

The Park Road Pulpit

Sermons from Park Road Baptist Church

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Murder by Numbers

Leviticus 24.13-23 and Exodus 21.23-25; John 11.45-53

Russ Dean, April 1, 2007



Seventy years before the birth of Christ, a gladiator, who had been sold into slavery led an unsuccessful revolt of fellow slaves against the Roman Empire. When Spartacus' now-famous revolt was finally quelled, the Roman General, Crassus, ordered the crucifixion of 6,600 of Spartacus' men along the Appian Way. The roadside to Rome was lined for miles with these implements of torture and with the bodies of the executed. Crassus did not allow the crosses to be taken down, so they remained there for years as the bodies of those rebels were eaten away, first by the birds and the weather, and then by the worms and the passing of time. They were a gruesome reminder for all, of the absolute power of the Roman state.¹

This method of execution apparently originated with the Persians, though the Romans had perfected it, evolving the pain of their tools and extending the agony of their victims by cruel and meticulous design, until a person sentenced to crucifixion was subjected to an inconceivable amount of torment. The word "excruciating," which literally means, "out of crucifixion," came into our language as a superlative, a way of describing the most unimaginable agony that might be inflicted on someone.

I have no interest in unfairly manipulating your emotions, so I'll refrain from all the gory details that are sometimes the subject of Holy Week messages. But we are a nation who hides too much from the pain we inflict – knowing (if only subconsciously

¹ <http://en.wikipedia.org/wiki/Spartacus>

so) that if we can keep the details of our own state-sanctioned brutalities in the shadows, maybe our own complicity will not have to be exposed. Perhaps today, because Palm Sundays can always so quickly devolve from celebration to mob mentality, perhaps today is the perfect day to be reminded that if we were privy to a bit more of the pain and injustice of suffering, and the pain and humiliation of execution – then and now – we might be more attuned to the inhumanity of our treatment of one another.

Prior to the execution of Timothy McVeigh, the convicted mass murderer of nearly two hundred men, women, and children, in his infamous attack on the Murrah Federal Building in Oklahoma City, Thomas Lynch editorialized that the execution of McVeigh should be televised.

The real concern (he says) is that a country that claims to be “for” the death penalty might not have the stomach to see exactly what it is that it is “for.” Is it possible that the idea of the thing is less disturbing than the thing itself, the abstract more palatable than the actual fact...? It is time a nation of opinionizers became a nation of witnesses. It would up the ante on this difficult conversation and bring us that much nearer to a clear view.²

Crucifixion gave everyone a clear view. The humiliation of their chosen method was always held in a public place. The Romans wanted no abstractions, nothing left to the imagination of the public they tyrannized. They wanted no romantic notions of security and justice, hidden behind barbed-wire fences and high prison walls. Maybe they were just more honest than we. They wanted a display of the raw, brute power of an almighty nation. And when they viciously flogged their victims prior to crucifying them, leaving many of them dead from the beating, there was nothing left to imagine. And when they hung their victims on those cross members, intentionally providing support under their feet so some could fight for their life for agonizing days on end, the terror of

² Thomas Lynch, “Witness and Remember,” in “The Christian Century,” May 2, 2001, p.15.

power and the power of terror was in full view. And when they broke the legs of some of their victims, so they could no longer raise themselves enough to fill their lungs with oxygen, asphyxiating them in the process, the public knew the disgrace of such inhumanity.

We are not Rome. Thank God. (We are not Rome, let me repeat.) But, I am willing to ask, maybe uncomfortably so, if we are closer in many ways than most of us are willing to hear. Britain's Lord Acton cautioned: "Power tends to corrupt; absolute power corrupts absolutely." Yes, we have our "checks and balances," but we also have almost absolute power in the world today. The question is not, has our power corrupted us. But how much has it corrupted us? We are not Rome. Thank God. We do not bask in the glow of our ability and our willingness to inflict pain on human beings. We do not bask in the glow – but how much of our ability and willingness to do evil do we hide? The embarrassing revelations of our treatment of prisoners in the Abu Graib facility in Iraq, is a current reminder that our national thirst is far from pure. And our standing among the nations as a leader in execution is a reminder that we as a people have anything but cured our appetite for revenge and blood lust.

