

# How the Cross Solves the Greatest Miscarriage of Justice in the History of the World.

## Romans 3:21-27

A few years ago, Antonin Scalia, a former justice on the US supreme court, made a bold statement. There has not been, he said, "a single case – not one – in which it is clear that a person was executed for a crime he did not commit. If such an event had occurred ... the innocent's name would be shouted from the rooftops." <https://www.theguardian.com/world/2012/may/15/carlos-texas-innocent-man-death>

On February 4, 1983, a 20 year old young man by the name of Carlos went into a convenience store gas station and murdered a young woman by the name of Wanda Lopez. He used a 8 inch lock blade knife, stabbing her multiple times and causing her to bleed to death.

That night police saw young man, running from near the crime scene, and eventually caught up with him and arrested him. His name was Carlos Deluna.

In Corpus Christi Texas, where the crime was committed, the death penalty could be issued for any robbery that resulted in murder. Carlos was brought before the court to a jury trial. He was found guilty of murder and sentenced to the death penalty. Carlos was offered the opportunity to plead guilty to the murder, in hopes of receiving a lesser sentence of life in prison. However, he refused and that he would never admit to the guilt of something he did not do. So he was sent to prison and placed on death row to await his execution.

With a no opportunity for appeals, six years later, call December 8, 1989 Carlos Deluna is put to death by lethal injection. He maintained his innocence until his death.

It wasn't until 2004 that Professor James Liebman and 12 students meticulously chased down every possible lead in the case, interviewing more than 100 witnesses, perusing about 900 pieces of source material and poring over crime scene photographs and legal documents that, when stacked, stand over 10ft high.

What they discovered stunned even Liebman, who, as an expert in America's use of capital punishment, was well versed in its flaws. "It was a house of cards. We found that everything that could

go wrong did go wrong," he says, from the botching of the finger prints to the collection of DNA.

On the number of occasions, Carlos Deluna had stated that he knew who the killer was. His name was Carlos, but not Carlos Deluna, it was Carlos Hernandez.

At his 1983 trial, Carlos DeLuna told the jury that on the day of the murder he'd run into Hernandez, who he'd known for the previous five years. The two men, who both lived in the southern **Texas** town of Corpus Christi, stopped off at a bar. Hernandez went over to a gas station, the Shamrock, to buy something, and when he didn't return DeLuna went over to see what was going on.

DeLuna told the jury that he saw Hernandez inside the Shamrock wrestling with a woman behind the counter. DeLuna said he was afraid and started to run. He had his own police record for sexual assault – though he had never been known to possess or use a weapon – and he feared getting into trouble again.

"I just kept running because I was scared, you know." When he heard the sirens of police cars

screeching towards the gas station he panicked and hid under a pick-up truck where, 40 minutes after the killing, he was arrested.

The two Carloses were not just namesakes – or *tocayos* in Spanish, as referenced in the title of the Columbia book. They were the same height and weight, and looked so alike that they were sometimes mistaken for twins. When Carlos Hernandez's lawyer saw pictures of the two men, he confused one for the other, as did DeLuna's sister Rose.

At the trial, DeLuna's defense team told the jury that Carlos Hernandez, not DeLuna, was the murderer. But the prosecutors ridiculed that suggestion. They told the jury that police had looked for a "Carlos Hernandez" after his name had been passed to them by DeLuna's lawyers, without success. They had concluded that Hernandez was a fabrication, a "phantom" who simply did not exist. The chief prosecutor said in summing up that Hernandez was a "figment of DeLuna's imagination".

With the help of his students, Liebman began to piece together a profile of Hernandez. He was an alcoholic with a history of violence, who was always

in the company of his trusted companion: a lock-blade buck knife.

Over the years he was arrested 39 times, 13 of them for carrying a knife, and spent his entire adult life on parole. Yet he was almost never put in prison for his crimes – a disparity that Liebman believes was because he was used as a police informant. "Its hard to understand what happened without that piece of the puzzle," Liebman says.

