, with absolutely no biblical basis whatsoever,*

who most continue to hold out for the legitimacy of state violence, of state scapegoating, of state sacrifice of others, despite the Gospel revelation to the contrary!

According to Girard, and to many biblical interpreters who read the Bible in light of Girard's insights about cultural and state legitimizations of scapegoating violence, *Jesus' death is the only place in world literature that gives the lie to state-sanctioned, societysanctioned violence!* For in the story of Jesus we see the unmasking of the legitimization of religious and state violence. It promises to liberate from the myth of sanctioned violence. In the very convergence of the best religious tradition the world then knew, Judaism, and the best legal system the world had seen to date, Roman law, to kill the "Prince of Glory", the Gospel story is a profound delegitimization of religious and state sanctioned violence! *In fact, the Gospel revelation in its political implication is nothing if it is not the bold refutation of legitimate state violence.* As Girard says: "Jesus dies to put an end to sacrificial behaviour [by the state]; he does not die to strengthen closed communities through sacrifice, but to dissolve them through its elimination (quoted in Agnew, Mary Barbara. "A Transformation of Sacrifice: An Application of Rene Girard's Theory of Culture and Religion.", *Worship* 61 (1987): 493-509., p. 500)."

So Girard makes a bold interpretative move of the significance of the death of Christ on the cross, of the Atonement, one that is startling yet rings true to the biblical data, to the picture of Jesus, and to the picture of God on the jigsaw box cover: *He says that Jesus is not "the Lamb of God who takes away the sin of the world" because God is the ultimate child abuser on a cosmic scale who demands blood sacrifice of his very own Son for humanity's wrongs! No, Jesus is the scapegoat alright, but because all culture in all times, all states, all governments, legitimize sacrificial violence. Girard says that Jesus' death on the Cross as the Lamb of God is the signal for the unravelling of the legitimization of religious and state violence; it is the unmasking of a societal scapegoating mechanism that in the end always resorts to violence; it is the beginning of an anthropological revolution in consciousness that two millennia later, wherever the Jesus Story has taken root in various cultures, has elevated the victim of societal violence to a status unprecedented in the entire history of the world.* He says therefore: "When the death of Jesus is presented as [legitimate] sacrifice its real significance is lost.... (quoted in Agnew, *ibid*, p. 500)." If God intended Jesus to be sacrificed, then we are right back to the old scapegoating mechanism of all cultures for all time. But the breathtaking Gospel revelation is the denial of the sacrificial mechanism through Jesus' willingness to be sacrificed - *but only as demonstration that this indeed is the "political logic" of all who consistently would lead lives opposed to sacrificial violence! They do get crucified!* - in all cultures whose hidden basis is still scapegoating violence. Biblically, the *anthropological* (how one understands being human) significance of Jesus therefore is a definitive NO to all violence across the entire spectrum of personal and state devotion to it. Jesus offers the world a new community based upon reconciliation, justice, love, and forgiveness. And he invites everyone to join that new community, that new humanity, to demonstrate such unity to the world that they will know, *just know*, that God is real. This is the first principle of mission strategy, the ultimate way to do evangelism, as enunciated by Jesus in the so-called high priestly prayer of Jesus in John 17, (John 17:21): "that all of them may be one, Father, just as you are in me and I am in you. May they also be in us so that the world may believe that

you have sent me.” (NIV) The Church, in other words, is called to be *now*, what the world is meant to become *then* - the Peaceable Kingdom where the lion lies down with the lamb, and violence is no more. *The Church therefore has no business endorsing violence now, when the world will not know it then! The Church is already to live out the reality of Kingdom come, though it is not yet fully realized within history (to say the least!) The Church must say no to the death penalty therefore, and all other ways of legitimate violence.*

An outstanding anthropological study of contemporary culture was produced by Gil Bailie, who is openly indebted to Girard’s insights. In *Violence Unveiled: Humanity at the Crossroads*, Bailie, following Girard’s cues, explains that state and societal violence through the centuries has actually established social cohesion, has drawn most people together, *but at the expense of destroying victims, and only for a limited time, before again state violence is needed to be exercised.* He says: “... execution... ‘is a brutal act,’ but it is one carried out ‘in the name of civilization.’ It would be difficult to think of a more succinct summation of the underlying anthropological dynamic at work: *a brutal act done in the name of civilization*, an expulsion or execution that results in social harmony. Clearly, after the shaky justifications based on deterrence or retribution have fallen away, this is the stubborn fact that remains: a brutal act is done in the name of civilization. If we humans become too morally troubled by the brutality to revel in the glories of the civilization made possible by it, we will simply have to reinvent culture. This is what Nietzsche saw through a glass darkly. This is what Paul sensed when he declared the old order to be a dying one (I Cor. 7:31). This is the central anthropological issue of our age.” (*Violence Unveiled: Humanity at the Crossroads*, Gil Bailie, New York: Crossroad, 1995, p. 79)

“Punishing wrongdoers or protecting society from them is an inevitable fact of social life... And yet, vestiges of ritual sacrifice survive in even the most ideal criminal justice systems. How morally problematic future generations will find these vestiges and how they might seek to eliminate them remains to be seen. Reversals in any historical development can be expected, but, in the long-term, I haven’t the slightest doubt that the exposure and renunciation of sacrificial violence will continue. In which case, to the extent that societies under gospel influence exploit their criminal proceedings for the purpose of venting their resentments, indulging their lust for vengeance, and basking in the glow of unearned moral rectitude, they will sooner or later have the devil to pay.

“When a culture or subculture turns the system for protecting law-abiding citizens into a social ritual for generating its camaraderie, it sets up a social pattern structurally similar to the crucifixion. Eventually, in such situations, the objective wickedness of the culprit will not be enough to offset the moral misgivings aroused by that similarity. For obvious reasons, this is especially so in the case of ‘public executions.’ This is no doubt why of the very few Western societies that still impose the death penalty, in none of them are the executions carried out ‘in public.’ “ (Bailie, *ibid*, p. 81)

At public executions and lynchings in the past, as you know, it was an occasion for all the family to come out and have a picnic with everyone else in the community! It was a major

social unifier - at the expense of course of eliminating totally someone from the community. When a black was lynched “legitimately”, and everyone came to see, and felt warm towards everyone else, guess which community was even more alienated, driven even further away from the cultural mainstream, threatened even more by the sanctioned violence of the day!