Cathy Lynn Henderson is on death row today, for the 1994 death of a child whom she babysat. She claims the death was accidental, and that she panicked, disposed of the body, and fled the state. In an interview from her Texas prison cell, she says now if her death will bring peace to the family, then let it be. For too many people, I am afraid this is so. I don't know if Cathy Henderson is guilty or not. The murder of a child is an unconscionable act. But I hate to think what it says of innocent people that the only way

to bring peace is by someone's death. Anyone's death. How could this bring peace? And what would this kind of peace mean, brought only by the hand of retribution (deserved or not)?³

In his passion narrative, the writer of Matthew's gospel tells us that the crowd cried to Pilate, "*His blood be on us and on our children... Crucify him!*" (Matthew 27.25). We look away, wincing at such callousness, but Amnesty International reports that 94% of all executions worldwide were carried out in 2005 in just four countries. I am not proud that the United States of America stands alongside China, Iran, and Saudi Arabia as leaders in our willingness to kill our own. Almost 1100 of our citizens have been executed since 1973. "Their blood be upon us and on our children..."

Now some of you have probably tuned out or turned off by this point. Can I invite you to tune it again? To give me a fair hearing on this political hot button issue? Can I invite you to consider with me not the ethics or the morality of the death penalty, itself, but of our nation's practice of it? I think a valid case can be made for the use of the death penalty in a civilized society.⁴ But the law that is on the books and the law that makes its way to the bench are too-often two different things, because you cannot account for the complex effect of human sin in a law. The corruption that is an undeniable part of our "justice," is evidence that our sin greatly distorts our system.⁵ Because it is so, I do not believe we have made the case that our practice of the death penalty has achieved a

³ Cathy Henderson's story is told on: <http://www.deathpenaltyinfo.org>.

⁴ This is not the case I make, personally. But, the death penalty is a very difficult issue, and I believe people of faith can disagree on this issue. I respect the decision of people of faith who disagree with me – but I challenge them to consider the ethical (or un-ethical), equitable (or un-equitable), just (or unjust) application of the principle in our society. The final decision should be made, then, not based on some abstract idea of "justice," but on what we are actually able to prove in our application of that idea.

⁵ Karl Barth, the famous 20th century theologian, once called sin, "the only empirically verifiable Christian doctrine."

standard of true justice, and, therefore, I do not believe we should sustain its continued use. (Given human sinfulness) I wonder if that case could ever be made?

Quoting a California attorney, a veteran of more than one hundred capital cases, Gregory Jones, the Dean of Duke University Divinity School says “the politics of death is a ‘bottomless pit that sucks everybody in.’” Writing about the 1995 execution of Dennis Stockton, a notorious criminal, but one who was probably wrongfully convicted of a capital offense, Jones says this:

There are few heroes in this story. Stockton and his associates engage in regular criminal behavior and are often drunk or high on drugs. The prosecutors who try the case appear to be more interested in higher office than in justice. The prison guards, underpaid and overworked, are susceptible to bribes and other corruption. The legal system is constrained by stringent laws that do not provide adequate safeguards to protect innocent people from being executed. Several of the other men on death row, as described by their fellow inmate, are truly frightening characters. ... the politics of death is a bottomless pit that sucks everybody in.⁶

Since the death penalty was reinstated in this country in 1973 more than 120 people have been released from death row with evidence of their innocence.⁷ How many more have we sent to a humiliating death? The politics of death is a bottomless pit. And we have all been sucked in.

In 1692 nineteen people were convicted of being witches, and were executed by the state of Massachusetts for their crimes against God and against the state. Arthur

⁶ Gregory Jones, “A bottomless pit.” *The Christian Century*, March 8, 2000, p.279.

⁷ Death Penalty Information Center.

