

119

MINISTRIES

“The following is a direct script of a teaching that is intended to be presented via video, incorporating relevant text, slides, media, and graphics to assist in illustration, thus facilitating the presentation of the material. In some places, this may cause the written material to not flow or sound rather awkward in some places. In addition, there may be grammatical errors that are often not acceptable in literary work. We encourage the viewing of the video teachings to complement the written teaching you see below.”

Why We Don't Stone Sabbath Breakers

God's law, the Torah, commands us to rest on the seventh day, the Sabbath (Exodus 20:8-11). Although this commandment has often been neglected throughout history, many Christians today have come to believe that it still applies. The New Testament does not disagree with the Old Testament and does not do away with God's command to keep the Sabbath. If you're interested, 119 Ministries has produced numerous teachings on what the New Testament says about the Sabbath.

But recognizing that the Sabbath remains valid for today raises an important question. If we are to follow the laws in the Torah concerning the Sabbath, what do we do about this one:

Exodus 35:2

Six days work shall be done, but on the seventh day you shall have a Sabbath of solemn rest, holy to the Lord. **Whoever does any work on it shall be put to death.**

That is pretty straightforward, isn't it? Sabbath breakers are to be put to death. But no Christian who advocates for keeping the Torah today believes that we should be killing Sabbath breakers. Does that mean we are being inconsistent? After all, we believe in keeping the other Sabbath laws, such as resting, not having others serve us, and so forth. Why don't we keep the command to put Sabbath breakers to death?

This topic can be quite complex, and there are a number of points to consider. We deal with some of these issues in a different teaching titled [Should We Stone Our Children](#). In this teaching, we will focus specifically on this topic of capital punishment as it relates to the Sabbath. We will also highlight some additional considerations that are often overlooked when it comes to the Torah's death penalty prescriptions.

Are Sabbath Observers Inconsistent?

If you have been keeping the Sabbath for a while, you have probably noticed that not all Christians agree that it still applies. Because of this, sometimes people may argue that you are being inconsistent if you believe that the Sabbath laws in the Torah still matter but you do not enforce the death penalty for

breaking the Sabbath. The implication is that you don't *really* take the Sabbath seriously at all, because if you did, you would be willing to enforce the punishment for breaking the Sabbath as prescribed by the law.

Sometimes, people ask about this because they are sincerely curious about how you handle these parts of God's law. Other times, people are not so well-intentioned. They may point to these laws to try to paint you as some religious extremist. After all, if you want to keep the Torah, that means you must want to kill Sabbath breakers, right? And if not, then you admit that God's law isn't for today! Checkmate!

Or is it? One flaw in this objection is that it can be turned against the person making the objection if they themselves subscribe to, for example, the other nine commandments. For instance, Jesus—or Yeshua, as he was known in the first century—explicitly said that we should keep some of God's commandments, and most Christians agree with him on this point. Here's what he said in Mark 10:17-20:

Mark 10:17-20

And as he was setting out on his journey, a man ran up and knelt before him and asked him, "Good Teacher, what must I do to inherit eternal life?" And Jesus [Yeshua] said to him, "Why do you call me good? No one is good except God alone. You know the commandments: 'Do not murder, Do not commit adultery, Do not steal, Do not bear false witness, Do not defraud, Honor your father and mother.'" And he said to him, "Teacher, all these I have kept from my youth."

All of the commands Yeshua mentions here come from the Torah—five come from the Ten Commandments listed in Exodus 20, and one—"do not defraud"—comes from Leviticus 19. Most Christians agree with what Yeshua says here, and they teach that we should keep these commandments from the Torah. Let's look a little closer at one of these commandments: "You shall not commit adultery." Again, most Christians agree that we should keep this command, and again, this command comes straight from the Torah. But wait a minute—the Torah also says that the person who commits adultery should be put to death:

Leviticus 20:10

If a man commits adultery with the wife of his neighbor, both the adulterer and the adulteress shall surely be put to death.

So, are the Christians who affirm the seventh commandment being inconsistent? Most Christians believe God's prohibition against adultery still applies, yet they do not believe they should be enforcing the prescribed death penalty for adulterers today. Does that mean they don't *really* believe that this commandment is valid since they don't kill people who commit this sin?