Several of the crimes that Hernandez committed involved hold-ups of Corpus Christi gas stations. Just a few days before the Shamrock murder he was found cowering outside a nearby 7-Eleven wielding a knife – a detail never disclosed to DeLuna's defense.

He also had a history of violence towards women. He was twice arrested on suspicion of the 1979 murder of a woman called Dahlia Saucedo, who was stabbed and then had an "X" carved into her back. The first arrest was made four years before DeLuna's trial and the second while DeLuna was on death row, yet the connection between this Hernandez and the "phantom" presented to DeLuna's jury was never made.

In October 1989, just two months before DeLuna was executed, Hernandez was sentenced to 10 years' imprisonment for attempting to kill with a knife another woman called Dina Ybanez. Even then, no one thought to alert the courts or Texas state as it prepared to put DeLuna to death.

Hernandez himself frequently told people that he was a knife murderer. He made numerous confessions to having killed Wanda Lopez, the crime for which DeLuna was executed, joking with friends and relatives that his "tocayo" had taken the fall. His admissions were so widely broadcast that even Corpus Christi police detectives came to hear about them within weeks of the incident at the Shamrock gas station.

Yet this was the same Carlos Hernandez who prosecutors told the jury did not exist. This was the figment of Carlos DeLuna's imagination.

As for the tocayos Carloses, Carlos Hernandez died of natural causes in a Texas prison in May 1999, having been jailed for assaulting a neighbor with a 9in knife.

Carlos DeLuna commented on his own ending in a television interview a couple of years before his

execution. "Maybe one day the truth will come out," he said from behind reinforced glass. "I'm hoping it will. If I end up getting executed for this, I don't think it's right."<https://www.theguardian.com/world/2012/may/15/carlos-texas-innocent-man-death>

This was a true miscarriage of Justice. A man who was innocent of murder paid the penalty for murder.

There is another story that is even more astounding than this one. It is about a innocent man who was put to death instead of the people who had committed the worst crimes imaginable. The judge charged this innocent man with crimes of these other people, and executed him. And even more amazing is that even though this innocent man was executed for crimes he did not commit, It was the most righteous and just execution in History.

It's one of the most amazing facts of history that has never been repeated and never will be repeated, is that there was a man who was born in a normal Jewish home, where the mother and father sought to raise their children in such a way that they would honor the Lord and be faithful to him. This son grew up learning the Scriptures, practicing obedience to the law of God. He entered the ministry having been baptized by John the Baptist so He

could fulfill all righteousness. Through his life He reminded those who followed and listened to him that he came to fulfill all the law and prophets. He lived a life of complete obedience to the law, never violating one command. Never disobeying one iota of the law. Even as a child, he never once disobeyed his parents, never lied, never misrepresented the truth, never being selfish with his other siblings. Always giving, always the example of biblical love toward others, never revengeful, never hateful. A perfect example of what is right and just.

He never violated one command of God, never committed a crime, never had a credible accusation proven against him.

He was the perfect man. The only sinless man. The perfect obedient slave to His Father. And yet putting him to death via the crucifixion was the perfect example of Justice. A perfect display of Righteousness. An example of a man truly getting what he deserved. Every lash of the whip, every rip of the flesh of his back was fully deserved. Every fist to the head by the Roman soldier, every thorn pushed into his head, every foot step in agony carrying his cross to be crucified was just. Every nail in the hand and the feet, completely deserved. Every agonizing breath he struggled to have while



hanging suspended on the Cross and every throbbing pain pulsing thru his entire body, and all the fury and wrath of God that was pour out on him was a perfect display of what was right, just and holy.

It was not a miscarriage of justice, it was justice. This was the most righteous execution vividly displayed for all to see.

You may be wondering, how can this be? Every fiber of you being may be screaming that this isn't right. If there was ever miscarriage of justice, surely this would be it. If there ever was a person who was not deserving of death, and especially the death by crucifixion, surely it would be this man.

