

REFORMED THEOLOGICAL SEMINARY

“EACH WILL DIE FOR THEIR OWN SIN”

AN ARGUMENT AGAINST ECONOMIC, RETRIBUTIVE JUSTICE FROM
DEUTERONOMY 24:16

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Introduction

In Deuteronomy 24:16 Moses writes that “Fathers shall not be put to death because of their children, nor shall children be put to death because of their fathers. Each one shall be put to death for his own sin (ESV).”¹ Upon a plain reading of this text, it would seem that one of the ways in which Israel was to be distinguished from their Gentile neighbors was in their refusal to practice punitive justice upon the children of lawbreakers.² While it was indeed a grave affront upon God’s holiness for an Israelite to defraud or injure his neighbor, it would be just as wrong in God’s eyes for the sins of a father to be exercised upon his children (e.g., death). However, the Hebrew Bible is replete with examples of individual guilt being conferred upon – and sometimes even punished in – the children of lawbreakers, often with divine consent and approval (e.g., Exod. 20:5, Jos. 7:24-24, 1 Sam. 15:2-3, 2 Sam. 21:6-9, 1 Kings 14:9-10; 21:21-22, Lam. 5:7, Dan. 9:4-19, Ezra 9:6-7, et al.). Indeed, without some notion of inter-generational guilt it would be difficult to make sense of most of God’s dealing with human beings in both the Old and New Testaments. Therefore, an examination of Deuteronomy 24:16’s relationship to the rest of the Bible is in order. This precept will first be considered in light of its pedagogical function in helping us understand Christ (1st use of the law), then in its covenantal context as a rule for the conduct of God’s people (2nd use of the law), and finally as a wisdom principle for the purpose of ordering and governing civil

¹ All scriptural citations going forward will come from the ESV unless otherwise noted.

² See John Currid, *A Study Commentary on Deuteronomy*, (Darlington, Evangelical Press, 2006), 397-398 for an example of this as found in the Babylonian *Code of Hammurabi*. Additionally, Jeffrey H. Tigay, *Deuteronomy*, JPS Torah Commentary (Philadelphia, Jewish Publication Society, 1996), 227 comments that “elsewhere in ancient Near Eastern law, the notion that members of a man’s family were an extension of his own personality, rather than individuals in their own right, was sometimes taken to such an extreme that if a man harmed another’s family, he was punished by the same harm being done to a member of his own family, often the corresponding member...While these were not necessarily universal practices, no explicit prohibition of them is known prior to Deuteronomy.”

society (3rd use of the law). This investigation into the context, meaning and significance of Deuteronomy 24:16 will first demonstrate the theological basis for imputation, which will then be built upon in order to argue against reparations (i.e., a form of punitive, economic compensation conferred upon the children of wrongdoers) on both a covenantal (i.e., church) and societal level.

Biblical Background

In order to do this topic justice, some preliminary factors need be addressed. First, while this particular law which outlaws the practice of corporal punishment upon children of lawbreakers is not duplicated anywhere else in the Pentateuch, it is at least implicitly set down as a rule by virtue of Exodus 21:31 which concerns the proper punishment for a man whose ox kills another human being (cf., Num. 26:11).³ John Scott Redd has set forward a helpful outline for the book of Deuteronomy wherein he illustrates how the various stipulations laid down in the covenant renewal speech of Deuteronomy correspond to the Ten Commandments which YHWH gave to Moses on Mt. Sinai (i.e., Exod. 20, cf., Deut. 5).⁴ Furthermore, it should be noted that Deut. 24:16 is situated squarely within a series of other Deuteronomic statutes – all of which concern personal property and the outlawing of theft set out in the 8th commandment (Deut. 5:19).⁵ It is also worth noting that this specific precept is

³ Tijay, *Deuteronomy*, 227 seeks to simplify the force of this law by paraphrasing: “in other words, the owner’s child is not to be punished if the victim was a child.”

For the connection between this precept in the Covenant Code and the individual guilt principle in Deuteronomy see Christopher J.H. Wright, *Old Testament Ethics for the People of God* (Downers Grove: InterVarsity, 2004, 297.

⁴ See John Scott Redd, “Deuteronomy,” in *A Biblical-Theological Introduction to the Old Testament*. ed. Miles Van Pelt (Grand Rapids, MI: Crossway, 2016), 138 for this outline.

