

Does Jesus Agree with the Death Penalty ?

The question isn't what you think or what I think. The question is: what does Jesus Christ think ? The reason that Christians cannot go along with the death penalty is that we claim to be the followers of someone who did not go along with the death penalty. Instead, he let himself be executed as the substitute for all of us whose sins have earned us the death penalty, because *the wages of sin is death.* (Rom 6.23) I won't argue that this is the clear teaching of Jesus Christ. But it was the clear teaching of Jesus Christ before the apostate church of the Roman Empire did its best to obscure this and other early Christian beliefs.

When the Emperor Constantine presided over the apostate Council of Arles in 314 A.D., his bought bishops initiated that sell out of Christian faith and morals which has marked Secular Christianity ever since. They abandoned traditional Christian morality in respect to war, wealth, slavery and the judicial violence of the Roman Empire. They abandoned Christian pacifism and they reversed the ban on Christians being magistrates.

Thereafter, the apostate bishops of the Imperial Church, like Augustine of Hippo, were magistrates who enforced all the terrible laws of the Roman Empire, including those that mandated slavery, including those that mandated the death penalty for the most trivial of offenses, including those that persecuted the real Christians who refused to join the Emperor's Church. The Worldly churches which grew out of this apostate church have worshipped the secular power of the state and they have sanctioned its violence ever since. [For an analytical history of the 4th century church, see my book: *THE CHURCH OF THE EMPIRE*]

The Early Church

In chapter 17 of his work *ON IDOLATRY* written about 210 A.D. the church father Tertullian spells out that a Christian could be a magistrate only if he were able to fulfill a number of impossible conditions including that he *never try anyone on a capital charge* and *never condemn to death.* These are the clinchers in his argument because Christians of his time were bound by the teaching of Jesus in the Sermon on the Mount that an *eye for an eye* had been replaced by *do not return evil for evil.* The letters of the Christian martyrs testify to the nonviolence of the early Christians: Saint Ignatius of Antioch, on his way to martyrdom in 110 A.D., wrote to the Ephesians: *Return their violence with mildness and do not be intent on getting your own back. By our patience let us show we are their brothers, intent on imitating the Lord.* Bishop Polycarp, wrote a similar message to the Philippians: *He who raised Him from the dead will raise us also, if we do his will and follow his commandments, and love what he loved, refraining from all wrongdoing, avarice, love of money, slander and false witness; not returning evil for evil, or abuse for abuse, or blow for blow, or curse for curse.* Polycarp and his companions were martyred in the arena at Smyrna in 155 A.D.

And that is the authentic tradition of the Christian Church before the apostate church of Constantine and Augustine abandoned basic Christian morality. It was still the morality of the real orthodox Church that was being persecuted for refusing to join Augustine's

Imperial Church late in the 4th century. In letter number 44, written in 398 A.D., Augustine inadvertently admits that the orthodox non-conforming Christians in his time still believed that it was wrong for a Christian to have anything to do with capital punishment. Describing his conversation with the so-called "donatist" Bishop Fortunius, Augustine says: *he affirmed that even a bad man should not be killed by Christians . . . He therefore required me to show him one who, being a righteous man, had in the New Testament times put any one, even a criminal and impious man to death.* (44.9)

New Covenant versus Old Covenant

The *New Testament times* distinction that Bishop Fortunius was making is the fundamental distinction between the morality of the Old Covenant and the morality of the New Covenant which Jesus Christ set forth in the Sermon on the Mount. Augustine and the other intellectual agents of the Imperial Church systematically obscured that distinction in order to justify the new apostate church of the Roman Empire. To do that, they interpolated and misinterpreted the bible to erase the distinction between *the times before the gospel* and *the times after the gospel* which was insisted upon by the early church.