And you would be right, IF that was all of the story. But there is more, much more to this story.

But there is another problem, a huge problem. One that is just as large as the earlier one. One that most people do not even consider. One that could be one of the most glaring miscarriages of Justice in all of the world. It is amplified and intensified by the repeated phrase in the text.

## Romans 3:21–27 (NKJV)

**21** But now the **righteousness of God** apart from the law is revealed, being witnessed by the Law and the Prophets, **22** even the **righteousness of God**, through faith in Jesus Christ, to all and on all who believe. For there is no difference; **23** for all have sinned and fall short of the glory of God, **24** being justified freely by His grace through the redemption that is in Christ Jesus, **25** whom God set forth *as* a propitiation by His blood, through faith, to demonstrate **His righteousness**, because in His forbearance God had passed over the sins that were previously committed, **26** to demonstrate at the present time **His righteousness**, that He might be just and the justifier of the one who has faith in Jesus.

This phrase creates a huge problem for everyone who has lived and is alive.

The problem is,

Since God is a Holy and Just God and and Perfectly Righteous and can do no wrong as a judge. HE

MUST PUNISH SIN

Then comes the question.

## 2. How can God truly be Just and Righteous if he has

**v. 25** “passed over the sins that were previously committed”

This problem which is a massive one. One wonder ask a question why wasn't Adam and Eve obliterated whenever they first sinned in the garden? Why does God allow anyone to live when they sin?

The key to understanding understand this perceived miscarriage of Justice is to understand the other perceived miscarriage of Justice that was the most just execution in History.

How An Innocent Man Can Be Justly Condemned.

It may sound totally contradictory. The opposite of justice and righteousness that would scream not to condemn an innocent man.

But it is exactly because of the Righteousness of God that an innocent man had to die.

And you may ask, WHY..... Why would an innocent man have to die to show that God is Righteous .

Well, the answer may be shocking and different than you may think. We find the beginning of the answer in verse 25

<sup>25</sup> whom God set forth as a propitiation by His blood, through faith, to demonstrate **His righteousness**, because in His forbearance God had passed over the sins that were previously committed,

God the Father set forth His Son, Jesus to be the satisfaction of His Just Wrath.....BECAUSE, in his patience He had passed over, not punished, the sin of previous generations of people.

Often, we think of the reason that Jesus died for sinners is because of his great love for us, and that is definite a motivating factor of why he saved us, why he died for us.

But that is not the primary reason. The primary reason was to show that He is Righteous. That he is Holy and that no matter how much he may love the sinner, He will never compromise His Holiness and Righteousness to save anyone. In fact he can't compromise.

He is just and is forever just. There has never been a time that he was not Just.

**Deuteronomy 32:4** (NKJV)

4 *He is the Rock, His work is perfect;  
For all His ways are justice,  
A God of truth and without injustice;  
Righteous and upright is He.*

**righteousness**, *justification*, and their verb and adjective forms are from the same Greek root. As those two English words indicate, the basic meaning relates to what is right and just.

MacArthur, J. F., Jr. (1991). [Romans](#) (Vol. 1, p. 216). Moody Press.

Although this is good to know and to know that we have a God who is Righteous, Just and True.... It raises a potential problem. A serious problem. How can God not punish sinners. How can millions of people be born and sin and not experience the immediate wrath of a just God.

“The real “problem,” as it were, with salvation was not the matter of getting sinful men to a holy God but of getting a holy God to accept sinful men without violating His justice.”

MacArthur, J. F., Jr. (1991). [Romans](#) (Vol. 1, p. 219). Moody Press.

Because of His justice, no sin will ever go unpunished

The Old Test. prophets understood this.

### Malachi 2:17 (NKJV)

<sup>17</sup> You have wearied the Lord with your words;  
“Yet you say,  
“In what way have we wearied *Him*?”  
In that you say,  
“Everyone who does evil  
*Is* good in the sight of the Lord,  
And He delights in them,”  
Or, “Where *is* the God of justice?”