⁵ Interestingly, several other commentators incl. John Currid, *Deuteronomy*, 394-398 and Eugene H. Merrill, *Deuteronomy*, (NAC, vol 4 Nashville: B&H, 1994), 320-326 see Deut. 24:16 as situated within a section of laws which deal more directly with the outworking of the ninth commandment concerning false witness (i.e., Deut. 5:20). There is probably some conceptual overlap between the two in the eyes of the author of Deuteronomy which accounts for this difference of opinion between Redd and Currid/Merrill. Nevertheless,

mentioned in both 2 Kings 14:6 and 2 Chronicles 25:4 as being the rationale for King Amaziah's refusal to kill the children of the servants who had murdered his father Joash (i.e., 2 Kings 13:19-21, cf., 2 Chron. 24:23-27), showing that there was an awareness of and willingness to practice this covenant ordinance among later generations of the descendants of Jacob (contra Lev. 25:1-22, see Lev. 27:34-35, cf., 2 Chron. 36:20-21).

1st Use (Pedagogical)

Before any direct application and/or implications of Deut. 24:16 are explored, it is important to understand clearly what value this text has for constructing a biblical theology which ultimately is intended to point its readers to Christ (cf., Luke 24:27, Gal. 3:24). It has been shown already that the Hebrew Bible is replete with examples of two seemingly contradictory principles: that is, the idea of both *individual* and *generational* guilt. The first of these two ideas is perhaps most clearly identifiable in Ezek. 18:1-20 where YHWH explicitly rejects the "sour grapes" proverb which had become popular among those who were taken into exile by the Babylonians.⁶ God's answer to the complaint that the exiles were being unfairly punished for the covenant violations of the previous generation is essentially to re-affirm the individual guilt principle but stated positively: "if a man is righteous and does what is just and right...he is righteous; he shall surely live, declares the LORD GOD

Currid's assessment of 24:16's theological import (pg. 394) is apt: "verse 16 prohibits the punishing of an innocent person for a crime he did not commit. This last case is false witness of the most horrendous kind. Consequently, the entire section has to do with taking a person's word seriously, with matters of trust and with not making false accusations." Likewise, Merrill, *Deuteronomy*, 323 comments that "in terms of the ninth commandment, the point to be made here is that the punishment of the innocent along with the guilty would constitute false witnessing of the most horrendous kind."

⁶ On the significance of this proverb in Ezekiel, see Daniel I. Block, *The Book of Ezekiel, Chapters 1-24*. (NICOT. Grand Rapids, MI: Eerdmans, 1997), 554-590 and K.P. Darr, "Proverb Performance and Trans-Generational Retribution in Ezekiel 18," in *Ezekiel's Hierarchical World: Wrestling with a Tiered Reality*. (SBL Symposium Series 31. ed. S.L. Cook and C.L. Patton. Atlanta: Society of Biblical Literature, 2004), 199-223.

(Ezek. 18:5, 9b).⁷ In other words, the exilic generation had itself violated the covenant, and therefore was going into exile on account of their own sins rather than the sins of their ancestors (see v. 10-13).

Nevertheless, there is indisputably a theme of guilt transference along generational lines in both the Old and New Testaments. For instance, Ezekiel's contemporary Jeremiah set down the following rationale regarding the necessity of the Babylonian exile which has echoes of YHWH's own self-description in earlier parts of redemptive history: "You show steadfast love to thousands, but you repay the guilt of fathers on their children after them, O great and mighty God, whose name is the LORD of hosts (Jer. 32:18, cf. Ex. 20:5-6; 34:6-7)." Furthermore, Paul the Apostle seems to have clearly understood and affirmed the idea of guilt as transferrable from generation to generation as seen in passages like Romans 5 and 1 Corinthians 15. Once it is established that there is a transference of guilt principle woven throughout the whole counsel of God, it then becomes necessary to give language to the way in which this guilt transference takes place. Since the Reformation period, it has become normal practice to speak of this idea of guilt transfer using the language of *imputation*.⁸

Biblically speaking there are three primary imputations which can be traced throughout the redemptive-historical arch of scripture. **1).** The imputation of Adam's original sin upon all his descendants according to ordinary generation (Rom. 5:12-21, cf., WSC 16). **2).** An imputation of the sin of God's elect upon Christ (Isa. 53:4-11; cf., WSC 25) and **3).**

⁷ Wright, *Old Testament Ethics*, 367 writes: "The thrust of Ezekiel's case study is also to make clear that just as each generation will stand or fall according to its moral response to God's law, so can each individual... When wicked people turn from wickedness and demonstrate their repentance with radical ethical change of life, then they will find God's forgiveness and their life will be spared."