At the first Council of Jerusalem, described in chapter 15 of Acts, the apostles abandoned the law of circumcision which was the *first law* of the **OLD COVENANT OF CIRCUMCISION**. (Acts 15.24) (cf Gen 17.11, Ex 4.24-26, Joshua 5.2) They showed that, as they understood the teaching of Jesus Christ, the Old Covenant had been replaced by the New Covenant, just as the author of Hebrews 8.13 argued: *In that he saith, A new covenant, he hath made the first old. Now that which decayeth and waxeth old is ready to vanish away.* Hebrews 8.8-12 quotes Jeremiah 31.31-34 which spells out that there is to be *a new covenant* in place of the old. And these first followers were going by what Jesus himself taught. There are fundamental differences in morality between the Old Testament and the New Testament. The Old Testament allows many things which are contrary to the New Testament: divorce, polygamy, owning concubines, war, wealth, slavery, and judicial violence. (for further argument see **THE NEW COVENANT VERSUS THE OLD COVENANT**)

The Sermon on the Mount

The *one jot or one tittle* and *least commandments* verses of Matthew 5.17-18 are often cited as meaning that everything in the Old Testament is still the teaching of Jesus Christ. But Jesus himself in Matthew 5.31-32 and 19.3-10 abruptly cancels the old Law of Divorce. He not only allows it to *pass away*, he gives it a good boot to help it along. Jesus plainly states that what is presented as the word of **THE LORD** in Deuteronomy 24.1-2 is in fact the word of man or even the word of the devil--it is a **COMMANDMENT** which is contrary to the ordinance of God ! cf Matthew 19.8: *from the beginning it was not so.*

Just as he set aside the so-called Law of Moses on divorce, Jesus replaced the law of retaliation with an entirely new set of commandments: In Matthew, chapter 5, Jesus uses the formula: *Ye have heard that it was said . . . but I say . . .* and in each place he shows us the old law and the new law with which he replaces it. *Ye have heard that it hath been said, An eye for an eye, and a tooth for a tooth. But I say unto you that ye resist not evil, but whosoever shall smite thee on thy right cheek, turn to him the other also . . .* (Mt 5.38-39) Where have we heard it said: "an eye for an eye etc.?" In Exodus 21.24, in Leviticus 24.20, in Deuteronomy 19.21. It is the very heart and spirit of the law of Moses, that is, the law that "the Lord" delivers through Moses. Exodus chapters 21, 22 and 23 was known as the *BOOK OF THE COVENANT*, the old covenant of the circumcision. Deuteronomy 19.21 was the basic law of capital punishment of the Old Testament: *And thine eye shall not pity, but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot.* Judges 1.6-7 includes thumbs & great toes cut off as retaliation for what a king did to others. And what is Jesus doing with that law here? Is he preserving every jot and tittle of it? Clearly, he nullifies it and replaces it with a different law. A law which breathes a new and different spirit: The Spirit of the New Covenant.

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Jesus Wasn't Joking

Resist not evil . . . turn the other cheek . . . the Secular Christian cannot take in these teachings. He dismisses *turn the other cheek* with a joke. He evades them and cancels them by every kind of sophistry. But Jesus wasn't joking. These commandments are the central teaching of Jesus Christ. They define the difference between the old covenant and the new. If you can't take them in, you are not a follower of Jesus Christ. You have taken the name in vain. (cf. Matthew 7.23)

If we are honest, much of what Jesus said and did does not suit us. If you had a chance to be the king, would you refuse it and insist instead on getting yourself killed? Do you refuse to worry about money, about what you shall eat and what you shall wear? What Jesus says may be unacceptable to you. But why then call yourself a *CHRISTIAN* when you don't believe in the teaching of Jesus Christ? Is the world short of phony Christians? Do we really need one more? The real teachings of Jesus Christ are unacceptable to most of those who call themselves *Christians*. But instead of giving up the name, they change the teachings. Instead of trying to live up to the real teachings of Jesus Christ, they negate his teachings with the Secular *Christianity* taught by the Worldly Church and the fake prophets who serve it.