Please listen to Gil Bailie further: “The experience of being morally shaken by a public execution is the beginning of an anthropological and spiritual revolution for which the term ‘Christianity’ was coined decades after the public execution of Jesus... What Christ has in common with all those against whom a unanimous mob has risen up will eventually outweigh the moral differences, however vast, that separate them. Societies under biblical influence will little longer be able to nullify the empathy for scapegoats aroused by the Cross by reserving its righteous and socially galvanizing contempt for certified moral failures [such as blacks back then or murderers today - my addition].” (Bailie, *ibid*, p. 83) “The gospel’s insistence on forgiveness is both profound and pragmatic, but we cannot fully appreciate either until we realize how routinely moral indignation leads to the replication of the behavior that aroused the indignation. Moral outrage is morally ambiguous. The more outraged it is, the less likely it is to contribute to real moral improvements. Righteous indignation is often the first symptom of the metastasis of the cancer of violence. It tends to provide the indignant ones with a license to commit or condone acts structurally indistinguishable from those that aroused the indignation. When moral contempt for a form of violence [such as murder] inspires so explicit a replication of it [such as state executions], there is only one conclusion to be drawn: *The moral revulsion the initial violence awakened proved weaker than the mimetic [imitative] fascination it inspired.*” (Bailie, *ibid*, p89)

This is important stuff. So I’ll let Bailie continue a bit longer: “Even those who support the institutional versions of sacred violence [, for example, war, capital punishment] with the heartiest gusto will be morally and politically distraught by its unofficial replicas, but they may be less able or willing to recognize the mimetic [imitative] relationship between them. They will be reluctant to realize that we are now living in a world in which flagrant displays of righteous violence will increasingly fail to achieve ritual effects - even when they achieve their penal or military purposes - and that as a result, the society once made more peaceful by these policies will now be made more violent by them. As a result, each time we resort again to violence, the cogs and gears of the sacrificial system - which can operate effectively only when shrouded in myth and mystification - are more glaringly exposed to view. Moral misgivings are inevitable, their mimetic results are predictable, and the process is irreversible. (Bailie, *ibid*, p. 91)

One can give as examples Bosnia-Herzegovina, Rwanda, or the inner cities of numerous American cities which have turned into war zones.

Gil Bailie one more time: “... the defining theme of biblical literature was a gradually developing aversion for sacred violence and the religious blood sacrifices that extended its purview, and a corresponding tendency to see historical phenomena from the perspective of its victims. These themes... achieved their decisive historical revelation at the

crucifixion and their literary summation in the New Testament. Anthropologically, this was decisive: the crucifixion and the New Testament's disclosure of its universal meaning. The historical convulsions of our age are an elaborate footnote to these things. Attempts to comprehend these convulsions that fail to take into account the destabilizing effect of the Bible's aversion for sacrifice and its concern for victims will never get to the heart of the present cultural predicament." (Bailie, *ibid*, p. 114)

Sister Helen Prejean, the most noted opponent to the death penalty in America, wrote in her book, *Dead Man Walking*, on which the movie is based: "I am convinced that if executions were made public, the torture and violence would be unmasked, and we would be shamed into abolishing executions (Prejean, 1993, p. 197)." This precisely the insight of Girard and others! And this too was the basis for her contribution to the production of the movie. She was hoping that bringing a state execution into our movie theatres and into our homes through video would incite moral indignation within America on such a scale that Americans would rise up against that form of *pre-meditated, cold-blooded, first degree state torture and murder*. Do you think she/the movie was successful in this regard? *The state has no more biblical legitimacy to kill than you or I have is the breathtaking revelation of Jesus! This is precisely what Jesus' unmasking of legitimizing violence, of scapegoating ways, of blood sacrifice, is all about!*

Yet two millennia after Jesus, the Church still does not get it! And within a few centuries of Jesus' time in fact, it turned around and blessed the reinstatement of scapegoating violence in the name of Christ who had so definitively disallowed it! One Church historian refers to this phenomenon as Constantine's Judas kiss to the Church, "the triumph of ideology" over the way of Christ, the way of the Cross. We might call it in this context "doing violence to the face of Christ", so that again only dark blotches are seen. And so throughout all centuries since Christ, the Church has been the primary carrier of scapegoating violence in the cultures where it has had influence. What an indictment on the Church in the light of Jesus' NO to scapegoating violence!

What is the biblical testimony concerning Christ's death?

Heb 10:12

But when this priest had offered *for all time* one sacrifice for sins, he sat down at the right hand of God. (NIV)

The biblical revelation says that Christ's sacrifice was once for all - and undid "for all time" all sacrifice! Remember Jesus' words, in the picture painted of God?: "I desire mercy, not sacrifice." *Can you see now that for Christians to support capital punishment, they are holding out for the continuation of a sacrificial system that in Jesus has been completely replaced by mercy!* Can you see why the death penalty not only is not consonant with the picture of God in Jesus I have been suggesting to you this afternoon, but it is in fact the "undeveloped negative" - to use a photographic image? The full revelation of God in Christ is a revelation of mercy, not sacrifice. And this means a decisive NO for Christians who might be tempted to support state-sanctioned violence! Church Father Tertullian was right: when Jesus told Peter, the Rock in the early Church, to put up his sword, he thereby disarmed the Church for all time - for which the story of

Jesus' death on the Cross is the supreme example of God's refusal to resort to violence in response to violence and murder.

Christians through the centuries however have given in to the temptation to do an end-run around this disarming, and instead have mandated the state, or at least blessed it, to and in resort to violence. Do you know that there is not one war in the past two millennia where there have been churches that the Church on all sides of the conflict has not called down blessing upon its soldiers as they went out to kill - and often enough killed fellow Christians wearing the wrong uniform? We all know of the incredibly bloody religious wars fought over the centuries in the name of Christ. And we anguish over a Church that forced belief at the edge of the sword in the era of the Crusades, that organized the Inquisition, blessed torture and capital punishment of the most gruesome kind, supported pogroms against the Jews and a variety of less overtly violent, though no less anti-Jewish ways throughout the centuries, culminating in the Ultimate Scapegoating of millions of Jews this century in the Holocaust.