⁸ Donald K. McKim, *Westminster Dictionary of Theological Terms*. (Louisville: Westminster John Knox Press, 1996), 140 defines imputation in this way: "To attribute or ascribe in the sense of reckoning..." (cf., WCF 6.3.).

An imputation of the righteousness (Greek: δικαιοσύνη) of Christ conferred upon the elect (2 Cor. 5:17b; cf., WCF 11.1). Therefore, the transference of guilt principle woven throughout the arch of scripture is crucial because, without this doctrine, God's elect could not justly be counted as either "dead in Adam" or "alive in Christ" (1 Cor. 15:22). In other words, the imputation of righteousness – namely, the imputation of Christ's righteousness credited to us by faith – only makes sense if imputation of sin is already taken for granted. In his *Institutes of Elenctic Theology*, Francis Turretin defends the notion of imputed guilt (and by extension, imputed righteousness) at length, concluding that "it evidently appears that imputation of another's sin is not to be traduced either as unusual or unheard of (since it can be proved by so many examples) or as absurd, unjust, and cruel (since God himself professes to be the visitor of the crimes of parents upon their children)."⁹ For most modern people, the idea of imputed guilt raises many questions regarding its fairness and validity. And yet, when given its Christological orientation, it is this same doctrine of imputation which makes it possible for those who are in Christ to say with the Apostle Peter that it is "by his wounds you have been healed (1 Peter 2:24)."¹⁰

2nd Use (Covenant Code)

⁹ Francis Turretin, *Institutes of Elenctic Theology*, ed. James T. Dennison, Jr., trans. George Musgrave Giger (Phillipsburg, NJ: P&R, 1992), I.620.

¹⁰ Duane L. Christensen, *Deuteronomy 21:10-34:12*, (WBC. vol. 6B Nashville, Thomas Nelson, 2002), 593 writes concerning this that "it is clear that the doctrine of 'original sin'...is understood in Christian theology in terms of a reversal of the law stated here – transgenerational guilt of 'original sin' is countered with a transgenerational blessing. The children of Adam do suffer for the sin of their father; and the atoning death of Jesus, as the incarnation of God the Father, applies to all of God's 'family,' for all time and eternity."

Nevertheless, Deuteronomy 24:16 illustrates that this guilt transference principle was not without its limits under the Mosaic covenant.¹¹ While there is indeed a sense in which later generations could have guilt conferred upon them by their forefathers, Deut. 24:16 seems to exclude any forms of punitive justice which were directed toward the children of lawbreakers.¹² While Deut. 24:16 admittedly has the death penalty in view, Daniel Block comments that “since *yumat* (“to be put to death”) involves judicial execution, here human execution of sentences passed by the courts is in view.”¹³ In other words, this law is broadly concerned with the right application of justice – which includes, but is not limited to – corporal punishment as administered by the judicial authorities within the covenant community (Exod. 18:21, cf., Deut. 1:12-18). To ensnare the children of a lawbreaker in the penalty prescribed for a specific Torah violation would be at odds with the principle of proportional judgment (i.e., *lex talionis*) which the law itself puts forward as the standard measure of justice (Exod. 21:23-25, Lev. 24:19-21).¹⁴

Moreover, the very structure of the text in which Deut. 24:16 is contained illustrates that the idea of punishing the children of lawbreakers directly for the sins of their parents

¹¹ Joshua Roy Porter, “Legal Aspects of the Concept of Corporate Personality in the Old Testament,” *Vetus Testamentum* 15, no. 3 (July 1965): 363 writes that “the relation of the group to the crime of one of its members has to be used with caution.”

¹² In Bruce K. Waltke and Charles Yu. *An Old Testament Theology: An Exegetical Canonical and Thematic Approach* (Grand Rapids, MI: Zondervan, 2007), 417-418 comments on the re-enforcement of the generational guilt principle contained in the 2nd commandment (Ex. 20:5, Deut. 5:9) by stating that “the point of this is that the punishment is directed at the father who lives to see how his sin is worked out among his descendants...God’s punishment is not immediately retributive, but he teaches the man a lesson in ‘reaping what you sow’...”

