

The Death Penalty in Old Testament Times

written by Tim Jennings, M.D. | December 7, 2023



Why Did God Use Imposed Law if His Government Is Based Upon Design Law?

Recently, I received the following question via email:

Your message of design law vs imperial law is so uplifting and makes so much sense—it is a game changer for me. The fact that Jesus’ death is not a big payment by an angry God is, quite frankly, a relief. I know that works and faith [are] a constant source of discussion too, but I can certainly see how the Israelites felt that their works were what was required by them, from the angry God. Is it any wonder they felt this way, when Exodus is all about the rules and specifications that they had to follow? Could you explain why a loving God would demand that non-Sabbath keepers had to be “put to death”? Isn’t that a bit harsh? Doesn’t that make God a bit of a tyrant? The message is: “Do this or I will kill you.” The idea that “God is love” is a tough sell to non-believers if they came across Exodus 35:1–3 and Exodus 31:14! Can you help me understand?

And another person emailed asking how to understand Numbers 15:35, which is the instruction to stone a man who was collecting wood on Sabbath, through the lens of design law.

How we understand the Bible often depends on the presuppositions we hold as we read it. Do we understand the setting in which the inspired message was given? What do we understand the problem being addressed to be? How do we understand God's law—do we believe it is imposed, like human law, or is it [design law](#)? What do we understand the central theme of Scripture to be? What is God's intention, preference, and desire, and are God's actions His preferred way or what the people He is dealing with require for their current situation, needs, or understanding?

Reading the Bible Through an Imposed-Law Lens

Many sincere people read the Bible as an instruction manual, a code book, a rule book—something they can go to and find a text that says thus and so and apply it directly to their lives. However, such a method always results in error, misapplication, and misunderstanding because it is the result of believing the lie that God's law functions like human law—a system of made-up rules that require external enforcement. For those who believe this lie, it is important to identify the current list of valid and active “laws” and obey them. Such a mindset results in people viewing stories like the ones above as evidence that God is a dictator, punisher, and source of pain and death, and that God's justice is inflicting punishment for sin. Therefore, one better obey or God will punish them.

Since the Bible does record specific rules with inflicted punishments given to the people at Sinai and through Moses, we who understand that God's laws are, in fact, [design laws](#)—the protocols upon which life is created to operate—must be able to explain these stories in such a way as to demonstrate that the use of such law does not actually mean what imposed-law adherents claim or, specifically, that the temporary use of imposed law does not indicate that God's eternal government operates upon imposed law.

So why did God use such laws if His kingdom doesn't function in this way?

The answer is simple and straightforward: The rules given to Israel were for the setting up of a civil government in a sinful world to bring order and stability to a rebellious, unrighteous, self-centered, and sinful people who did not have hearts reborn to love God and others, people who had not experienced the new covenant of having design law written upon their hearts, a people who functioned upon the same me-first, fear-based, survival-of-the-fittest principles as the godless world around them, people who were just freed from being slaves of pagans.

The imposed rules were not intended to represent how God's government works; rather, they were intended to establish societal order among this sinful people to protect them from decaying into infighting, political intrigue, and tribal wars, which was already starting to occur with Korah and his rebellion, so that they could accomplish the mission for which they were called—to be the human avenue through whom the promised Messiah of Genesis 3:15 would come and to preserve the inspired writings.

In Romans 13 the apostle Paul describes how God uses human imposed law via civil governments to provide order in a sinful world but contrasts it with the law of love—God's design to love our neighbors which must be written upon the heart. And to help people realize the need to have the law of love written upon their hearts God added laws, both ceremonial *and* the Ten Commandments (Galatians 3). The Ten Commandments did not exist in heaven when Lucifer rebelled; it is a written code specifically tailored for sinful humans. Angels don't have a law to honor their mothers (because they don't have mothers), that sins pass down their generations (because they don't reproduce), or not to commit

adultery (because they don't marry).