### Habakkuk 1:13 (NKJV)

<sup>13</sup> *You are* of purer eyes than to behold evil,  
And cannot look on wickedness.  
Why do You look on those who deal treacherously,  
*And* hold Your tongue when the wicked devours  
*A person* more righteous than he?

### Psalms 78:38–39 (NKJV)

<sup>38</sup> But He, *being* full of compassion, forgave *their*  
iniquity,  
And did not destroy *them*.  
Yes, many a time He turned His anger away,  
And did not stir up all His wrath;  
<sup>39</sup> For He remembered that they *were but* flesh,

A breath that passes away and does not come again.

[Acts 17:30–31](#) (NKJV)

<sup>30</sup> Truly, these times of ignorance God overlooked,

A look at ethnology and the history of religion shows that, without exception, pagan gods were, as they still are, made in the likeness of men. Their only difference from men is in their presumed power. Otherwise, they reflect the same moral deficiencies and frailties. They are capricious, inconsistent, and totally unpredictable. In the Greek and Roman pantheons, the fabricated deities were continually competing among themselves and were jealous of one another and even of human beings who demonstrated unusual intelligence, skill, and power. Some of the gods supposedly demanded a high standard of conduct from human beings but were themselves whimsical and often grossly immoral.

That is exactly what one would expect. Man-made gods can never be more than larger-than-life images of men. Many ancient men and women, in fact, lived on a much higher moral plane than their gods reportedly did. Men would frequently accuse a particular god of unfairness and wrongdoing and

appeal to another god or gods to rectify the wrong of the erring deity.

Men have even been quick to judge the true God in much the same way. Unbelievers frequently point to what they consider capricious, unjust, and even brutal acts on God's part. "If your God is so holy and just," they ask, "why does He let His own people suffer so much and let wicked people, including the enemies and persecutors of His people, get by with terrible sins? And why does He let innocent people suffer because of the wickedness of others?"

MacArthur, J. F., Jr. (1991). [Romans](#) (Vol. 1, p. 216). Moody Press.

The answer comes, in Romans  
**Romans 3:25-26** (NKJV)

**25** whom God set forth as a propitiation by His blood, through faith, to demonstrate **His righteousness**, because in His forbearance God had passed over the sins that were previously committed, <sup>26</sup> to demonstrate at the present time **His righteousness**,

25 whom God **set forth**

4388. **προτίθημι** *protíthēmi*; fut. *prothēsō*, from *pró* (4253), before, forth, and *títhēmi* (5087), to place. To



set before someone. In the NT, only in the mid. *protíthēmai*. To propose, set forth or before the eyes, publicly, with the acc. (Rom. 3:25); to propose, purpose, design beforehand (Rom. 1:13 with the inf.; Eph. 1:9).

**Deriv.:** *próthesis* (4286), a setting forth, a purpose.

25 whom God set forth **as a propitiation**

The *hilastérion* means the propitiating thing or the propitiatory gift, that which causes God to deal with us mercifully. This is the connotation given by Paul to the word in Rom. 3:25. Here Paul depicts Christ as the lamb slain whose blood cleanses us from sin (1 John 1:7). In heathen religions the people who sacrificed or did anything to appease their god appeared to be or believed that they were manipulating him. In Christianity, however, it is never people who take the initiative or make the sacrifice, but God Himself who, out of His great love for sinners, provided the way by which His wrath against sin might be averted. Jesus shed His blood and became the way to the Father for sinners.

The effect of Christ's work on the cross is the salvation of the sinner, who then becomes capable of fellowship with a holy God

Zodhiates, S. (2000). In [The complete word study dictionary: New Testament](#) (electronic ed.). AMG Publishers.

