

## Sermon – 02/04/2006 pm

### Homicide in Israel

Study Text: Deuteronomy 19

Through Moses the Lord made a covenant with his people at Mt Sinai. *You shall not murder* is the sixth of the Ten Commandments the Lord gave to his people at that time. In the Promised Land there was to be no shedding of innocent blood.

The sin of shedding innocent blood entered this world soon after Adam and Eve sinned by disobeying God. One of their sons murdered his brother. In jealous anger Cain plotted against Abel and killed him, despite a warning from the Lord. *The voice of your brother's blood cries out to me from the ground* said the Lord (Genesis 4:10).

What Cain did to his brother was abhorrent to the Lord and should be to all mankind. But if this incident was made into a movie (maybe it has been) people would flock to the cinema to be entertained. Why do people find murder entertaining? Why do so many movies and video games vividly depict violence and murder? Researchers keep telling us the obvious – that children are affected by all this violence and killing, with some in their teens going out to kill someone just for fun!

God is the giver of life and only he has the right to take it away. Every human life is very precious – it is sacred to the Giver of life, and should be precious and sacred to every other human being also. The Lord hates the shedding innocent blood.

It is often said of poor nations that life there is cheap. No life is cheap. Death may be more real among the poor. Many often die in infancy from preventable diseases. Most families have lost at least one infant. Moreover the system of justice in some places is more immediate and severe. It is what we might call a kangaroo court. In Asia we were told never to stop at the scene of a road accident but to race to the nearest police station. If someone was hurt or killed, the volatile crowd may well turn upon the one judged to have caused the accident and kill that person on the spot.

In Israel, and in probably surrounding nations, the victim of homicide was avenged by 'the avenger of blood'. A brother, other family member or friend would hotly pursue the killer and kill him. Such justice is not condemned by Moses. If the killing was deliberate the killer was handed over to *the avenger of blood that he may die* (19: 12). But not all killing was the same. The motivation and circumstances must be taken into account. Accidental killing was not to be punished the same as premeditated killing.

### Cities of Refuge

In Israel the Lord ordained 'cities of refuge' as places to which a killer could take refuge from the 'avenger of blood'. They are not actually called this here in this passage, but they are so named in Numbers 35. These were Levite cities. Three were set apart on the east of the Jordan and three more were to be set apart on the west (19:2). If the Lord extended their territory, and if they kept all the commandments of the Lord, provision was made for three more cities of refuge. There is no record of these extra cities being established.

These cities had to be readily accessible for the one fleeing the avenger of blood. There was to be good roads leading to them (19:3). One was located at Kadesh in Galilee, a second at Shechem and the third at Hebron in the south (Joshua 20).

### **Manslaughter or Murder**

*This is the case of the manslayer who flees there, that he may live* (19:4). Moses gives an example of manslaughter or unintentional killing. If the head of a man's axe flies off while he is cutting down a tree and it strikes someone and kills them, that man is not deserving of the death penalty. He can flee to one of these cities of refuge and be safe. Other such cases are outlined in Numbers chapter 35.

*But if anyone hates his neighbour, lies in wait for him, rises against him and strikes him mortally so that he dies* (19:11) the city of refuge was not to save him from punishment. The elders of that city would hand him over to *the avenger of blood that he may die* (19:12). They were not to take pity on the murderer (19:13, 21).

Our laws continue to distinguish between murder and manslaughter, between premeditated and accidental killing. We have different degrees of manslaughter depending on the extent to which negligence contributed to the killing. However, this fundamental distinction is not always upheld in our courts. Increasingly they are taking into account provocation and psychological factors, things not found in this Mosaic legislation. In fact Moses distinctly said *your eye shall not pity* one who lies in wait to kill someone.

A woman who kills her husband because he is abusive may not be sentenced for murder if some judge looks upon her with pity. The victim of murder obviously has no say in a trial and if no one speaks for him then justice can be perverted. In our humanism and devaluing of human life, pity for the living often carries more weight than justice for the dead. In our secularism of course we ignore the commands of God. But the Lord absolutely condemns murder and demands punishment – capital punishment – for anyone guilty of deliberately shedding innocent blood.

### **Witness and Courts**

With the system of the 'avenger of blood' it was probably easier to identify the killer than it is today– they would flee to the nearest city of refuge to save their life. But even then it could be difficult to determine the motive for killing. In straightforward cases the congregation (Numbers 35:24) or the elders (19:12) would judge between the killer and the 'avenger of blood'.

In each city judges were appointed, and cities of refuge may well have been equipped with judges more able to deal with case of bloodshed. Difficult cases such as 'degrees of guilt for bloodshed' could always be taken to the central sanctuary. Priests, Levites and judges there would hear the case and pronounce judgment (18:8, 19:17).

Witnesses of course, played an important part in any judgment. The Mosaic policy on witnesses was referred to previously (16:6). No one was allowed to be put to death on the testimony of just one witness. At least two witnesses were required to establish a guilty verdict (19:15). Jesus affirmed this policy (Matthew 18: 16) and it continued in force in the early church (II Corinthians 13.1, I Timothy 4:19).

So in the city of refuge the killer who fled there was brought before a court, witnesses gave testimony, and judgment was pronounced. Those guilty of murder were handed over to the 'avenger of blood' to be put to death. Those guilty of manslaughter could remain safe while ever they lived in the city of refuge.

False witnesses were severely dealt with under this Law of Moses. Indeed the ninth commandment clearly states *you shall not bear false witness against your neighbour*. Standing before the priests and the judges, they were also standing before the Lord (19:17). Any lies in their witness statement would be exposed. They would be punished with the same punishment they were seeking for the accused (19:19). Such evil was to be removed from the land.

You will remember the famous case where such punishment was given. Haman built enormous gallows on which to hang his enemy Mordecai. Queen Esther however, told the king of Haman's wicked plot and the king ordered that Haman be hanged on these same gallows (Esther 7).

## Conclusion

*Whoever sheds a man's blood  
By man his blood shall be shed  
For in the image of God he has made man. (Genesis 9:6-7)*

This was the word of the Lord to Noah after the flood. His word to Moses was the same – with the qualification of intentional shedding of blood or murder. What is God's word under the New Covenant in Jesus Christ?

Jesus did of course speak against the policy of 'an eye for an eye and a tooth for a tooth' as practised by the Jews of his day (Matthew 7:38). He spoke against retaliation and revenge. By establishing cities of refuge, Moses was also ruling against retaliation and revenge, but was in no way excusing those guilty of shedding innocent blood. Jesus condemned those who neglected *the weightier matters of the law: justice, mercy and faith* (Matthew 23:23).

How can the uniqueness and sacredness of human life be upheld if we allow innocent blood to be shed with impunity? God gave life and he alone has the right to take it. But this right he delegates to those appointed to uphold justice (Romans 13:4).

Jesus said he had come not to destroy the Law but fulfil it (Matthew 5: 17). Jesus in fact went even further behind this law than Moses. Moses looked at motivation behind a killing, but Jesus actually spoke of judgment based on that motivation. He spoke of judgment those who are angry with their brother or who call their brother a fool (Matthew 5:22). It is anger in a sinful heart that leads to murder, and this anger Jesus condemns.

Jesus was himself the victim of man's hatred and premeditated killing. His death was the most blatant shedding of innocent blood in the history of the world. Yet his death was effective in dealing with our sinful hearts, hearts in which anger so easily arises and violent plans are so quickly hatched. Jesus conquered the power of sin. Jesus gives us a new heart, a heart in which righteousness dwells. By his grace though faith you can have such a heart.

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