Jesus said, "My kingdom is not of this world. If it were, my servants would fight to prevent my arrest by the Jews. But now my kingdom is from another place" (John 18:36 NIV84).

Jesus didn't say that Israel was His kingdom but that His kingdom was not found on this Earth, and that included Israel because Israel operated upon the same methods as the rest of the world—imposed laws that focused on behavior with externally enforced punishments.

But God was the one who gave Israel its imposed laws—why?

To provide both a protective hedge and a diagnostic instrument to convict the people of their terminal sin condition, which was designed to lead them to surrender their hearts to God so they would experience the new covenant, recreating them and restoring His living design law of love into their hearts and minds (Jeremiah 31:33; Hebrews 8:10). David understood this when he prayed,

Surely you desire truth in the inner parts; you teach me wisdom in the inmost place. ...
Create in me a pure heart, O God, and renew a steadfast spirit within me (Psalm 51:6, 10 NIV84).

Reading the Bible Through the Lens of Reality

To understand the hard passages of Scripture requires that we grasp reality, the true problem of sin—which is not rule-breaking and legal trouble but a change of condition, being "dead in trespass and sin" (Ephesians 2:1), having a terminal sin condition that without remedy from God results in death (James 1:15).

When Adam and Eve sinned, they changed themselves, took themselves out of harmony with life, and infected themselves with death. And because we are all descended from Adam and Eve, we are all born in sin, conceived in iniquity (Psalm 51:5)—we are all born with a terminal condition.

But God loves us too much to let us die (John 3:16), so immediately after Adam and Eve sinned, He promised to send the Messiah to save humanity from its terminal condition (Genesis 3:15). The entire Old Testament narrative is the story of God fulfilling that promise and Satan working to stop it. Satan nearly succeeded in preventing the plan when he deceived the entire pre-Flood population of the world into hardening their hearts permanently against God—all except one man and his family. But God acted in love, in mercy, therapeutically, to keep open the avenue for the Messiah in order to save humanity. (You can read more about this in our blogs [The Flood and Questions of Whether God Kills, Part 1](#) and [Part 2](#).)

After the Flood, the Bible shifts from a global focus to the family of Abraham, which was further narrowed down through Isaac and then Jacob, because it is through their descendants that the promised Messiah would come.

The Role of Israel

At the time when the various laws were given to Israel, God was establishing them as a nation, an organized group of sinful humans who had not become His friends, like Abraham had become, but whom He wanted to be His friends. But because they were not reborn with new hearts, because they were still unconverted and, therefore, ruled by fear and selfishness and were untrustworthy, God intervened to establish a society that would function and survive in this world of sin, a society that would be made up of a few of His loyal friends (who didn't need the written law because God's design law was written upon their hearts) but also many more rebels and unrighteous idol worshipers (who did need the written law to diagnose and provide order—1 Timothy 1:8-11). Thus, God established a code of civil conduct to restrain evil and prevent societal decay in a world of sin—which included the laws and penalties referenced in the emails above.

However, God's establishment of the rule of law in this world of sin does not represent the eternal government of God but is part of His condescension, part of His grace, mercy, and love, demonstrating how God is willing to step down and meet sinful humans where we are and provide what we need in order to keep open the avenue for the Messiah, who taught about a new kingdom with a new law and new methods that are written upon hearts and minds and not stone tablets or legal registries.

As Jesus said:

The kingdom of God does not come with your careful observation, nor will people say, "Here it is," or "There it is," because the kingdom of God is within you (Luke 17:20, 21 NIV84).

God's Imposed Law Was Temporary

In order to save humanity, God must eradicate fear and selfishness from our hearts and write into our hearts and minds His living law of love (Hebrews 8:10). This cannot be done through imposed law, which is legal enforcement with threats of punishment. It can only be done through truth and love while leaving beings free—the eternal attributes, powers, and laws of God. It is why Paul wrote "that God's kindness leads you to repentance" (Romans 2:4 NET).