¹³ Daniel I. Block, *Deuteronomy*, (NIVAC Grand Rapids, MI: Zondervan, 2012), 570 [f. 7].

¹⁴ Wright, *Old Testament Ethics*, 310.

would be a miscarriage of justice per God's own ethical standards. This section being considered can be helpfully laid out using the following chiastic structure:

- A. Treating a fellow Israelite as property is forbidden (v. 7)
- B. Carefully guard against the outbreak of skin disease (v. 8-9)
- C. Oppression which utilizes a pledge of surety is forbidden (v. 10-13)
- D. Workers ought to be paid in a timely manner (v. 14-15)
- E. **Deuteronomy 24:16**
- D. Protections against predatory lending for the poor (v. 17-18)
- C. Returning to gather crops left behind is prohibited (v. 19-20)
- B. Establishment of an agrarian, social safety net for the poor (v. 21-22)
- A. Excessive beatings as punishment for a crime are prohibited (25:1-3)

Within this set of verses, there are several structural features which merit consideration. First, there exists a great deal of paraenetic commentary for the block of statutes laid down here for the people of Israel.¹⁵ That is – except for verse 16 – all the surrounding legal statutes are accompanied by a specific rationale for the law which is based in some way upon God's character as demonstrated in the work of redemption. For example, in verse 18 Moses grounds his imperative against unfair treatment of foreigners, orphans and widows in the following reminder for the nation of Israel concerning its own history: “but you shall remember that you were a slave in Egypt and the LORD your God (Hebrew: יְהוָה אֱלֹהֶיךָ) redeemed you from there.”

¹⁵ Gerhard Von Rad, *Studies in Deuteronomy*. Studies in Biblical Theology no. 9. trans. David Stalker (Chicago: Henry Regnery Company, 1953), 20-22 sees the use of such features (e.g., “thou shalt not abhor an Egyptian, *for thou wast a stranger in his land*.” [Deut. 23:8b]) as one of the main indicators of Deuteronomy's structure as a personal address as opposed to a law code akin to other ANE documents (e.g., Code of Hammurabi). However, he goes too far in asserting that “since (laws with no parenetic grounding) appear exclusively toward the end of Deuteronomy... we may certainly conclude that the whole has been submitted to a process of redaction” (pg. 22).

Moreover, there is a seemingly deliberate amplification taking place as one approaches the center of the chiasm from either side of the text. First, on the outer edges of the chiasm (corresponding to A in the above outline), there are covenant regulations which are specifically focused on preventing any mistreatment of fellow Israelites (i.e., the unique people group with whom God has chosen to identify himself; cf., Exod. 19:5, Deut. 7:6-8; 14:2; 26:17-19; et al.). Farther in, there exist statutes bracketing Deut. 24:16 (corresponding to B above) which ground their imperative force in the experience of the nation of Israel in the exodus/wilderness narratives (i.e., the greatest redemptive act of God on Israel's behalf in the Old Testament; Exod. 6:5-7; 13:8-9, Deut. 23:14, 1 Sam. 10:18, Ps. 77:11-20; 136:10-22, et al.). Finally, at the center of the sandwich exist two sets of commandments (corresponding to C and D) which invoke the divine name as indicated by the capitalized "LORD" in most English translations. As other parts of scripture can attest, God is often eager to ratify his own covenant commitments by utilizing his own name, and by extension his own character as the grounds for the surety of the things being set down (cf., Gen. 22:16, Heb. 6:13). Therefore, even though Deut. 24:16 itself contains no such redemptive-historical justification, it is supported and upheld by the progressively stronger ethical force of its surrounding precepts.¹⁶

In connection with this, Christopher Wright comments that under the Mosaic covenant "vicarious or collective forms of punishment...were excluded in the realm of normal, human judicial procedure (Exod. 21:31, Deut. 24:16)."¹⁷ While it has already been

¹⁶ For a visual representation of his this works itself out in form, see Daniel I. Block, *The Gospel According to Moses: Theological and Ethical Reflections on the Book of Deuteronomy* (Eugene, OR: Cascade, 2012), 95-97.