Love your Enemies

Ye have heard that it hath been said, Thou shalt love thy neighbor, and hate thine enemy. But I say unto you, Love your enemies . . . (Matthew 5.43-45) In the earliest books of the old covenant, *THE LORD'S* insistence that righteousness requires them to hate their enemies is a central theme: *thou shalt smite them, and utterly destroy them; thou shalt*

make no covenant with them, nor show mercy unto them (Deuteronomy 7.2) *he shall eat up the nations his enemies, and shall break their bones, and pierce them through with his arrows* (Numbers 24.8) *utterly destroy all that they have, and spare them not; but slay both man and woman, infant and suckling, ox and sheep, camel and ass.* (1 Samuel 15.3) **THE LORD** decrees this massacre of babies because of a 500 year old grudge. He punishes Saul for sparing the livestock. This massacre is in addition to the genocidal extermination of the nations which are cleared out to make room for Israel. (cf. Exodus 13.5; Numbers 31; Deuteronomy 7.1) Or even just to make room for Esau. (cf. Deuteronomy 2.21-22) **THE LORD** of the Old Covenant, as he was idolized by the merciless warriors of old Israel, was the original **terminator** and **exterminator**. He wasn't happy until he was knee deep in blood. His voracious appetite for the blood of sheep and cattle (contra Isaiah 1.11) was exceeded only by his passion for shedding human blood. **LOVE YOUR ENEMIES** isn't a minor modification of the old covenant. It is a commandment that is entirely contrary to the spirit that permeates the books of the old covenant !

There is a Spirit in the books of the new covenant that runs contrary to the spirit of the old covenant, and Jesus says so. In Luke 9.54-56, James and John urge Jesus to let them *command fire to come down from heaven and consume them, even as Elias did. But he turned and rebuked them, and said, Ye know not what manner of spirit ye are of. For the Son of man is not come to destroy men's lives, but to save them.* Elias, alias Elijah, displays the fundamental spirit of the old testament. Having defeated the false prophets, he orders them put to death. (1 Kings 18.40) It was the basic belief of everyone in the old testament that it is wicked to show mercy to a defeated enemy. Righteousness required the extermination of every living thing except maybe the fruit trees. (Deuteronomy 20. 16-20) In 2 Kings 1.9-12 Elijah calls down **fire from heaven** to consume two companies of 50 of the king's soldiers. He doesn't do this because they are attacking him or anyone else. He does it to display the power he wields and the superiority of his status such that he doesn't need to respond to the king's summons until he is good and ready. Having burned up the lives of 102 men just to make his point, he finally condescends to go.

Don't Call Me **BALDY** ! ! !

In 2 Kings 2.23-24, Elisha sics two bears on the children that called him "baldy." Compare that with the prophet who teaches us to *bless them that curse you, do good to them that hate you, and pray for them which despitefully use you.* (Matthew 5.44) Elisha causes 42 kids to be chewed by bears because they call him "baldy." Jesus does nothing to the adults who mock him, spit on him and beat him with a whip. He stops someone from using a sword on his behalf and heals the injury. He prays for those who are crucifying Him: *Father, forgive them, for they know not what they do.* (Luke 23.34) If *turn the other cheek* means anything, it surely means that we must abate that prickly self pride which is the source of 99 % of our quarrels. We must at least suffer such insults as

baldy without flying into a homicidal rage and invoking massive retaliation on those who mock us.

Is the style of Jesus Christ repugnant to you ? Do you despise the way he handled these things ? Do you firmly believe in blow for blow, insult for insult, like the rest of the world ? That is understandable. But why call yourself a *CHRISTIAN* when you don't mean it ? Now *Christianity* is rightly despised as hypocrisy, because so many take the name who can't live up to it.

Old Law plus New Law

In the Sermon on the Mount, in Matthew 5.21-22, Jesus specifically refers to *Thou shalt not kill*. And he adds to it that angry name-calling is the equivalent and puts you in danger of the same judgment. If Jesus is simply adding new law to old law, and means to enforce the death penalty as of old, the logical consequence is that those who are guilty of angry name-calling have thereby earned the death penalty.