Just read what Martin Luther himself said about the Jews, and you will weep to think he has been revered all these centuries as a great Christian leader of the Reformation! Thankfully, after World War Two, the Lutheran Church officially disowned Martin Luther's terrible anti-Semitism. Did you know as well that Martin Luther, based upon a similar interpretation of Rom. 13 to what has been presented today, in response to a Peasants' Revolt in the early 16th century wrote to the Lutheran nobility: "Smite, slay and kill all you can. You thereby do God's will." And thousands were indeed slaughtered with Luther's blessing. (Incidentally, this is in the background of Marx' rejection of Christianity in his development of communism.) Did you know that Calvin likewise blessed the slaughter of Anabaptists for their rejection of the unity of Church and state (which rejection of course is now enshrined in your Constitution), and supported the drowning of them by the thousands in lakes and rivers? Did you know that Calvin also gave full assent to the burning at the stake of Servetus, arch-heretic, in the name of Christ and the state? Did you know that the Roman Catholics on St. Bartholomew's Day [...] wiped out in horribly gruesome ways untold scores of French (Protestant) Huguenots, some claiming that the slaughter rivalled or outdid the French Revolution's Reign of Terror two centuries later? I could go on indefinitely.

I suggest to you: in all the examples given, Christians were only seeing dark blotches on the page, rather than the true face of God in Jesus Christ. I suggest that they were directly inverting the message of the Cross which was the ULTIMATE NO to state-sanctioned scapegoating violence. I say that that is a heresy, which in Christian usage means: "false choice". False, because the jigsaw puzzle began to be put together wrongly in the era of Constantine, based upon a rejection of Christ's ethical teachings, and the antichrist image of God that has emerged as dominant throughout the ensuing centuries is at best of a schizophrenic merciful heavenly Father, who, if not sufficiently propitiated by blood sacrifice, in the end turns on a humanity he loves with a torturous vengeance of such cosmic vehemence, that all the worst tyrants combined of all history appear gentle and loving in comparison!

In the faith tradition I was nurtured, as is the case with doubtless many of you, there was one outstanding favourite verse we all memorized and repeated constantly. And it is indeed a wonderful text. Do you know what it is? Let's hear it in the majestic KJV: (John 3:16) "For God so loved the world, that he gave his only begotten Son, that whosoever believeth in him should not perish, but have everlasting life." Did you ever notice the footnote to that verse, however?... No?... It must be because you don't read the KJV any longer! Go back and check it out! The footnote actually appears in the verse twice. I'll read it again with the footnotes in place: "For God so loved the world [FOOTNOTE: *except our enemies such as murderers, Iraqis, gays, lesbians, Russians, "Indians".... - the list has been terribly long and varied over the centuries*], that he gave his only begotten Son, that whosoever [FOOTNOTE: *except our enemies*] believeth in him should not perish, but have everlasting life." On the contrary, we have - we Biblebelieving lovers of John 3:16 - we have helped all kinds of potential believers in Jesus perish - exactly what the text says should not happen! And we continue to do that with endorsement of the death penalty and state killing in war, etc. So in the end, our favourite verse does not encompass the "world" as the text says (*kosmos* in Greek - and think of the implications of that!), but only a narrow circle of those we are willing to count as "in". And I call that "the KKK mentality". God in Christ drew a circle - and invited us to do the same - God drew a circle of inclusivity large enough to encompass even the cosmos, according to John 3:16. When we argue in favour of the death penalty, I ask simply: *why do we deny the truth of that verse and continue to draw circles of exclusivity in direct contradiction of the Gospel revelation?*

I was raised with an understanding that the great anti-Christian watershed in the West was the beginning of the Enlightenment when the authority of the Bible and the Church began to be challenged openly by the academic elites and others. Certainly the godless Reign of Terror during the French Revolution and Communism in the former U.S.S.R. and presentday China do represent the tragic outcome of rejection of God. According to St. Paul in I Corinthians Chapter 1, "... the message of the cross is foolishness to those who are perishing, but to us who are being saved it is the power of God (18)." (NIV) So it is right to point to Christ, over against the challenge of the Enlightenment, as the Wisdom of God (according to I Cor. 1), as the ultimate source of all our knowing, all our "epistemologies" or ways of knowing. For Christ is indeed the Wisdom of God - the only *ultimate face of wisdom* we can ever hope to see.

But the same passage tells us that Christ is also the "power of God". And here we in the Church have faltered for centuries. We affirm Jesus as the Wisdom of God over against all ways of knowing, but we do not affirm Christ as the Power of God - the merciful, nonviolent way of the Cross of Christ - over against all other ways of doing power, of doing politics, of exercising authority in the *polis* - where our organized societies deal with arrangements of power.

And the world has looked on, and has simply turned away in revulsion. Arguably, more people throughout the centuries have been lost to the Church that has presented only Jesus of the Dark Blotches, than have been turned away by sophisticated arguments about the historicity of the New Testament by people in the *Jesus Seminar*! Think of the Muslims'

revulsion to Christianity alone! The key pre-Constantinian strategy of Church growth was demonstration of loving unity within the Church and compassionate caring for surrounding pagans. That art often seems lost in *Christianity Today*.

It is ironic that, in America where the Church is under no threat of persecution or of being charged criminally for carrying out worship services, so few look to the “Bible-believing” part of the Church for compassionate caring! One journalist a few years ago entitled her study of evangelicalism: *Faith, Hope, No Charity!*, indication of what she failed to find in her looking into the tradition. A Canadian study 30 years ago of the conservative Church concluded that in spite of Jesus’ own teaching and example of love, the conservative Church was less loving than the non-devout. Remember my story of the man who apparently would have exercised capital punishment on the spot on me had he had the power? Was he showing the face of Jesus when he did that - or only dark blotches?

