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Confession of Sins before Execution

Alma 1:15 records the execution of Nehor for the murder of Gideon:

And it came to pass that they took him; and his name was Nehor; and they carried him upon the top of the hill Manti, and there he was caused, or rather did acknowledge, between the heavens and the earth, that what he had taught to the people was contrary to the word of God; and there he suffered an ignominious death.

The concept of having a condemned man confess his sins before being executed is intriguing. Since the man is doomed, why would he cooperate with the authorities by detailing his crime? With no hope of leniency for confessing, what could he possibly gain?

The answer may lie in the regulations followed by Jewish religious authorities in the time of Christ. One of the tractates of the Mishnah describes in detail the procedures used by the Sanhedrin in capital cases, from the value of eye-witness testimony to the various means of execution.¹ A major provision concerning confession is described thus:

When he [the condemned man] was about ten cubits from the place of stoning they used to say to him, "Make thy confession," for such is the way of them that have been condemned to death to make confession, for every one that makes his confession has a share in the world to come. (*M Sanhedrin* 6.2)²

The passage then cites Joshua 7:19 as precedent for this provision. When Achan was condemned to be stoned for his sin,

Joshua said unto Achan, My son, give, I pray thee, glory to the Lord God of Israel, and make confession unto him; and tell me now what thou hast done; hide it not from me. And Achan answered Joshua, and said,

Indeed I have sinned against the Lord God of Israel, and thus and thus have I done.

The Mishnah makes it clear that although the confession would not alter the decision of the court, it would be taken into consideration in the final judgment that would be made by God. This seems to be the reasoning in another Book of Mormon account, in which a man named Sherem was guilty of teaching falsehood. Although the Nephite authorities did not intend to execute him, the Lord smote him, "insomuch that he fell to the earth" (Jacob 7:15).

And it came to pass that [Sherem] said unto the people: Gather together on the morrow, for I shall die; wherefore, I desire to speak unto the people before I shall die. And it came to pass that on the morrow the multitude were gathered together; and he spake plainly unto them and denied the things which he had taught them, and confessed the Christ, and the power of the Holy Ghost, and the ministering of angels. And he spake plainly unto them, that he had been deceived by the power of the devil. And he spake of hell, and of eternity, and of eternal punishment. And he said: I fear lest I have committed the unpardonable sin, for I have lied unto God; for I denied the Christ, and said that I believed the scriptures; and they truly testify of him. And because I have thus lied unto God I greatly fear lest my case shall be awful; but I confess unto God. And it came to pass that when he had said these words he could say no more, and he gave up the ghost. (Jacob 7:16–20)

Sherem's words make it clear that his confession was "unto God" as well as a means to acknowledge to others that he had been teaching false ideas about God. It may be significant that Sherem asked the people to gather "on the morrow" to hear his confession before he died, for the Mishnah notes that a man found guilty of a capital crime could not be executed until the day following the judgment (*M Sanhedrin* 5.5).³

We do not know the nature of the “ignominious death” that Nehor suffered, but in view of the Mishnaic requirement that the place of stoning be at least twice as high as a man so that the culprit could be pushed over the edge before being stoned (M *Sanhedrin* 6.4),⁴ it is interesting that Nehor was brought to the top of the hill to be executed. Of the various approved methods of execution, stoning was required for “[him] that beguiles [others to idolatry], and [him] that leads [a whole town] astray” (M *Sanhedrin* 7.3).⁵

The location of Nehor’s execution atop a hill may be behind the statement that he made his confessions “between the heavens and the earth.” But that expression may have something to do with calling heaven and earth to witness, as in several Old Testament passages (Deuteronomy 4: 26; 30:19; 31:28). Ze’ev W. Falk, an expert on Jewish law, noted that public confession before execution was intended to “effect the atonement” and to assure the judges that their verdict was correct.⁶

Because the Mishnah was not compiled until the second century A.D., it seems clear that we should not expect all of its provisions to have existed in the ancient kingdom of Judah, from which the prophet Lehi fled more than seven centuries earlier. But the close parallels between these Book of Mormon accounts and the Mishnah suggest that the legal procedures discussed here may have predated the Babylonian captivity.

Notes

1. The Mishnah was compiled by Rabbi Judah the Prince (A.D. 137–219) from oral traditions.
2. Herbert Danby, *The Mishnah* (Oxford Univ. Press, 1938), 390.
3. *Ibid.*, 389.
4. *Ibid.*, 390.
5. *Ibid.*, 391.
6. Ze’ev W. Falk, *Hebrew Law in Biblical Times*, 2nd ed. (Provo, Utah: BYU Press; Winona Lake, Ind.: Eisenbrauns, 2001), 53.

By John A. Tvedtnes

Brown Bag Report

With fall semester under way at Brigham Young University, we look forward to keeping you abreast of another round of Institute-sponsored brown bag lectures. These presentations, which are not open to the general public, enable researchers to share their expertise and findings with their peers in related fields and to receive constructive input. Following are reports of three such presentations from earlier this year.

Mission of BYU’s Religious Studies Center

BYU professors of ancient scripture Terry B. Ball and Richard D. Draper discussed the work of BYU’s Religious Studies Center. Ball spoke of the RSC’s mission of supporting scholarship that teaches and preserves the doctrine and history of the Church of Jesus Christ of Latter-day Saints. He also mentioned his botanical research in the Dhofar region of Oman, where some LDS scholars locate the Old World Bountiful. His collection of Arabian Peninsula vegetation, now housed at BYU, is the best herbarium of its kind in the United States, a “valuable research tool for archaeobotanists,” he said.

Draper, managing director of the RSC’s publications office, said the center occupies a special niche in LDS publishing with its studies on culture, history, scripture, and doctrine that are of “value to the kingdom but of sufficient academic register that commercial publishers are not interested in them.” He described how the center has expanded its mission by adding devotional materials to its book list and by producing a newsletter and a journal, the *Religious Educator*, among other publications.

The Atonement and the Strengthening of Communities

Thomas B. Griffith, legal counsel for BYU, discussed the concept of “at-one-ment” as it relates to building communities founded on the rule of law and on belief in human dignity and worth. Noting the example of Enoch’s people, he said the highest form of spirituality is when the effects of the atonement unite people to do good not only in their own families and congregations but also in the larger community. The capstone of Joseph Smith’s divine tutoring was his understanding that every church activity must be done with the

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