¹⁷ Wright, *Old Testament Ethics*, 366.

argued at length that the Bible unapologetically puts forward a transference of guilt principle along generational lines, the Bible is also nuanced in its prescribed remedy for this problem within the people of God. In short, the Bible’s instruction on this matter is as follows: *While it is legitimate and proper for God to credit inherited guilt to the children of lawbreakers (e.g., Adam and his descendants), punishment is never to be exercised upon the children of wrongdoers unless they themselves are guilty of the same kind of transgressions as their parents.* Francis Turretin again comments in his *Institutes* that for God “the highest right differs from the forbearing (Greek: *epieikeia*) right. In accordance with the former, God can visit the sins of parents upon their children, but in accordance with the later he extends the punishment no further than the sinners themselves.”¹⁸ Stated differently, while it is fair and just for God to confer guilt upon the children of wrongdoers, it would always be a usurping of this divine prerogative for human actors – even those actors which God himself has set up – to administer a temporal punishment for this guilt brought on by the sins of one’s ancestors (Deut. 24:16, Ezek. 18:4 cf., Deut. 32:35, Rom. 12:19).¹⁹

For the American church in particular, the conversation surrounding inherited guilt is immediately fraught with difficulty owing to the existence of conscripted labor via the African slave trade followed by the practice of racial segregation and economic subjugation in the years following slavery’s abolition.²⁰ As John Scott Redd writes, “any sort of servitude

¹⁸ Turretin, *Institutes*, I.625.

¹⁹ Darr, “Transgenerational Retribution,” 213 re-enforces this when she writes concerning Deut. 24:16: “the intent of this law about justice in the *human* arena is to rule out wholesale revenge against the perpetrator’s family and descendants. The effect of Ezek. 18:4 is to assert that what pertains (or should pertain) in the human sphere conforms to God’s own administration of justice.”

²⁰ It has been rightly observed that the kind of slavery which was practiced by means of the African slave trade in both Europe and the New World was substantially different from the kind of slavery which was practiced (and considered allowable) under the law of Moses (e.g., Redd, “Deuteronomy,” 145.). The Mosaic Law’s special care for the sojourner and slave is quite understandable considering the immediate context of

based on kidnapping is considered unjust and qualifies as a capital offense (Deut. 24:7; cf., Exod. 21:16).²¹ Furthermore, there exists no shortage of Mosaic laws which explicitly prohibit any oppression or mistreatment of foreigners (Hebrew: גֵּר) (see Exod. 22:21; 23:9, 12; Lev. 16:29; 19:10, 33-34; 23:22; 24:22; 25:35, Num. 9:14; 15:16, 26, 29, 30; 19:10; 35:15, Deut. 1:16; 5:14; 10:18-19; 14:29; 16:11, 14; 24:17, 19-21; 26:11-13; 27:19; 31:12, et al.). Even if one rightly contends that the law of Moses allowed for permanent enslavement of those who were outside the nation of Israel (Lev. 25:44-46), one would be hard pressed to make the case that the historic conduct of white Christians in dealing with their black slaves and/or neighbors has been in keeping with the two greatest commandments which our Lord laid down as the standard *par excellence* for how the Law was to be lived out among his followers (i.e., Matt. 22:36-40, cf., Deut. 6:5, Lev. 19:18, 34). It is therefore undeniable that the inherited guilt principle would in some ways implicate the American church today by virtue of their connection with the misconduct of American Christians in the past.²²

Israel's manumission from slavery in Egypt (cf., Deut. 5:14-15; 15:15). However, such arguments possess more utility when they are used for the purpose of vindicating the Old Testament against the charge of injustice in its allowance for the continued practice of slavery within the covenant community. When the order is reversed, the presence of laws within the Pentateuch which prohibit the mistreatment of enslaved people makes the practice of slavery as practiced by Americans (and American Christians in particular) seem even more heinous. In short, the words of the Apostle might be fittingly applied to the past involvement of American Christians in the detestable practice of slavery as well as forced segregation under Jim Crow: "But because of your hard and impenitent heart you are storing up wrath for yourself on the day of wrath when God's righteous judgment will be revealed" (Rom. 2:5).

²¹ John Scott Redd, "Deuteronomy," 149.