And when we are won back to trust in God, when we repent, we receive Jesus Christ into our hearts as our Friend and Savior. And Jesus applies His remedy, which He achieved as our human substitute. But for Jesus to become our Savior, He had to be born as a human—He had to become part of the species descended from Adam. He had to partake of this fallen humanity to cure this fallen humanity. And Jesus did this for us. But in order for Jesus to do this, God had to preserve a branch of the human family through whom He would be born—along with the inspired record through which Jesus, as a human child, would learn, just as we learn about heaven's revelations.

Thus, God provided civil laws with civil penalties to create a human society of some order to prevent the destruction and dissolution of the descendants through whom the Messiah would come.

Why Were the Punishments So Severe?

But the question still arises: Why require the death penalty for what appears to be such minor infractions? Couldn't God have used less severe penalties than stoning for picking up sticks on Sabbath?

Again, we must remember the context: All humans since Adam are dying of a terminal sin condition. Without Jesus, every single human being would die eternally—including the man stoned for Sabbath-breaking. We must also remember that every death recorded in Scripture is what the Bible calls the “first death,” or sleep death; it is not the death that is eternal, not the death that is the punishment for sin. Thus, God’s instructions to stone people did not terminate their existence; rather, it interrupted their existence by putting them to sleep—for they will arise again in one of two resurrections.

Again, the purpose of putting some to sleep in this way was to keep open the avenue for Messiah in order to save His creation.

Understanding these truths confirms for us that these Old Testament instructions and actions by God were not God punishing sin. According to Scripture, there is only one punishment for sin: eternal non-existence—why? Because unremedied sin severs one from God, who is the source of life, and keeps one outside the design God created life to operate upon. God does not have to inflict this punishment; it is unavoidable if one is not restored to unity with God. No one in history has yet died this eternal death.

So why the stoning, a penalty that seems so harsh to us? A good way to demonstrate the reason is to tell a true story that happened in 2006, one reported by John Hendren for National Public Radio.

Hendren wanted to find out why so many Iraqi civilians were dying in the war zone—was it war-related or other factors? What he discovered was astonishing. He reported on a grocer and three employees who were shot and killed and the store firebombed because they did not display their vegetables in the way the local cleric had ordered. The cleric proclaimed that celery stalks should not be displayed next to tomatoes as one might get a loosely connected sexual connotation. Because the grocer did display his vegetables this way, the four people were killed and the store was firebombed.

Now, in your judgment, if you were the magistrate of Bagdad, which is a more serious crime: standing up celery next to tomatoes or driving drunk? And would you give the death penalty for drunk driving? Of course not! But what if you were governing a people who believe that standing up celery stalks next to tomatoes is a crime that should be punishable by death? What penalty would you need to give for drunk driving in order to make people realize that it is at least that serious? If you gave a \$500 fine for drunk driving, but they believed the celery/tomato combo was worthy of the death penalty, how seriously would they take drunk driving?

Thus, God met the people where *they* were and established a civil government that would be necessary in this sinful world to provide order among people who did *not* have God’s law written on their heart—all for the purpose of protecting the avenue for the Messiah so He could save humanity from eternal death. And when Messiah came, He taught the truth that has always been true but the people had not yet understood:

You have heard that it was said, “Eye for eye, and tooth for tooth.” But I tell you, Do not resist an evil person. If someone strikes you on the right cheek, turn to him the other also. And if someone wants to sue you and take your tunic, let him have your cloak as well. If someone forces you to go one mile, go with him two miles. Give to the one who asks you, and do not turn away from the one who wants to borrow from you. You have heard that it was said, “Love your neighbor and hate your enemy.” But I tell you: Love your enemies and pray for those who persecute you, that you may be sons of your Father in heaven (Matthew 5:38-45).

When we understand God's design laws for life, the true problem of sin, and God's solution for it in the setting of the Great Controversy, then we understand exactly what God was doing and don't project our human ideas of imposed law onto the text. Instead, we understand the text in its context, in light of the whole inspired record harmonizing with God's design law, methods, and principles.