Now, in an attempt to escape this rebuttal, some Christians might argue that they believe in *Yeshua's* command to avoid adultery, not the Torah's command to avoid adultery, so they are not being inconsistent at all. *Yeshua* doesn't say to put adulterers to death, so this is all a moot point. However, Yeshua never says that these commandments are new. When Yeshua says to keep the commandments, he is specifically talking about the commandments given through Moses—commandments that the Jews already kept. That is why the man who asked him which commandments to keep said, "*all these I have kept from my youth.*" He could not have kept Yeshua's commandments from his youth unless Yeshua was teaching the same commandments that this man already had—commandments from the Torah. So, Yeshua, here, is saying to keep the Torah's command to avoid adultery, and most Christians acknowledge that this commandment still applies. Again, are these Christians being inconsistent when they do not prescribe death to adulterers?

The point is this: everyone should agree that the command against committing adultery is still valid, even though we don't put adulterers to death. So, if we can keep the command to avoid adultery, but not put adulterers to death, then surely we can also keep the command to avoid working on the Sabbath, but not put Sabbath-breakers to death. Christians who keep the Sabbath are no more "inconsistent" than Christians who believe that the command that prohibits adultery should still be obeyed.

Nevertheless, although we do not carry out the death penalty for sins like adultery, the fact that the Torah regards it as a crime punishable by death shows us that God considers the issue to be gravely important. Similarly, the fact that the Torah prescribes the death penalty for breaking the Sabbath is a strong indication that God takes *this* issue seriously as well. If the Torah's death penalty prescriptions teach us anything today, it is that, like adultery, breaking the Sabbath is no light matter.

As Christian New Testament scholar Craig Keener writes:

Keeping the Sabbath was a serious matter. The law mandated a death penalty for violating it (Exod 31:14-15; 35:2; Num 15:32-36). Although most of us would not endorse execution for all other capital offenses in Moses's law today, normally we at least view them as sins.

—Craig Keener, "Which day is the Sabbath?" *Bible Background: Research and Commentary from Dr. Craig Keener*, www.craigkeener.com

But this raises a question. Why *don't* we enforce the death penalty for these violations of God's commandments today?

The Torah's Death Penalty Prescriptions in Context

Some of God's commandments in the Torah require a specific context in order to apply them appropriately. A good example of this is animal sacrifices. We cannot, and do not, perform animal sacrifices today because the sacrificial laws depend on things like a functioning Levitical priesthood and sanctuary in Jerusalem. Many Christians believe the Levitical Priesthood and sacrifices will be restored when the Messiah returns in the future (e.g., Ezekiel 43:20, 26; 45:15, 17, 20; Isaiah 56:7; Jeremiah 33:18; Zechariah 14:20-21; Malachi 3:3-4). Nevertheless, we do not keep these commands today because we can't. In fact, if we tried to keep them, we would actually be violating the Torah which requires that these laws be kept within a specific context!

For more on this issue, see our teachings [Animal Sacrifices in Light of Messiah](#) and [The Law of Moses: All or Nothing?](#)

Similarly, when it comes to the death penalty prescriptions, it is clear that they apply only in a very specific context that does not currently exist. There was no "vigilante justice" in the Torah. Punishments for breaking the law were administered by the proper authorities, not by individuals. And the only appropriate framework for administering the Torah's civil punishments is theocratic Israel. That is to say, capital punishment can apply only in a theocratic nation in the land of Israel that is governed by elders, judges, and Levitical priests who adjudicate such cases in accordance with God's law.

Deuteronomy 16:18

You shall appoint judges and officers in all your towns that the LORD [YHWH] your God is giving you, according to your tribes, and they shall judge the people with righteous judgment.

Deuteronomy 17:8-10

If any case arises requiring decision between one kind of homicide and another, one kind of legal right and another, or one kind of assault and another, any case within your towns that is too difficult for you, then you shall arise and go up to the place that the LORD [YHWH] your God will choose. And you shall come to the Levitical priests and to the judge who is in office in those days, and you shall consult them, and they shall declare to you the decision. Then you shall do according to what they declare to you from that place that the LORD [YHWH] will choose. And you shall be careful to do according to all that they direct you.

So, in order for the Torah's civil punishments to be applied, judges and Levitical Priests would need to be appointed in all the towns in the land of Israel. And the entire nation would need to be governed in accordance with the laws of the Torah. So, even if someone wanted to enforce the death penalty for certain violations of the Torah today, the Torah does not allow them to do it. The judges and Levitical priests in the land of Israel are the only ones who are authorized to make those judgments. The entire system of judicial administration that needs to be in place to carry out these laws just does not exist.