I have learned from the Eastern Orthodox tradition that our humanity is best understood as being “in the image of God” in how God as Trinity is a True Self precisely in the Father’s showing Himself in the Son, of the Son’s being seen in the Spirit, and so on. Likewise we are only a true self when we “love our neighbour as our self” - when we discover that our neighbour is ourself - which can only mean exegetically, when we discover constantly our true selves in the other. And we know Jesus’ test case here: the “enemy” whoever that may be. Failure to do so is in the end “metaphysical suicide” - we destroy our very humanity, we simply never discover who we truly are. In other words: though we may have gained the world, we lose our very soul/self. I learned from Mother Theresa in the Roman Catholic tradition, based upon Jesus’ teaching in Matt. 25, that whatever is done to the “least of these” is done to him, that we have no hope of finding Jesus, despite our loudest religious *protestations* (remember Shakespeare here) if we do not find Jesus in the well-being of the neighbour near at hand - and far away, who is our “enemy”.

Put those two profoundly biblical insights together, and we have this: *The only way to find one’s true self, the only way to find Jesus, the only way of salvation, is in our constant working for the well-being of the other, especially the enemy: who today in this forum is the murderer!* So I say, will the death penalty for the murderer, and we will, finally, the death of our true selves, the death of Jesus himself. In fact, we show ourselves in league with the devil who was (John 8:44) a “murderer from the beginning”. *More chilling: we show ourselves still willing participants in the crucifixion of the Lord of Glory. For in our yen to kill the murderer, we crucify Jesus all over again!*

The biblical doctrine of salvation understands that God’s gracious act in Jesus of love towards us, and our gracious act in Jesus of love towards the other - the neighbour near and the enemy far away - are two sides of the same coin. The great secular heresy (false choice), as we know, is *people thinking they can love the other without loving God*. The great Christian heresy, as we often do not know, is *people thinking they can love God without loving the other*. In the context of this dialogue this afternoon, failure to love the murderer, the willing of his death at the hands of the state, *is failure to love God*.

Conclusion

So I say in conclusion: the question of capital punishment is in the end the question of what face emerges from the jigsaw puzzle of the biblical data as we the believing community interact with it and tradition. I suggest that if, throughout all our biblical work, we keep looking at the face of Jesus on the Gospel box, then we will say no to all forms of state-scapegoating, since they were once-for-all brought to an end in Jesus. And this means saying no to the state-sanctioned violence of capital punishment. If Jesus is for us the Power of God, then the death penalty stands in direct contradiction of Jesus. Seek it, and we seek to crucify the Lord of Glory again.

A Mennonite theologian puts the matter thus: “The Bible’s witness on these [ethical] matters is a long story, not a timeless, unchanging corpus of laws or of truths. What matters for us is not the cultural substance of where the story started (with its racism, its superstition, its slavery, its holy warfare, its polygamy, and its abuse of women), but where it was being led. That direction is toward Jesus; toward validating the dignity of every underdog and outsider, of the slave and the foreigner, the woman and the child, the poor and the offender. This is done not on the grounds that this or that outsider [such as a murderer] is an especially virtuous person, but on the grounds of God’s grace.

The culmination of the story for our purposes is that the Cross of Christ puts an end to sacrifice for sin. *The Death Penalty Debate*, p. 159”

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Part II

Refutations of Use of Specific Texts:

In discussing specific texts, this is not to forget the wider “face of God” arguments that set an overall picture of God that simply disallows violent responses to others according to the picture of Jesus who is the final face of God in the New Testament.

What does one do with specific textual arguments, nonetheless?

Three main bodies of material are alluded to: Mosaic Law, the Noahic Covenant, and Romans 13:1 - 7. I believe that none of these points to Christians’ mandatory or permissible resort to capital punishment.

I. Mosaic Law

When the Mosaic Code is alluded to, it is argued that this penal code enjoyed divine sanction, and should therefore be incorporated into the penal codes of contemporary countries. There are several problems with this argumentation:

A. There is no obvious biblical reason for believing that Mosaic Law is any more to be used today than genocide and scorched earth policies followed repeatedly by the people of God who similarly were given, according to the texts, divine sanction. Why should the word of the LORD to Saul from Samuel about destruction of an entire people (genocide) and their belongings (scorched earth) in I Sam. 15 not be followed today? If it is said it is today morally repugnant, I say precisely. And that is again, why we are followers of Jesus and not followers of Moses.

B. We know of course that the death penalty in Mosaic Law was not limited to murder, but to a host of other offences, rebellious children. On what basis can we be selective about how we will use the death penalty?

C. The civil code of Mosaic Law is for an ancient people in an ancient time. Likewise with ceremonial law. With the end of the theocracy came an end to all such law.

Mosaic Law therefore cannot be the basis for supporting capital punishment. (John 1:17) “For the law was given through Moses; grace and truth came through Jesus Christ.” (NIV) Mosaic Law was superseded in the fuller view of God’s face in Jesus Christ. That is why Jesus constantly said: “You have heard it said... but I say unto you.”

II. Genesis 9

It is true that this passage has been used most to support the death penalty throughout all the ages of Christendom. To challenge it may seem impertinent or even wrongheaded. Nonetheless, I am suggesting that we must look more closely. When we do, I think that

whatever else we do with the text, we may not use it to support the death penalty. This is a simple matter of doing close exegetical work on the text.

Once in a dialogue at Trinity Western University on this very passage in my home town, BC, the New Testament scholar based his entire support upon this text. In response, another New Testament scholar from Regent College raised some of the following considerations. The “for” capital punishment New Testament scholar graciously conceded at the end that he had no other biblical arguments to advance in support of the death penalty, and that he could no longer use Genesis 9 as a textual basis for capital punishment.

A prison guard acquaintance of mine, in support of the death penalty, told me with real disappointment at the end of the evening that it had been like taking candy from a baby to refute the biblical arguments in support of the death penalty. I thought so too. Here were the arguments adduced to refute the use of Genesis 9 to support capital punishment. They draw upon the work of Christian Reformed scholars who did an extensive exegesis of Genesis 9, and published their results in the *Acts of Synod 1981*.