The Hebrew equivalent of *hilastērion* is used in the Old Testament in reference to the Mercy Seat in the Holy of Holies, where the high priest went once a year, on the Day of Atonement, to make a sacrifice on behalf of his people. On that occasion he sprinkled blood on the Mercy Seat, symbolizing the payment of the penalty for his own sins and the sins of the people.

But that yearly act, although divinely prescribed and honored, had no power to remove or pay the penalty for a single sin. It could only point to the true and effective “offering of the body of Jesus Christ once for all.... For by one offering He has perfected for all time those who are sanctified” (Heb. 10:10, 14).

MacArthur, J. F., Jr. (1991). [Romans](#) (Vol. 1, pp. 209–210). Moody Press.

The kind of wrath that was satisfied.

1. This is the kind of wrath cursed Adam and Eve, driving them from the Garden, prohibiting them from any access to the tree of life, and executed them immediately spiritually and destined them for all of mankind for eternal separation from God in Hell.

2. This is the kind of wrath that sent waters gushing from the ground and torrential rains from the sky for forty days and flooded the entire earth, so that the highest mountain top was covered. And millions of men, women, children and babies were drowned to death and opened their eyes to spend eternity in the flames of hell.

3. This is the kind of wrath that sent fire and brimstone out of the sky, burning alive all the men, women and children of Sodom and Gomorrah and anything that had breath for their perversion and pride.

4. This is the kind of wrath that would send 10 plagues on the Egyptian people, killing untold thousands for not obeying the voice of God.

5. This is the kind of wrath that would open up the Red Sea and allow the entire Army of Pharaoh to enter so He could drown them.

6. This is the kind of wrath that would send 10s of thousands to their death by sending Israel into the Promised Land and instructing them to kill every living thing.

7. This is the kind of wrath that would open the earth to swallow thousands of Israelites for idolatry and perversion.

8. This is the same kind of wrath that will one day strike millions with plagues and destroy the vast armies of the nations with the Sword of His Mouth.

9. This is the same wrath and the same God that created Hell. And will permanently place billions of people, including some of your family and friends, in a place where the fire is not quenched and the worms do not die and the agony, pain and torture never ends. A place of immense darkness, loneliness and despair. Where there is constant weeping and gnashing of the teeth. A place that God will seal with an eternal lock. Never to open the door or allow a means of escape. A place where His wrath is full and final, unending and eternal. It is never satisfied, never completed, never finalized, and never regretted. His fury will burn just as intense 10,000 years from now as it did the first time he placed the sinner there.

If the wrath-bearing, substitutionary nature of the cross of Christ is denied — you have fundamentally denied the gospel.

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<sup>25</sup> whom God set forth *as* a propitiation  
by His blood, through faith, **to**  
**demonstrate His righteousness,**

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1732. **ἐνδειξις** *éndeixis*; gen. *endeíxeōs*, from *endeíknumi* (1731), to show forth. The act of pointing out, particularly with the finger. Manifestation, declaration (Rom. 3:25, 26), indication, token, proof, similar to *éndeigma* (1730), with the difference being that *éndeigma* is the actual demonstration, while *éndeixis* is the act of proving (2 Cor. 8:24; Phil. 1:28).

**Syn.:** *dokimḗ* (1382), proof, trial; *dokímion* (1383), test, proof; *tekmérion* (5039), a positive proof; *anádeixis* (323), a showing forth; *sēmeíon* (4592), a sign, indication; *sússēmon* (4953), a fixed sign or signal; *apódeixis* (585), demonstration, manifestation; *martúrion* (3142), evidence, testimony; *deígma* (1164), example.

**Ant.:** *anaíresis* (336), the act of killing, cancellation; *athétēsis* (115), annulment; *apistía* (570), faithlessness

Zodhiates, S. (2000). In [The complete word study dictionary: New Testament](#) (electronic ed.). AMG Publishers.