In Matthew 5.31-32 he says that getting divorced and remarried is adultery. In Matthew 5.28 he says that lustng after a woman is equivalent to adultery. If Jesus means simply to add new law to old law, then the death penalty is hereby decreed for those who divorce and re-marry. The death penalty is hereby decreed for those guilty of lust. Those who want to see the old testament penalty for homosexual sin enforced should remember that heterosexual sin is also subject to the death penalty. When the old law returns, you may find yourself in the holding tank with the homosexual waiting to be stoned.

But elsewhere Jesus shows that he did not sanction the death penalty, which is a break for all of us, not just the one guilty of murder. Leviticus 20.10 decrees that *the adulteress shall surely be put to death*. (cf Deuteronomy 22.22) But Jesus Christ, confronted with such an adulteress (John 8.1-11) refuses to sanction this decree. Instead he says: ***He that is without sin among you, let him first cast a stone at her.*** If the death penalty required by The Law can be imposed only by one who is himself free from sin, there won't be many executions. Which squares perfectly with what Jesus says in Matthew 5.38-39 replacing the law set forth in Deuteronomy 19.21: *life for life, eye for eye, tooth for tooth*. He changed these laws, just as he replaced the law of divorce found in Deuteronomy 24.1-2.

And this is not an isolated incident. Jesus takes the same forbearing attitude towards the Samaritan woman at the well who is obviously an adulteress. He lets her off with a little sarcasm in respect to her truthfulness. In Luke 7.37-50 He forgives the sins of a fallen woman. There is a marked contrast between his willingness to forgive sins of the flesh and the judgment he declares in Matthew 25.31-46 for those who fail to love their fellows. He summarizes the law and the prophets in two commandments: Love God and love your neighbor. That in itself is a major change in the law as God has given it to us in the person of Jesus Christ.

Jesus disowns the law of divorce stated in Deuteronomy 24.1-2. He negates Deuteronomy 19.21 *an eye for an eye*. He refuses to enforce the death penalty for adultery mandated by Deuteronomy 22.22. In Mark 7.14-23 He summarily junks the basic Jewish laws of Leviticus 11 and Deuteronomy 14 which forbid you to eat oysters, eagles and pork, etc. (cf Acts 10.9-16) So does he sanction the other peculiar ordinances of the Old Covenant such as Exodus 21.1-6: be a slave forever or leave your wife and children behind ? Exodus 21.7: about selling your daughter ? Exodus 21.21: about beating your servant to death ? These laws have the fingerprints of carnal man all over them, just as the law of Moses about divorce. Jesus says as much: *In vain do they worship me, teaching for doctrines the commandments of men.* (Mark 7.7)

Old Testament Justice

The death penalty wasn't just for murder in the old testament. The old testament mandated the death penalty for many offenses. Exodus 31.15 mandates the death penalty for working on the Sabbath. In Numbers 15.32-36 a man is stoned to death for picking up sticks on the Sabbath. Exodus 30.33 mandates that you are cut off if you borrow the recipe for the Lord's anointing oil. Leviticus 7.23-24 decrees that you are cut off if you eat the fat. In Genesis 38.10 the Lord slays Onan for spilling his seed. Which indicates the death penalty for contraception. If the death penalty for false prophecy is to be enforced, there won't be many TV evangelists or talk show hosts left on the air. Or any. Pulpits will have many, many vacancies.

Some people have adopted the fundamentally foolish idea that the Old Testament sets forth a model justice system which is the cure for the corruption of modern society. The old Law couldn't save Israel as Saint Paul makes clear, even though it was intended to save Israel. Neither can it save those who wish to abandon the New Covenant and go back to the Old. It is not the alternative to the Christian society that we have failed to build because we have embraced Secular Christianity and forsaken the teachings of Jesus Christ.