1. *Contextual Considerations*

a) The key verse in question is Gen 9:6a: “Whoever sheds the blood of man, by man shall his blood be shed....” (NIV) The focus of meaning of this passage apparently is societal *protection*. If this is true, then already the goal of protecting society is served if a “murderer” is placed into prison. Surely the intent of the passage is fulfilled without doing the literal killing in response. We know that the intent of Paul’s instruction in several of his letters to “greet one another with a holy kiss” is fulfilled in a “hearty handshake all around” as J.B. Phillips paraphrases it. This is a trivial example of how we contextualize interpretation of Scripture to extract a principle, but not necessarily to follow the “letter”, which may in fact kill the Spirit!

b) Now notice verse 5: “And for your lifeblood I will surely demand an accounting. I will demand an accounting from every animal. And from each man, too, I will demand an accounting for the life of his fellow man.” Notice that animals are to be killed, according to the text, as much as humans, for taking a life. So why this verse? Surely the issue is *protection*, and not a matter of divine retribution raining down on even the animals! There is clearly no solemn, divine commandment, that would slay an animal every time it kills a human. Likewise, we cannot take this passage as giving a solemn, divine commandment to kill people for killing people.

2. *Dietary Considerations*

How many of you have ever eaten “blut-wurst” or rare meat? You shouldn’t, according to this text! Listen to verse 4: “But you must not eat meat that has its lifeblood still in it.” These are the same absolute terms as verse 6. Verse 4 clearly excludes blood from the diet of all humanity. This is what “kosher” means, and millions of Jews throughout history have only eaten kosher. Again, I ask: “Do you only eat kosher meat?” Why not, if Gen. 9:6

is to be timelessly binding? The point of verse 4 is clearly the treatment of all life with respect, and therefore not to eat living flesh. But “just as this respect need not take the form of eschewing the consumption of blood (as in ‘blut-wurst’), so it need not take the form of inflicting capital punishment (*Acts of Synod 1981*, p. 459).”

4. *Historical Considerations*

a) If Genesis 9:6 is to be interpreted as timeless, since it pre-dated Mosaic Law, should not Gen. 4:5 be considered that much more prior and timeless, since it is dealing with the very first murder in history according to the biblical story? And what does God do in response to the first murderer, Cain? God prohibits anyone from killing him in retaliation! The question of the “state” of course is absent in Genesis 4. But so is it in Genesis 9!

b) If it is argued that God seemingly treats something as serious as murder differently at different times, that is precisely the point: we live after the time of the revelation of God in Christ! That God in this age of grace says no to all human sacrifices, to all state killings is precisely my argument.

c) “If there be in Genesis 9:6 an inviolable and universally binding command to execute murderers, then there is in Genesis 9:1 and 7 a similar command to ‘be fruitful and multiply and to bring forth abundantly on the earth.’ (*Acts of Synod 1981*, p. 460).” We’ll get to the issue yet of whether Gen. 9:6 is a *command*. But surely here, with reference to procreation, this is much more a *blessing* than a command. And do we modern Christians take from Genesis 9 that contraceptives are absolutely ruled out, or even natural methods of avoiding pregnancy, for we are “commanded” as absolutely in verses 1 and 7 as there is a “command” in verse 6, to “be fruitful and multiply”. We allow that in our different historical situation, where Malthusian overpopulation threatens, the most environmentally responsible thing we Christians can do is have only a few children!

Likewise with the “command” in verse 6. It surely at the least is historically conditioned, and therefore not an inviolable, timeless, universal requirement by God.

5. *Juridical Considerations*

a) From a juridical point of view, if this passage is to be taken at all in that light, please note that the offence for which capital punishment is “mandated” is “shedding another’s blood”. Kidnapping, rape, mutiny, treason, etc. cannot be brought into view from this text.

b) i) Further, this blood-letting lacks juridical specification, if it is meant to be taken juridically at all. There is no distinction made between accidental, negligent, and willful homicide. What if, for instance, the axe-head slips off while I am chopping wood and I kill my best friend? Further, within homicide, there is no distinction made

between crimes of passion and pre-meditated murder. Most who use this text to discover a “command” in support of the death penalty however ignore all those questions, and read into it the offence of first-degree murder. ii) There is however an even greater problem with taking this text to refer to first-degree murder. And here my *Acts of Synod* exegetes let me down. They claim to discover in the text that what is being talked about here is murder. But there is no warrant from the text nor from the context for concluding that! The context in fact is overwhelming violence for which God is deeply grieved. God, the pre-Flood story tells us, hates violence. But he seemingly eschews violence in response to violence too, and that is clearly the import of the story of Cain. That is the *timeless* impact of the Cain and Abel story, that God says no to killing in response to killing! And notice that the *text* of Gen. 9:6, if it is to be taken as a “command”, says the same thing. It says that all killing is wrong, no matter by whom. There is no more reason in this text to say that a murderer is in special view here than there is to say that a policeman or a soldier is likewise prohibited from killing.

No one believes that it is God’s will that anyone who kills, all the way from accidentally to pre-meditatedly to in the line of duty for the state - anyone! - is forfeit his life. Why not? The text is surely very clear here, if this is a “command” of God?

If we turn to Mosaic Law for a commentary on this passage, we immediately have a problem: a man who beats his slave to death (or employee today) is exempt from capital punishment according to Moses (Ex. 20:13; 21:20, 21).

In summary: “An argument *based* on Genesis 9:6 commits one to demand the death penalty for any and every [killing] whatever the circumstances may be. [Gen. 9:6] therefore cannot be taken as a law, or as a juridical requirement. If it were so taken it would license unjust executions and subvert righteousness (*Acts of Synod 1981*, p. 462).”

c) It is also a curious fact that almost all who take Genesis 9:6 as a mandate for capital punishment translate the Hebrew word for “man” - *adam* - as “duly constituted governmental authorities”. But there is no hint of this in the text at hand. Most so inclined then jump ahead to Rom. 13:4 to find warrant for such an interpretation. But it is absolutely clear from the Genesis 9 context that “no state furnished with a penal code and judicial system was in existence (*Acts of Synod 1981*, p. 463).” What would be in the historical context here? It would doubtless be the ancient custom of the “avenger of blood” - the next of kin who pursues the killer to avenge his relative’s blood. No Christian holds out for such a person today to take responsibility for killing those who have killed. Likewise, no Christian should make Genesis 9 do what it simply does not do: support capital punishment in a timeless way.

d) If Gen. 9:6 is not to be taken as a law or legal enactment, how then should it be read?