²² Kevin DeYoung, "Thinking Theologically About Racial Tensions: Sin and Guilt," The Gospel Coalition. <https://www.thegospelcoalition.org/blogs/kevin-deyoung/thinking-theologically-about-racial-tensions-sin-and-guilt/> writes that: "culpability for sins committed can extend to a large group if virtually everyone in the group was active in the sin or if we bear the same spiritual resemblance to the perpetrators of the past."

For a case-study in how a modern-day denomination has struggled to wrestle with and build consensus around their own culpability in the injustice perpetuated by Christians of the past see Sarah Eekhoff Zylstra, "Sins of Our Fathers: Should Denominations Apologize for Acts They Didn't Commit?" *Christianity Today* 59, no. 7 (September 2015): 21.

Nevertheless, under the Old and New Covenants alike, any attempts at enacting compulsory, retributive measures upon the children – or grandchildren – of lawbreakers (e.g., economic reparations) would themselves be violations of the law of God (cf., Deut. 32:25, Ezek. 18:4, 9; Rom. 12:9, 1 Peter 1:17, Rev. 20:12-13).²³ Jeremiah 31:29-30, for example, contains an explicit affirmation that the New Covenant will retain the individual guilt principle (“but everyone shall die for his own iniquity”) as well as a rejection of the “sour grapes” proverb found in Ezekiel. One scholar affirms the continuance of the individual guilt principle in the New Covenant when he writes that in the New Covenant: “everyone will die for his own sin...individuals should take responsibility for their own iniquity. This is not a new doctrine because individual responsibility has always been emphasized alongside corporate responsibility (Deut. 24:16).”²⁴ Therefore, on both sides of the cross, the perfect measure of God’s justice requires us to affirm that two wrong do not make a right.

Lest anyone misunderstand, it must be unequivocally re-stated that previous generations of Americans generally – American Christians being no exception – have often acted despicably and duplicitously in this regard.²⁵ This includes not just the participation of Christians in the practice of forced slavery, but also the subsequent subjugation efforts veiled under the guise of the separate but equal clause that negatively affected African Americans’

²³ Darr, “Transgenerational Retribution,” 213 re-enforces this when she writes that “the intent of this law about justice in the *human* arena is to rule out wholesale revenge against the perpetrators’s family and descendants. The effect of Ezek. 18:4 is to assert that what pertains (or should pertain) in the human sphere conforms to God’s own administration of justice.”

²⁴ Richard P. Belcher, Jr. *The Fulfillment of the Promises of God: An Explanation of Covenant Theology*. (Fearn, Ross-shire: Christian Focus, 2021), 126.

²⁵ See Larry P. Arnn, *The Founders’ Key: The Divine and Natural Connection Between the Declaration and the Constitution and What We Risk by Losing It*. (Nashville: Thomas Nelson, 2012), 64-74 for a fair critique regarding the enshrinement of slavery/participation of slaveowners in producing a legal code which at least acknowledged with its rhetoric that all men are created equal.

earning potential and educational opportunities for nearly 100 years after slavery was deemed illegal. Nevertheless, insofar as the Bible is allowed to speak into the matter, the biblical remedy for righting the wrongs of the deceased – in the Old and New Covenants alike – is not punishment but penitence (i.e., 2 Chron. 7:14).²⁶ While Christians are taught and commanded to do what they can to help the economically disenfranchised, irrespective of race, throughout the New Testament (e.g., 2 Cor. 8:9, Eph. 4:28, 1 Tim. 6:18, Jam. 2:14-17), there is no evidence that the human authors of the New Testament conceived of the financial generosity of Christians as being best brought about in a compulsory manner (cf., Luke 19:1-10, Gal. 2:10, 2 Cor. 8:8; 9:5-11, Phil. 4:10).

3rd Use (Wisdom for Civil Authorities)

Once the leap is made from the covenant people of God specifically to the realm of civil authority writ-large, the problems associated with setting out a cogent application of the Law's proper function multiply. Most obviously, it must be recognized at the outset that there is a categorical difference between the Law's proper role for the nation of Israel under its various periods of self-rule and its function as the basis for a just, civil society in the modern day.²⁷ While the United States' Constitution was written with the assumption that Judeo-Christian ethics were to serve as the ethical norm for the new nation, there is also an explicit separation of church and state principle laid down in the Constitution's First Amendment. Therefore, any implications of the Law of Moses for the United States' government today

²⁶ See Miroslav Volf, *Exclusion and Embrace*. (Nashville: Abingdon, 1996), 119-125 for a particularly moving testimonial – stemming from his own experience in the Balkan wars of the 1990's – outlining the power of forgiveness in allowing "...the spiral of vengeance to grind to a halt" (pg. 121) for both wronged and the wrongdoers alike.