What is found in some of the books of the so-called Old Testament is a gross caricature of a Justice System, and a gross caricature and slander of God the Father as He was later revealed to us by Jesus Christ. Like our modern injustice systems, it was typical of ancient Israel that 100 guilty went free and 1000 innocent were killed for every one guilty person that was arbitrarily punished. There is nothing resembling consistent justice in the pages of the Old Testament. As the Hebrews understood him, and misunderstood him, the Lord was arbitrary and capricious in his infliction of the death penalty. In Genesis 4.14 Cain is protected by the Lord instead of being punished with death for the murder of his brother. Aaron is not punished for the golden calf episode when 3000 are slain because of it, even though he was the leader. (Exodus 32) David is allowed to marry Bathsheba and father his heir King Solomon, after he used his power as king to get her husband killed. Was this anything less than a murder because David arranged it, instead of doing it himself ?

Another Law for Servants

The commandment of *life for life, eye for eye, tooth for tooth, hand for hand, foot for foot* as set forth in Exodus 21.23-24, does not apply to servants as Exodus 21.21 and 21.26-27 show. Like our modern injustice systems there is one law for the mighty and another for the lowly. As Mr. Simpson proved once again, *you can't hang a million dollars*, and that was true of Old Testament millionaires as well. There is one rule for the king and another for everyone else. In 1 Kings 1.1-4, when old King David is dying, they put a young virgin into his bed to try and warm him up. That may be history but it isn't morality.

In 1 Kings 9.2 the Lord appears to Solomon even though, as 11.1 states, he is already marrying "strange women" who lead him into idolatry. Whereas in Numbers chapter 25 an ordinary Hebrew and his foreign wife are summarily executed with the Lord's approval. Solomon's 700 wives and 300 concubines (1 Kings 11.3) apparently do not make him a violator of the commandment against committing adultery. Otherwise, Solomon could hardly have committed adultery because he didn't have time for it.

Protecting the Guilty

What would be murder and theft, if anyone else did it, is supposedly the Lord's will when the ancient Hebrews do it. In Exodus 3.22 and 12.35-36 The Lord instructs them how to steal from their Egyptian neighbors by borrowing silver and gold that they do not intend to give back. In Exodus 49.5 Simeon and Levi are belatedly reproached by the dying Jacob for their treacherous murder and robbery of the neighbors in Exodus chapter 34. But **THE LORD** did not punish their banditry, and Jacob's concern at the time appears to be public relations rather than morality.

The same Lord reportedly inflicted the death penalty for unintentional offenses and trifles of one kind or another. In Exodus 19.12 he decrees that a beast or a man will die for touching Mount Sinai. In Leviticus 10.1-2 Aaron's two sons are killed for using censers. In 2 Samuel 24 the Lord is enraged when David takes a census. So He sends a plague which kills 70,000. Who had nothing to do with it. David, who ordered the census, is spared. In 1 Chronicles 13.10 Uzza is struck dead when he puts his hand on the Ark to keep it from falling.

The difference between the Old Covenant and the New Covenant is that Jesus Christ loves and forgives the ordinary person, even the person who is a criminal or a prostitute. He teaches us that God is a Father who loves each one of us, who numbers the hair on our heads. In the Old Covenant, there are only a few like King David who are treated that way, who have a personal relationship with God. The rest are surplus humanity, and the so-called Lord thinks nothing of destroying their lives for any reason.

Killing the Innocent

In numerous incidents, innocent people are executed, supposedly to satisfy the Lord's justice. In Joshua, chapter 7, all of Achan's sons and daughters are executed along with him, even though they weren't even aware that their father had secretly disobeyed the Lord's order not to take any loot after this particular battle. In 1 Samuel 15.3 the Lord orders the massacre of babies to pay off a 500 year old grudge against the Amalekites. In Numbers 31.17-18 Moses orders the killing of all male children and non virgin females among the Midianites. They keep the virgin females. This cold-blooded and arbitrary killing of innocent people is typical of the ancient Hebrews, whether they blame it on **THE LORD** or not. **THE LORD** as they present him in the oldest parts of the old testament is an oriental despot and a genocidal maniac. He is a god, made in their own image, who sanctions their crimes. He is vengeful and He is quite literally bloodthirsty. In Joshua 10.11, not satisfied with wholesale massacre, the Lord kills more of the fleeing refugees with hail stones than the children of Israel had slain with the sword.