The *form* of the verse suggests an answer. It appears in fact in many translations as poetry, typical of Hebrew wisdom literature. In fact there is a *chiastic* structure to the first half of the verse typical of such literature. Literally translated, the order is perfectly symmetrical:

“Shedding blood of man by man his blood will be shed.” The first and last ideas match “shedding”, as do the second and second last concepts - “blood”, as does the centre of the whole discussion: “man” - or “human being”. Now, unless this is the one exception throughout the entire Hebrew Bible that proves the rule, *no law anywhere else in the Hebrew Bible is ever given in poetic form.*

We are familiar with this form from similar other biblical statements: (Matt 26:52) “all who draw the sword will die by the sword.” (NIV); and (Gal 6:7) “A man reaps what he sows.” (NIV). Put briefly: all such statements are *descriptive* of the way things happen in this world - apart from grace - but not *prescriptive* by any stretch of the way they ought to be in God’s will. The Hebrew verb about “shedding” in the passage in fact may be understood entirely as simply *descriptive* or *predictive*, and nothing like a categorical imperative.

And that is precisely the whole thrust of my argument: yes, the world knows endless retaliation in response to killings. Remember Lamech who boasted of *limitless retaliation* (77 times). But as we know, in Jesus, the final face of God, in response to Peter’s question about how often to forgive, Jesus said: (Matt 18:22) “I tell you, not seven times, but seventy-seven times.” (NIV) Is that same number as used by Lamech just a coincidence? I think not. Jesus directly contradicts the way things are in this world, its inclination towards *limitless retaliation*, in favour of something world-shakingly different: *limitless forgiveness*. For that is the way it is when one gazes intently at the face of Jesus to get the correct picture of God.

Now do you understand why a close exegetical look at Genesis 9 leads to the concession that it simply is impossible to use it in any way as a support, let alone as a mandate, for the state to carry out capital punishment, and why my New Testament scholar dialogue partner 11 years ago had to let go of that passage in support of the death penalty?

III. *Specious Arguments From New Testament Texts and Romans 13:1-7*

If Mosaic Law and Gen. 9 are ruled out of consideration in the question of the death penalty, just what is left? Well, there are several attempts to pull Jesus into the discussion. I am prepared to deal with any that you may wish to raise. But I will not raise more than one myself, for in response to all of them I say the same thing: *specious argumentation from the text and context themselves, not to mention that an attempt to interpret specific statements of or about Jesus in favour of the death penalty directly contradicts the entire revelation of Jesus’ desire for mercy, not sacrifice, as I laid out earlier.*

One example: one theologian suggests, and is actually serious, that “It is significant that when Jesus voluntarily went the way of the Cross he chose the capital punishment of his day as his instrument to save the world.” Therefore, it is argued, since the Bible says that “without the shedding of blood there is no remission of sins”, God must have endorsed capital punishment! This is pure exegetical nonsense! If God endorsed capital punishment by this line of argumentation, then it follows logically that he endorsed as well the gruesome method of crucifixion as the means! And thankfully no modern state

employs that method. That the world's greatest crime should be twisted to support capital punishment is irresponsible *eisegesis* (reading into the text) of the worst kind!

But there is one lingering text, and a commentary on it: Romans 13:1 - 7, and I Peter 2:13 - 17, and a few shorter texts which say nothing different from the Romans text - in I Timothy ((2:1 - 4) and Titus (3:1 - 2). For centuries the Romans text was taken to be *the* central teaching of the Church about the State. And therein is already the beginning of the problem! For the Romans 13 text was not the primary early Church text about the relationship of Christians to the State, but Eph. 6:12 - 20, beginning: "For our struggle is not against flesh and blood...". I'll return to that later.

My *Acts of Synod* interpreters say: "No Bible believer would, of course, care to call into question the plain teaching of Romans 13.... (p. 463)." But that is precisely what they have done about the traditional "plain teaching" of Genesis 9, and have been successful! They should have taken a cue from their own work on re-examining Gen. 9 against the vast majority of previous or contemporary interpretations, to realize that something similar could be happening with the Romans 13 text. And there is!

My contention is that not only must the centuries-long dominant traditional interpretation of this text be challenged, but that once re-examined, it is found to be fully consonant with the "face of Jesus" I sketched at the outset.

In a small book entitled *Essays on The Death Penalty*, published 35 years ago, the Editor says confidently about each of the pro-death penalty works published in the volume: "While the studies have been made independently by men who, for the most part, have never met each other, their remarkable singleness of thought can be explained by the fact that Christian doctrine does not change. Faith in Christ is truly catholic in the usual sense of that word as being of 'all men, everywhere, always.' True declaration of the Faith is not a matter of opinion, but an inescapable line of reason and experience that must follow upon the confession that Jesus is Lord." And I say, *balderdash!* This is in fact a remarkable boast, considering the first three centuries of the early Church knew a Church largely pacifist, and specifically excommunicated Christians who became soldiers and thereby participated in both capital punishment and war - as found in the widespread usage of the *Canons of Hippolytus!* What the editor shows us unknowingly is indeed a "remarkable singleness of thought" - but one based upon a post-Constantinian reading of Jesus that simply reversed Jesus' ethical teachings, especially about love of enemies! So for instance the lead essay is written by C.S. Lewis. Yet Lewis does not even mention the text, "Love your enemies", in another essay he wrote on why he is not a pacifist! Now I call that indeed a "remarkable singleness of thought", but one based upon a centuries-long *rejection* of the face of Jesus we see in the Gospels, upon a "scissors-and-paste" approach to Scripture, not upon a "confession that Jesus is Lord" - except Jesus as Lord of the Dark Blotches.