²⁷ Also, Wright, *Old Testament Ethics*, 312: "Now of course we are aware that no state today stands in the same theocratic or covenantal relationship with God as did Israel..."

belong in the realm of guiding principles rather than specific guidelines.²⁸ In other words, civil authorities – which in this country derive their authority from the consent of the governed – are free to craft their democratically-enshrined policy proposals without reference to God’s law if they so choose. However, this author would contend that lawmakers who neglect the wisdom contained in God’s Law in the process of crafting legislation will do so to the detriment of those who live under their jurisdiction.²⁹ Therefore, the rest of this section will concern itself with Biblical wisdom principles which are in no way binding on any individual Christian.

As has already been observed, there is a clearly established biblical pattern of children being counted guilty – and even punished – on account of their fathers’ sins throughout the Bible. However, it is also true that in most of the biblical examples where the administration of justice takes place across generational lines, the sins of the fathers are clearly being perpetuated by the sons (contra Num. 26:11).³⁰ In other words, if the guilt of a father’s sin is sufficient for the purpose of implicating his children (i.e., Exod. 20:5; 34:7b), then a change of course by the children is likewise a sufficient condition for the removal of their father’s guilt from their account (i.e., Exod. 20:6; 34:7a). If the living children – or

²⁸ see Vern S. Poythress, *The Shadow of Christ in the Law of Moses*. (Phillipsburg, NJ: P&R, 1991), 311-361 for the opposite viewpoint known as *theonomy*. Poythress defines this perspective on the role of the law in modern civil pursuits as follows: “the conviction that Old Testament law in its details is still binding today.” Suffice it to say, this author is not a theonomist by any stretch of the imagination.

²⁹ Perceptively, Wright, *Old Testament Ethics*, 364 notes that in the modern West, “our emphasis is to say, *this* is the kind of person you must be; *that* is the kind of society that lies as a bonus in the background. In traditional cultures not yet eroded by Western individualism, however, the pattern of ethical thinking tends to start the other way around. *The way the community understands itself governs what is acceptable or unacceptable individual behavior*. Time will tell whether a course correction is possible for a representative republic wherein neither the governors nor the governed think of themselves as falling under God’s authority (i.e., Rom. 13:1ff).

³⁰ Block, *Deuteronomy*, 570 comments that “Significantly, Old Testament examples of children being punished for crimes committed by parents all involve fundamental violations of the covenant.”

descendants generally – of slaveowners and segregationists could be shown to be deliberately participating and perpetuating the economic subjection of their ethnic-minority neighbors in which their ancestors participated today, then the kind of recompense which scripture prescribes (i.e., Lev. 24:19-23) might very well be in order. However, in the absence of any such practices, it would also be unjust to levy punishment for past perpetrators of injustice upon their children (Deut. 24:16).³¹

Furthermore, as Christopher Wright points out through his own study of the retributive character of the Deuteronomic law code, one of the “ingredients of punishment”³² involved in the right application of the Law had to do with the proper issuing of compensatory measures whenever they were warranted (e.g., cases of theft). Regarding this aspect of the justice principle, he concludes that under the Mosaic Law, “Restitution was made to the injured part – not to the state as a fine” (i.e., Deut. 19:18-21, Deut. 25:1-3, cf., Luke 19:1-9).³³ While civil authorities admittedly have a role to play in the righting of economic wrong wherever intent to cause harm can be proven (i.e., through the judicial system), it is hard to see how the kind of retributive economic measures being advocated for on a public level today could be carried out without some kind of impost which would necessarily need to be conducted by means of the civil authorities themselves. There is therefore an inherent discontinuity between the way in which the Law of God would advise

³¹ Therefore, the discussion around reparations must be framed by social activists in such a way where racism is considered normative (i.e., systemic racism) to justify the seizure of private property from modern-day Americans. If racism is perceived to be systematized in a way that makes white Americans guilty of race-based theft today, then the case for reparations becomes much more plausible. This is no less true for the non-Christian than it is for the Christian since the former has the law written on his heart despite his failure to recognize God as his judge (cf., Rom., Rom 2:14-16).