Now, since there are many laws that we can't keep from the Torah, does that mean we shouldn't obey the laws we *can* keep? Not at all. In fact, the Torah itself anticipates this exact situation. In Deuteronomy 30:1-3, Moses describes a scenario in which Israel is scattered among the nations. They have no functioning priesthood. They do not live in the Promised Land. They do not have their own Torah-based government. Just like us, they are incapable of keeping many of the Torah's commandments. And yet, what does Moses tell them to do? He says to return to YHWH and obey the commands in the Torah:

Deuteronomy 30:1-3

And when all these things come upon you, the blessing and the curse, which I have set before you, and you call them to mind among all the nations where the LORD [YHWH] your God has driven you, and return to the LORD [YHWH] your God, you and your children, **and obey his voice in all that I command you today**, with all your heart and with all your soul, then the LORD [YHWH] your God will restore your fortunes and have mercy on you, **and he will gather you again from all the peoples where the LORD [YHWH] your God has scattered you.**

Here we see that God's people are still called to obey the Torah even though they would be incapable of keeping many of the Torah's commandments while in exile. What this shows us is that God still requires our heartfelt obedience to the commandments we *can* obey. One of the commandments we can still obey outside of theocratic Israel is the command to rest on the seventh day, the Sabbath.

A Closer Look at the Torah's Death Penalty Prescriptions

Before we move on, it is worth taking a closer look at the Torah's death penalty prescriptions in general. Some might be surprised to learn that capital punishment for violations of the Torah did not always *have* to be enforced. It *did* happen on occasion, as we will see later. But according to some ancient sources, the death penalty was rarely enforced in ancient Israel (See, e.g., m.*Makkot* 1:10; *Sanhedrin* 17a:20). This was certainly not because people weren't committing capital sins! Rather, the judges of Israel often chose lesser sentences in many such cases, which the Torah itself allowed.

According to the Torah, the death penalty for certain sins may be replaced with a financial penalty, a "ransom," with the exception of murder:

Numbers 35:31

Moreover, **you shall accept no ransom for the life of a murderer, who is guilty of death, but he shall be put to death.**

Here, the Torah forbids Israel's judges from commuting the sentence of a murderer to a monetary fine. According to Old Testament scholar Walter Kaiser:

This has widely been interpreted to imply that in all the other fifteen cases the judges could commute the crimes deserving of capital punishment by designating a "ransom" or "substitute." In that case the death penalty served to mark the seriousness of the crime.

—Walter C. Kaiser, *Toward Old Testament Ethics* (Grand Rapids: Zondervan, 1983), 91-92.

Exodus 21:29-30 explicitly mentions the option of a monetary penalty being imposed as an alternative to the death penalty:

Exodus 21:29-30

But if the ox has been accustomed to gore in the past, and its owner has been warned but has not kept it in, and it kills a man or a woman, the ox shall be stoned, and its owner also shall be put to death. If a ransom is imposed on him, then he shall give for the redemption of his life whatever is imposed on him.

Here we see that if an ox kills someone, the law states that the owner shall be put to death for negligence. However, it goes on to say that a lesser penalty may be imposed upon him instead—that is, he could be required to pay a redemption price for his life. So, even though this crime warranted death, it did not need to be enforced.

A good case can be made that financial penalties often were imposed instead of the death penalty even for crimes such as adultery. As the scholar Henry Keating writes:

It is worth observing that there is no recorded instance, in the whole of Jewish narrative literature of the biblical period, of anyone actually being put to death for adultery. This may be an accident, though it is certainly not because adultery itself is infrequently mentioned.

—Henry Keating, "Sanctions against Adultery in Ancient Israelite Society, with Some Reflections on Methodology in the Study of Old Testament Ethics," *Journal for the Study of the Old Testament* 11 (1979), 58,

For more on this, see our teaching, [Answering Atheists: The Case of the Slandered Bride](#).

We bring this up just to say that this issue is a lot more complex than many people might realize. Not even the judges of theocratic Israel always enforced the death penalty for capital sins, even though they had the right and means to do so. So, it seems unreasonable to accuse modern Sabbath observers of being inconsistent for not advocating that Sabbath breakers be put to death when this maximum penalty did not even have to be enforced in ancient theocratic Israel.

What About the Sabbath Stick-Gatherer?