One Church historian, in a book entitled *Constantine versus Christ*, indicates that there has been such a centuries-long overlay of Jesus' ethical teachings in the direction of rejection of them, that it is now nearly impossible to expect people to "see" Jesus' face right the first

time in terms of his ethical teachings. For centuries, the Church has followed Jesus of the Dark Blotches, and has been unable to see Jesus' true face because of only expecting, and only viewing, dark blotches for so long. Constantine, the 4th century pagan ruler who turned the Church back to all the old scapegoating ways and State power games, in fact became "Christ" ethically to the Church! What no Emperor was able to do before him, Constantine achieved with a Judas kiss: he reversed the ethical teachings of Jesus so as to make the Church impotent and have Jesus after all bless all the same sacrificial ways that creation had known since time immemorial. Therein lies the triumph of ideology, a triumph which the vast majority of Christendom has embraced ever since. So this is what we're up against!

Historical Context

The Apostle Paul is writing a major statement about Christian belief to a group of Christians under the eye of the Emperor in Rome. Paul had never met this group of Christians, most of whom were Jewish, some slaves, and others on the margins of society in the great seat of Roman power.

Only a few years prior to Paul's writing, Emperor Claudius had had church congregations at Rome broken up and dispersed, and at the same time he had expelled the Jews *en masse* from Rome. This had not made the Roman government, nor the Emperor, particularly popular amongst Roman Christians.

Further, within the Jewish contingent of all first century Christian churches, there persisted a violent hatred towards Roman rule akin to the hatred the Vietnamese felt towards you Americans, or Afghanis towards the Russians.

Jewish Christian Attitudes to the State and to State Authorities

Nowhere in the Hebrew Bible is the "State" ever viewed positively. In I Samuel 8, the text makes it clear that the *people of Israel* turned away from God precisely in their desire to become a "nation" like other nations, and appoint themselves a King. This was a rejection of the unique role of God as their King, but also of Israel's unique *peoplehood* unlike other nations who relied upon violence and standing armies to be a nation.

Jewish Christians shared a general view about surrounding pagan states, the Roman occupying state most definitely, that they were largely evil. They knew Psalm 2 well that begins: "Why do the nations conspire and the peoples plot in vain? The kings of the earth take their stand and the rulers gather together against the LORD and against his Anointed One." (NIV) This was always the way, Jews, and Jewish Christians, knew, of pagan states. They were opposed to God and his Messiah. The nations were compared to the sea, which "became a symbol of the seething nations of the world and of the troubled lives of the unrighteous (Dan. 7:2-3; Matt. 13:47; Rev. 13:1). Perhaps this is why the apostle John spoke of the glorious new heaven and new earth as a place in which 'there was no more sea' (Rev. 21:1). (from Nelson's Illustrated Bible Dictionary)" - that is, no more nations. In fact, throughout the book of Revelation, "the Kings of the nations" are the ultimate

arch-rivals of the Lamb of God. And in Revelation 13, the State is seen as the ultimate Beast. And from where does the Beast arise?: (Rev 13:1) “ And the dragon stood on the shore of the sea. And I saw a beast coming out of the sea.” (NIV) - from the pagan nations, identified supremely with the nation of Rome. So, for instance, Isaiah says, with reference to the nations: (Isaiah 57:20-21) “But the wicked are like the tossing sea, which cannot rest, whose waves cast up mire and mud. ‘There is no peace,’ says my God, ‘for the wicked.’ “ (NIV)

Further, Jewish attitudes towards State authorities, and Christian attitudes towards State authorities, were extremely negative. Indeed, such authorities were actually thought to be in league with Satan. This was the idea in Eph. 6:12 - 18. Listen to verse 12: “For our struggle is not against flesh and blood, but against the rulers, against the authorities, against the powers of this dark world and against the spiritual forces of evil in the heavenly realms.” (NIV) Now get this!: the author of the letter to the Ephesians, likely Paul, used the identical Greek terminology for “rulers” and “authorities” as found in Romans 13, which reads: (Rom 13:1) “Everyone must submit himself to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God.” (NIV) There is something suspicious the moment Romans 13 is taken as a *positive view* of the State and of the governing authorities within it! Nothing seems further from the consistent mind of the biblical witness, Old and New Testaments!

The consistent biblical position is: “the primary threat to human dignity is not the impunity of individual offenders not proven guilty, but the absolute power to punish of the state itself (*The Death Penalty Debate*, (p. 150).” A profound study on this very issue was produced recently, entitled, *The Fall of the Prison: Biblical Perspectives on Prison Abolition*. There is an international movement that works at this, doing a conference every two years, called: “The International Conference on Penal Abolition”.

Further, until well into the third century, there was a longstanding aversion amongst Christians to the Roman system of justice as it applied to non-Romans. For Roman justice was highly punitive, retributive justice against all non-Romans, especially slaves. It was brutal - and incidentally became the inspiration, in the 11th century, of an emerging barbarity towards criminals sponsored by the Church. Over against punitive systems of the day, Jesus warns that one ought to settle quickly with one’s adversary (Matt. 5:25), and Paul forbids taking cases to Roman law courts (I Cor. 6).

Finally, in the same book of I Peter that obedience to the State is encouraged, similar to Romans 13, there is a fascinating passage in I Peter 4:15: “If you suffer, it should not be as a murderer or thief or any other kind of criminal, or even as a *meddler*.” (NIV) Do you notice anything incongruous in that line-up? “Murderer”, “thief”, “criminal” - then “meddler” or “busybody” or “gossip”?! Guess what! That unique Greek word occurring only once in the entire New Testament, translated by most as “busybody”, may be translated entirely differently! Listen to the line-up in light of this allowable translation: “murderer”, “thief”, “criminal” - and “*revolutionary*”! Now that fits the context much better of Peter’s earlier discussion of the State, and of his discussion of suffering at the hands of the State!

The reality is, Jewish Christians in Rome (I Peter was likely written from Rome) were sorely tempted by incipient revolutionary fervour towards the Roman State!