The Lord's so-called Justice is manifestly injustice by the standard of God the Father and his Son. He regularly punishes people for the sins of others and tolerates those who are personally evil, supposedly for the sake of someone else. Solomon isn't punished for his own wickedness for the sake of his father David. But Solomon's son has to bear the punishment for what his father did. (1 Kings 11.11-12) Despite his wickedness, King Manasseh is allowed to reign for 55 years. (2 Kings 21.1-2) His son, King Josiah, did right (22.2) and *turned to the Lord with all his heart* (23.25) but the Lord let him be defeated and killed (23.29) supposedly because of what his father Manasseh had done ! (23.26). That may be true history but it is a false theology which tries to explain it. Unlike the silly bible bangers who pretend to be *Christians*, the Rabbis have never claimed divine inspiration for the historical books of the Old Testament, except for the 5 books of Moses. So they aren't stuck with trying to square all the accounts found in Kings and Chronicles with the concept of a Just God. Much less with the concept of God the Father which Jesus teaches.

In 2 Samuel 21.6-9, David turns over seven of Saul's sons to be hung as a political atonement for Saul's attack on the Gibeonites, even though Saul had arguably been carrying out the Lord's wishes. The Gibeonites were part of the Amorites whose destruction the Lord had decreed. So about 99 % of the murders in the Old Testament are tolerated by the Lord, or sanctioned by Him, or even ordered by Him. The few that are not tolerated are to be punished by death. Why ? **BLOOD ATONEMENT**. As with other old testament sins, a blood sacrifice has to be made to the Lord.

Life for a Life: Blood Atonement

The primary reason why all sin, including the sin of murder, does not require the death penalty that was required under the Old Covenant is that Jesus Christ, by the blood of the

New Covenant, has made full atonement for all of our sins. And if he hasn't, we are all liable for the noose. If the new law must carry the burden of the old law, we all of us must pay for our sins with our lives, because the *wages of sin is death*. Only through Jesus can we escape.

The blood atonement of Genesis 9.5-6 requires bloodshed for bloodshed. That is also spelled out in Numbers 35.33 *So ye shall not pollute the land wherein ye are, for blood defileth the land, and the land cannot be cleansed of the blood that is shed therein, but by the blood of him that shed it.* And so Deuteronomy 19.21: *life shall go for life, eye for eye, etc.* Various offenses under the Old Law required some sacrifice of blood to atone for them. For minor offenses, the blood of a bird or animal would do. In Leviticus 8.14-15 Moses kills a *bullock for the sin offering* to ratify the covenant. For major offenses, the blood of the human offender was required.

The primary fact of the New Covenant is that God's Son has made a blood atonement to his Father which covers all of our sins, including the sin of the murderer. Jesus says: *this is my blood of the new covenant, which is shed for many for the remission of sins.* (Mt 26.28) That is what made the Old Covenant obsolete. Hebrews 9 & 10 describes the difference between the blood of Jesus Christ and the blood of the sacrificial animals, the difference between the new covenant and the old covenant, the spiritual gulf between them. *For it is not possible that the blood of bulls and of goats could take away sins.* (Hebrews 10.4)

The True Judgment:

In most of the Old Testament times, before the time of the prophets, there is no faith in a life beyond this one, and no belief in **a judgment after death** which will rectify the manifest injustice of this world. So judgment and justice must take place in this world. They are left with the vain hope that some day soon the wicked will be punished and the good rewarded. Their childish confidence that God will immediately punish evil and reward good is replaced by questions they cannot answer: *Why do the wicked prosper? Why do good men suffer?* The book of Job tackles this last question and arrives at the lame conclusion that Job will get it all back **in this life**, including a replacement family which is just as good as the one he lost. But we Christians have an entirely different hope. That is why we leave justice to the Last Judgment. The Christian system of justice transcends any man made system and has nothing in common with it.

In Matthew 5.22, where Jesus makes angry name-calling the equivalent of murder, he also specifies a penalty, the *danger of hell fire*, which indicates a judgment beyond the arbitrary and unjust judgments of this world. In Matthew 25.31-46 he describes the judgment that will come upon those who are guilty of the sin of omission, of the failure to love their neighbors and to rescue *the least of these*. That is the judgment that is coming upon the false Christians.