³² Wright, *Old Testament Ethics*, 310.

³³ Ibid.

that economic grievances be remedied and the way in which such grievances are being attempted to be corrected under any policy proposals of this kind.

Lastly, there is certainly a warning worth heeding in the insights of Mark E. Biddle found in his own commentary on the book of Deuteronomy. Interestingly, Biddle is a mainline scholar and therefore presumably regard the civil/ethical import of the Law with a greater degree of significance than most Evangelicals would (in comparison to its Christological or Covenantal use). It is therefore very insightful to read from the pen of Biddle the following wisdom principle dawn from Deuteronomy 24:16:

In the context of the explication of the commandment against bearing false witness, the point seems to be that the common assumption that the behavior of children manifest something learned in the home – or, conversely, that children can be assumed to be tainted with parental flaws – is unwarranted. It “assumes facts not in evidence” and is therefore unjust. *To draw a conclusion concerning the character of one generation from the behavior of another is to pass judgment on the basis of the most ambiguous evidence.*³⁴

While this insight admittedly belongs in the category of worldview assumptions rather than explicit policy proposals, it is nonetheless highly illustrative of the *lieu commun* which most Americans now accept unflinchingly concerning the normative existence of racism in everyday affairs. Therefore – if it is true that politics is always downstream of culture – it should come as no surprise to any if the frequency with which retributive economic measures are put forward for a vote in this country increased in the years to come. Even if America never re-enshrines its aspirational identity as “one nation under God”, it

³⁴ Mark E. Biddle, *Deuteronomy*, Smyth & Helwys Bible Commentary (Macon, GA: Smyth & Helwys, 2003), 363.

would behoof Americans of all religions, classes, and ethnicities to be mindful of what C.S. Lewis once described as the “Dangers of National Repentance”.³⁵

Conclusion

By way of review, it deserves to be acknowledged once more that Deuteronomy 24:16 is but one in a series of Biblical proof-texts which collectively illustrate the tension between *individual* and *generational* guilt woven throughout the Scriptures. Despite the distaste that modern individualist often have for it, the generational guilt principle cannot be jettisoned without doing serious injury to “the faith that was once for all delivered to the saints” (Jude 3). As one author once put it “original sin is essentially the broadest form of generational judgment.”³⁶ Furthermore, it is because of the imputed guilt principle (as well as its converse: imputed righteousness) in scripture that Christians throughout history have been able to affirm with the Apostle Paul that: “...one has died for all, therefore all have died” (2 Cor. 5:14). Nevertheless, while God does possess the divine prerogative and authority to count the sins of a father against the father’s children as well,³⁷ Matthew Henry rightly points out that “God does not punish the children for their fathers’ sins unless they tread their father’s steps.”³⁸ In other words, the statute of limitations for retributive, economic measures as a compensatory measure for the racially-motivated, economic crimes of the past expired

³⁵ C.S. Lewis, “Danger of National Repentance,” in *God in the Dock: Essays on Theology and Ethics*. ed. Walter Hooper. (Grand Rapids, MI: Eerdmans, 1970), 189-192.

³⁶ Kyle Dillon. “Are We Held Accountable for the Sins of our Forefathers?” The Gospel Coalition. <https://www.thegospelcoalition.org/article/sins-forefathers-accountable/>.

³⁷ Calvin, *Instit*, 3.23.7. writes: “The Scriptures openly declare that all men were bound over to eternal death in the person of this one man. Since this cannot be ascribed to nature, everyone sees that it proceeded from the wonderful counsel of God.

³⁸ Matthew Henry, *Matthew Henry’s Commentary on the Whole Bible: Complete and Unabridged in One Volume* (Peabody: Hendrickson, 1994), 1374.

when those guilty of said-crimes expired as well. It would therefore be a violation of the covenant of grace – insofar as it retains its continuity across Old and New Covenants alike – for the church to exact punitive, economic measures on its members who are descended from slaveowners and segregationists. Lastly, while the United States as a national entity is not bound to conform its law-code to every “jot and tittle” (Matt. 5:18, KJV) laid down in the Law of Moses, it would be a grave mistake to do away with the wisdom contained within that Law which is given for man’s benefit and leads to human flourishing when used rightly (Psa. 19:7-11, 1 Tim. 1:8).

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