Miller's play, "The Crucible," is a powerful retelling of this story, because of all of its contemporary implications.⁸ In an introduction to that work, Christopher Bigsby says:

It [took] exactly three hundred years for the state to acknowledge its responsibility for all those who died [in the Salem Witchcraft trials]. Why should it have taken so long...? Perhaps because the needs of justice and the necessity for sustaining the authority of the court have not always been coincident and because there will always be those who defend the latter, believing that by doing so they sustain the possibility of the former. Perhaps because there are those who believe that authority is all of a piece and that to challenge it anywhere is to threaten it everywhere.⁹

Jesus was the victim of a cruel execution. He was an innocent man put to death by a State which feared his power to give hope and meaning and life to common everyday people. Under the guise of justice, the State had only self-preservation at heart. Jesus was executed, also, by a religious establishment corrupt in its own desire for power, control, influence, standing, political gain. Under the guise of orthodoxy (right thinking), the Church had only self-interest at heart.¹⁰ And Jesus was sent to his death by a nation, frenzied by fear and controlled by the "invisible soul"¹¹ of group think. If Palm Sunday has anything to teach us, it is the fickleness of human nature and the danger of the crowd, and of the power of the majority.

⁸ Miller brought his play to the stage during the time of Senator McCarthy's hearings on communist activities within the U.S. His play was a pointed polemic against the "witch hunt" mentality of the McCarthy era, and I believe the implications are still frighteningly apropos for our society.

⁹ Arthur Miller, *The Crucible*, Penguin Classics edition, p.vii-viii.

¹⁰ I use this language carefully – I do NOT intend to suggest by my remarks that "the Jews killed Jesus." The State killed Jesus. No anti-semitism is fair in a reading of this story – but, as "the Jews" resemble, and symbolize "the Church" (and I think they do, for I believe the Jesus story is a universal story, i.e., we are "the Jews"), I believe it is fair to say that "the Church" and "the people" "killed Jesus." (But not "the Jews," because of some defect in their religion. If power corrupts, its corrupting power is no-doubt multiplied when given a divine sanction that religion explicitly or implicitly adds.)

¹¹ I allude here to the "invisible hand" that controls the market, in the understanding of Adam Smith. I believe that just as a free market system is "controlled" by some almost mystical, invisible force, all group processes are open to the same influences. Systems are indeed "alive" in frightening ways. In a recent Wednesday night conversation related to human sin, someone made the comment, "I believe people are sinful, but not systems." If anything, I believe systems are more sinful than the people who run them – due to the "invisible" influences at work among us.

Jesus was executed because of the power of the state. But even in the hands of sometimes demonic dictators, his story tells us that the power of life and death is held in the hands of the people.

I am not arguing today that there are not some people in our world who have done unimaginably wicked things and who surely deserve to die for what they have done. I am arguing that returning unimaginable violence with unimaginable violence (no matter how humanely we try to disguise it) only makes us, as a people, more violent, and softens our consciences by dehumanizing those we fear. And it does so without bringing us any closer to a solution to the problems that send men and women to death row to begin with. I continue to say we are not willing to ask the most important, but most difficult questions, because the honest truth is that we would rather punish the offenders than work, together, to eliminate the offense, and the conditions that lead to the offense to begin with. And if public crucifixions were no deterrent to crime. A sanitized needle will hardly solve anything.

But my final argument comes from the one whose own execution, whose capital punishment at the hand of a powerful and corrupt State stands for us as a symbol of life and hope and forgiveness.

You have heard that it was said, *'An eye for an eye, and a tooth for a tooth'* – Jesus could have quoted the whole text: *"hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe, life for life,"* but I say to you (if I may paraphrase) that such retribution will be our demise. Only forgiveness. Only eternal hope. Only our own deaths, the sacrifice of one life, given for one another, will bring us to the promise of resurrection, which comes in Easter.

May it be so!

Pastoral Prayer

It is a long way to Easter, O God,
a long way before the wolf lies down with the lamb,
before the child plays with the adder
and the murderer is rehabilitated.

It is a long way to Easter, O God.

Forgive us, though, when we cannot even see it.

Amen.