Many highlight the example of a Sabbath breaker who was executed in Numbers 15. How should we

understand this difficult text?

Numbers 15:32-36

While the people of Israel were in the wilderness, they found a man gathering sticks on the Sabbath day. And those who found him gathering sticks brought him to Moses and Aaron and to all the congregation. They put him in custody, because it had not been made clear what should be done to him. And the LORD [YHWH] said to Moses, “The man shall be put to death; all the congregation shall stone him with stones outside the camp.” And all the congregation brought him outside the camp and stoned him to death with stones, as the LORD [YHWH] commanded Moses.

The first thing to notice is that this is probably not an accidental violation of the Sabbath. The verses right before this story talk about sinning “with a high hand.” Acting “with a high hand” means to do something in rebellion or protest (See Jonathan Burnside, “What Shall We Do with the Sabbath-Gatherer? A Narrative Approach to a Hard Case in Biblical Law,” *Vetus Testamentum* 60 [2010], 59).

It seems that this story about the Sabbath breaker is placed here as a specific example of a sin committed “with a high hand”:

Numbers 15:30-31

But the person who does anything with a **high hand**, whether he is native or a sojourner, reviles the LORD [YHWH], and that person shall be cut off from among his people. Because he has despised the word of the LORD [YHWH] and has broken his commandment, that person shall be utterly cut off; his iniquity shall be on him.”

Getting back to this story about the Sabbath breaker, we aren’t sure what exactly this man was doing when he was “gathering sticks on the Sabbath day.” Was he gathering firewood to prepare a meal for himself, despite the provision of manna (Exodus 16:35)? Was he somehow working to make an income? Whatever the case may be, the text indicates that he was not just casually picking up a stick to play “swords” with his kids. No, this person was flagrantly and defiantly violating the Sabbath “**because he has despised the word of YHWH**” (Numbers 15:31). The warning against sins committed with a “high hand” in the immediate context suggests that this was an act of rebellion against God’s authority.

Now, even though we know that this Sabbath violation was done with rebellious intent, the text tells us that the offender was kept in custody “**because it had not been made clear what should be done to him**” (Numbers 15:34). But wait! Exodus 35:2 says that the penalty for breaking the Sabbath is death. If the death penalty is always administered for breaking the Sabbath, then why were the elders and judges uncertain about how to punish this man? Well, if the maximum punishment of death was not always given, as we have suggested, then it may be that the judges could not agree on how severely to punish him. Perhaps some of them wanted to give him the death penalty, and others wanted to give him a lesser sentence. Thus, in this case, YHWH himself intervened to give the divine verdict.

What this passage may present us with, then, is an exception that proves the rule. The rule is that the judges and elders of theocratic Israel determine and administer judicial penalties. But in certain hard cases where a judgment could not be determined, YHWH himself intervened to give the verdict. In this case, the divine verdict reinforces the warning about sinning with a high hand. When it comes to most cases that were handled by the judges in ancient Israel, however, it seems reasonable to assume that the maximum penalty of death was rarely enforced for such capital crimes. In any case, this story about the death penalty being applied takes place in a specific context, with a nation that obeys the Torah, and

with appointed judges who are authorized to enforce the Torah's laws. None of those things are available to us today.

Conclusion

In conclusion, some may argue that Sabbath observers are inconsistent because we don't believe in enforcing the Torah's death penalty prescription for violating it. However, this objection backfires when considering other commandments that all Christians believe should be kept. Nobody would say that Christians who oppose adultery are being inconsistent for not enforcing the death penalty for adultery. Furthermore, the Torah's civil punishments, including the death penalty, were intended for a theocratic nation in Israel and do not apply outside of that context. It is also important to remember that even within theocratic Israel, capital punishment was not always carried out. Nevertheless, the fact that breaking the Sabbath is punishable by death demonstrates the gravity of the sin. Even though believers today are not held accountable by a human court in regard to the Sabbath, we are still accountable to God, and we should take that seriously.

We pray you have been blessed by this teaching.

Remember, continue to test everything. Shalom!

For more on this and other teachings, please visit us at www.testeverything.net

Shalom, and may Yahweh bless you in walking in the whole Word of God.

EMAIL: Info@119ministries.com

FACEBOOK: www.facebook.com/119Ministries

WEBSITE: www.TestEverything.net

TWITTER: [www.twitter.com/119Ministries#](https://twitter.com/119Ministries#)