The Illusion of Justice

Once in a while our human injustice system manages to put a murderer to death, if he doesn't have a million dollars to pay the lawyers. Out of 24,000 yearly homicides, a handful of men are belatedly put to death, when they have gone as far as they can go with the lawyers paid by the state. Out of 25 million serious crimes committed every year, a fraction are punished, along with all those who are punished for failure to pay the state what the state says it is owed. Is this God's Justice ? It is rather **THE ILLUSION OF JUSTICE**. It is easier to get away with murder--most people do get away with it--than it is to get away with not paying a traffic ticket.

The war crimes committed by American soldiers in Vietnam were rarely even reported. One of 1000 such crimes led to a token punishment. One officer suffered a short period of confinement on base for the cold blooded murders of women and children at *My Lai*. The Marines responsible for the killings at *Son Thang* escaped punishment. (see the 1997 book by Gary Solis) As did those in *Tiger Force* who carried out a 1967 campaign of extermination in Vietnam, belatedly reported by the *Toledo Blade* October 19-22 2003. These crimes were typical of the Vietnam War except for some special circumstance which pushed them into the media spotlight. 10,000 essentially similar episodes were ignored and forgotten. Thousands of rapes of Vietnamese women by American soldiers--and rapes, followed by killing, which made them **double veterans**--testified to in the *winter soldier* forums, were never even officially recorded. Which is typical of all war and typical of all American wars. Those indignant about unpunished rapes and murders typically won't even take the trouble to learn about American war crimes, much less include them in their denunciation of all the crimes that escape punishment. They refuse to know what they don't want to know.

In *War and Peace* Leo Tolstoy describes the War of 1812: *Millions of men perpetrated against one another so great a mass of crime--fraud, swindling, robbery, forgery, issue of counterfeit money, plunder, incendiarism, and murder--that the annals of all the criminal courts of the world could not muster such a sum of wickedness in whole centuries, though the men who committed these deeds did not at that time look on them as crimes.* The flag conceals the crimes. Tolstoy had been an army officer and he knew the reality of war. For some reason, he could not bring himself to mention rape, the most common crime in war. War is criminality let loose. They empty the prisons to fill up the armies, give them weapons and say **GO TO IT BOYS !** All the things you could go to prison for in peace time are tolerated as patriotic acts in war time. The red army raped an estimated 100,000 women after they occupied Berlin in 1945. That gives an indication of how many rapes they committed in their march across Europe. Since 12 million of them were killed and millions more maimed for life, it cannot be said they escaped punishment. The Germans did the same. The allied armies did the same and their crimes have been concealed.

The Illusion of Safety

One of the main things which drives the pro capital punishment movement is the great illusion that the state protects us from harm. It never has and it never will. The primary purpose of the Injustice System is to provide employment for the lawyers. Every criminal case produces income for three lawyers: the judge, the prosecutor and the defense

attorney. That fact explains why criminal proceedings drag on forever and why not even 1 in 1000 serious crimes ever receive punishment.

Meanwhile we neglect to do anything about those inner city slums which are factories designed to produce criminals. There are currently 858,000 black prisoners locked up in federal, state, city, and county jails. In the last 30 years blacks committed more than half of all murders. The American founding fathers bequeathed to us a social pathology produced by slavery, followed by racial segregation enforced by the violence of the Klan, followed by violent inner city slums where blacks themselves are the primary victims. It is a Great Annual Harvest from the seeds sown by America's Founding Slave Owners.

It is the illusion of silly old ladies--male and female--that the police and the prisons will ever get a handle on the vast epidemic of crime which undermines our society in countless ways. They have yet to learn the elementary truth that *an ounce of prevention is worth a pound of cure*. The enormous expense of the ineffectual criminal justice system and all the other costs for burglary insurance etc. could have rebuilt the inner city. If we hired those guys to rake leaves for \$ 50,000 a year we would save money over what it costs us to pay three lawyers and a dozen social workers to dink around endlessly with each one and the cost of keeping them locked up for years in places where they learn to become more effective criminals.