No wonder then, that Paul expands about a Christian attitude towards the State. In Jesus' teaching, the State is merely a special form of the neighbour that is owed certain "dues" as says Romans 13 too: including at least payment of taxes. But at the end of Romans 12, Paul, drawing on Jesus, specifically, enjoins love of enemies, saying: (Rom 12:21) "Do not be overcome by evil, but overcome evil with good." (NIV) Then he moves on immediately to discuss a specific example of the "enemy": the State of Rome and its governing authorities. He knows that the State was seen by Jesus as a special form of "neighbour/enemy". In this case, the Roman State is in fact already *Public Enemy Number One* and about to become more so when Emperor Domitian only a little later in the century unleashes the first persecution of Christians.

That this passage should be taken remotely as a benign theoretical discussion about the State for the benefit of those living in modern democracies is a gross perversion of the immediate historical and cultural context of the letter written to the Romans! Paul's whole concern here is pastoral. He wants to encourage submission to the arch-enemy, the Roman State, as Jesus demonstrated in turning the other cheek when Roman soldiers slapped him, of going the second mile in carrying the Cross to his own crucifixion, of giving his extra clothes when he was stripped before his execution. Paul knew full well what kind of judgment Rome metes out to its rebels: if they could crucify the Prince of Glory, they could as easily crucify his followers! And Paul is writing to spare Roman Christians in that historical and cultural context the agony of capital punishment at the hands of Roman authorities! This is especially urgent because of the revolutionary fervour towards Rome Paul knew some in the Roman churches were exhibiting. Watch out, he warns: (Rom 13:4) "For he is God's servant to do you good. But if you do wrong [i.e. in open rebellion against Rome], be afraid, for he does not bear the sword for nothing. He is God's servant, an agent of wrath to bring punishment on the wrongdoer [namely revolutionary Christians living in Rome!]." (NIV) Then Paul gives two explicit reasons for submission to Rome, neither of which remotely are positive statements about benign governing authorities "ordained by God" and ruling God's way: (Rom 13:5) "Therefore, it is necessary to submit to the authorities, not only because of possible punishment [read: "for example crucifixion"] but also because of conscience." (NIV) Why conscience? Because Jesus explicitly taught "love of enemies", and Paul specifically picks up this theme as centrepiece for God's work in Christ, the Atonement, which is an offer of reconciliation to us, God's enemies (Rom. 5:6 - 11)!

Rebellion is out in Jesus' and Paul's teaching, in favour of loving embrace even of the authorities (Pilate, Nero, Domitian, and the lesser State functionaries) whom God still loves and superintends - "ordains" - providentially, as he superintended wicked pagan King Cyrus, whom God refers to nonetheless in Isaiah as the LORD's "Anointed" and "Shepherd" - both terms reserved for Jesus! Remember Paul's words to Governor Festus and King Agrippa in the Book of Acts?: (Acts 26:29) "Short time or long-- I pray God that not only you but all who are listening to me today may become what I am, except for these chains." (NIV)

So Paul concludes the section under discussion with the words: (Rom 13:7) “Give everyone what you owe him: If you owe taxes, pay taxes; if revenue, then revenue; if respect, then respect; if honor, then honor.” (NIV) This is precisely how one treats the enemy, even the enemy State, in hope that the evil of the State, and the evil of the State functionaries, might be overcome with good.

This reading of the text takes into consideration the historical and cultural context, the immediate teaching of Paul about love of enemy - of State authorities included - and does not land us upon the horns of an endless dilemma concerning State authorities who do evil. It also allows full consistency with the rest of the biblical material, which relegates the State to the realm of evil and rebellion ultimately, even though superintended and ordained by God for his good purposes. But it is clear already from Paul that we do not go on sinning so that grace may abound (Rom. 6)! Likewise, we do not bless the evil of the State in naïve expectation that the State may some day get it right! Not too likely. And the Book of Revelation shows the State and its authorities consistently to be the Beast, to be Babylon, that forever rebels and wars against the Lamb.

Yet for the majority of Christians throughout the centuries, such State authorities cannot be questioned for they are “God’s servants” - just as Nebuchadnezzar, pagan King of Babylon, is called “my servant” by God (Jer. 25:9, 27:6). But God judges Nebuchadnezzar, his “servant”, and pagan King Cyrus, the Lord’s “Shepherd” and “Anointed” for their sins! And anyone who knows of God’s “servant”, Adolph Hitler, this century, surely does not need to be reminded of what evil the State (invariably!) is capable? I know what Canada does. Do you know what America does? And so we have the vast majority of Christians living under Hitler blithely accepting the authority of the State as it undertook to carry out the death penalty on a scale unrivalled in this century. And so we have the Anglican church actually (still!) allowing the King or Queen to be the head of the Church, when even a cursory reading of British history shows the British monarchy to be seething with blood-letting and treachery. (You Americans rebelled against all that, remember?) And so we have Bible-believing Americans supporting the Presidency and the “manifest destiny” of America in a way that is nothing short of idolatry. When will biblical Christians break away from that false worship of the “State”?!

So Paul sums up his ethical section of the letter to the Romans, struggling in their revolutionary attitudes towards the State: (Rom 13:9-10) “ The commandments, ‘Do not commit adultery,’ ‘Do not murder,’ ‘Do not steal,’ ‘Do not covet,’ and whatever other commandment there may be, are summed up in this one rule: ‘Love your neighbor as yourself.’ Love does no harm to its neighbor. Therefore love is the fulfillment of the law.” (NIV) This includes love of the governing authorities even when overall the State does evil.

Therefore, it is impossible, I contend, to read this text as remotely supportive of capital punishment. The text does not mandate it for Christians to affirm, nor does the text indicate it is permissible for the State to carry out, nor that Christians ought to support, use of the death penalty. That is not even remotely in the Apostle’s mind when he raised the

pastoral issue of (understandable) rebellious Christian attitudes towards the enemy - the State - in this passage.

Finally, the consistent biblical response to the State instead is: the non-violent wrestling against the “principalities and powers” using other means than physical weapons (II Cor. 10:4) - or lethal injections - to overcome evil. And this includes other goals than destruction of the persons caught up in the evil. This means the fervent desire to win over even Governor Festus and King Agrippa: President Clinton and Governor Knolls; Prime Minister Chrétien and British Columbia’s Premier Glen Clark. This means the consistent move - even seventy-seven times - to work at overcoming evil with good, to attempt to make the enemy a friend!

This is the face of Christ who is the face of God.