If we really do believe in a just and merciful God, who will rightly judge all of us, we don't have to endorse the sorry substitutes for justice that this world has to offer. Men are not qualified to deliver God's justice. We are only called to imitate his mercy. Matthew 9.13: *I will have mercy and not sacrifice*. Matthew 5.7: *Blessed are the merciful, for they shall obtain mercy*. Matthew 6.14: *For if ye forgive men their trespasses, your heavenly Father will also forgive you*. 6.15 And vice-versa.

The bottom line for Christians is that our citizenship in the kingdom of God bars us from being citizens of the empire. Saint Paul's one time use of his claim to Roman citizenship got him a free trip to Rome so he could have his head cut off there instead of in Jerusalem. We must be *in the world* but not *of the world*. Before the major apostasy of the 4th century which established the Church of the Empire, Christians understood that they could be neither soldiers nor magistrates, that they could not participate in any sort of killing. It isn't that we can impose Christian morality upon the state. If we succeeded, the state would soon cease to exist. Rather, we must impose Christian morality upon ourselves. Or give up the name.

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postscript

In December 2007, the State of New Jersey repealed the death penalty, probably more for financial reasons than for humanitarian reasons. By the time a condemned man is executed, the expense of his appeals exceeds the cost of locking him up for life. And of course the few who are executed represent a small fraction of those who commit

homicides in New Jersey--those who are the very worst. An article by Jeremy Peters in the New York Times of December 10th 2007, page A 24, briefly describes those on death row in New Jersey who will now avoid execution.

Ambrose Harris, a 55 year old black male, raped and killed a young woman and, at his trial, mocked her father's grief. In prison he killed his cell mate. But the trial also brought out what sort of a childhood he had. His mother told a social worker that she never wanted children and that "the doctor who delivered Ambrose had to throw water in her face to force her to push during labor. . . . Medical records indicate that he had scars all over his body at a young age, the result of abuse and neglect by his mother, Mattie Williams, who he complained beat him. Mrs. Williams herself spent time in prison for murder. By age 12, Harris was committed to a mental hospital. Doctors said he was *violent and homicidal* with an IQ of only 78. From 1972, when he was 20, to 1992, when he murdered Ms. Huggins, he spent almost all his time in prison for robbery and burglary convictions. His life on death row is hardly charmed, but it is more of a life than some would like to see him have."

Lawyers for another New Jersey death row inmate, Jesse Timmendequas, "whose rape and murder of Megan Kanka, 7, led to *Megan's Law*, which requires community notification when a convicted sex offender moves into an area, said that abuse at the hands of Mr. Timmendequas's mother started in the womb: Mr. Timmendequas was born with fetal alcohol syndrome. His father later beat and raped him."

"Brian P. Wakefield, who killed an elderly couple in 2001 while robbing their home, started a life of crime early. According to trial testimony, his mother taught her children how to shoplift. And Mr. Wakefield's drug-addicted father beat his son with an extension cord."

It is hard to feel any sympathy for these loathsome characters. Whatever was done to them, they did worse to others who were in no way to blame. And it is easy to understand why people, especially the families of their victims, want them executed, although life in prison is arguably a worse punishment. These men point up one of the worst things about human nature, how men and women absorb violence and hatred and then reproduce it 10 fold. The violence of the inner city slum is like the violence of war in the way that it breeds even greater violence in all those who are subjected to it. We are still perpetuating and reproducing the violence of slavery a century and a half after it officially ended. And there is never an end to it.

Except among those who are able to follow the example which Jesus gave us. By absorbing violence and hatred and refusing to reproduce it, Jesus showed us a way out of this endless cycle. He showed us the alternative to *an eye for an eye, a tooth for a tooth, a life for a life*. And an alternative to the way of the world, whereby we return 10 blows for 1, when we get the chance, even if the recipient of our blows is not the same person who inflicted the original blow.