<sup>25</sup> whom God set forth as a propitiation

by His blood, through faith, to

demonstrate **His righteousness**,

because in **His forbearance** God had

passed over the sins

**ἀνοχή** *anochḗ*; gen. *anochés*, from *anéchō* (430), to bear with, suffer. Forbearance, indulgence, temporary long-suffering, as in Rom. 3:25. God's attitude toward sin is demonstrated in Rom. 3:25 where the word

*páresis* (3929), bypassing, is used which does not mean remission of sins. *Páresis* was temporary. God winked at the sins of the people because of their animal sacrifices. That was the *páresis* of verse twenty–five, the overlooking, which in this verse is also called *anoché*, forbearance or temporary suspension of His wrath. The sacrifice of Christ provides *áphesis* (859), remission, the forgiveness of sins which is once and for all, taking them away, and is more than *páresis*, bypassing or skirting their sins. Redemption through Christ’s blood, however, provided permanent satisfaction of His justice (Rom. 5:9).

Zodhiates, S. (2000). In [The complete word study dictionary: New Testament](#) (electronic ed.). AMG Publishers.

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 \_\_\_\_\_ because in His forbearance God had  
 \_\_\_\_\_ **passed over** the sins that were  
 \_\_\_\_\_ previously committed,

***páresis***; gen. *paréseōs*, fem. noun from *paríēmi* (3935), to let pass by. A passing over, an overlooking of faults. It refers to the putting aside of our sins, without punishment, as in Rom. 3:25 (kjv) where it is translated “remission.” This is more equivalent to

*áphesis* (859), forgiveness, pardon. *Áphíesis* is the actual remission of sins, the canceling of moral indebtedness. This presupposes Christ's sacrifice as punishment for sin, which *páresis* does not. *Páresis* is only the passing over of transgression, i.e., the suspension of a penalty and not the removal of it.

Zodhiates, S. (2000). In [The complete word study dictionary: New Testament](#) (electronic ed.). AMG Publishers.

## 2 Peter 3:7–10 (NKJV)

<sup>7</sup> But the heavens and the earth *which* are now preserved by the same word, are reserved for fire until the day of judgment and perdition of ungodly men.

<sup>8</sup> But, beloved, do not forget this one thing, that with the Lord one day *is* as a thousand years, and a thousand years as one day. <sup>9</sup> The Lord is not slack concerning *His* promise, as some count slackness, but is longsuffering toward us, not willing that any should perish but that all should come to repentance.

<sup>10</sup> But the day of the Lord will come as a thief in the night, in which the heavens will pass away with a great noise, and the elements will melt with fervent heat; both the earth and the works that are in it will be burned up.

**3114.** μακροθυμέω *makrothuméō*; contracted *makrothumṓ*, fut. *makrothumésō*, from *makróthumos*

(n.f.), long–suffering, which is from *makrós* (3117), long, and *thumós* (2372), wrath, anger. To suffer long, be long–suffering, as opposed to hasty anger or punishment (1 Cor. 13:4; 1 Thess. 5:14; 2 Pet. 3:9

Zodhiates, S. (2000). In [The complete word study dictionary: New Testament](#) (electronic ed.). AMG Publishers.

It is only because of Christ that this can happen. In order for the wrath of God against sinners to be satisfied, God needed someone who had never sinned or broke the law and did not need to die because of his own sins but being spotless and sinless could stand in the place of the sinner and be punished, not for his own sin, but be punished for the sin of others. It is this great work of substitution where by Jesus would die in our place. An innocent man who never sinned would be punished as if he were ME or you or other sinners that He would eventually save.

It is also this great work of imputation whereby my sin was place on Christ and Christ was punished as if He had committed those sins.

2 Corinthians 5:21 (NKJV)

<sup>21</sup> For He made Him who knew no sin *to be* sin for us, that we might become the righteousness of God in Him.



He was a holy man made as a sinner so he can be punished as if he were as sinner so we we who are sinners can be made holy to escape wrath.

It was only through the cross that God could provide a just redemption for sinful men. But of immeasurably more importance was that the cross demonstrates forever that God is both supremely just and supremely gracious. First and foremost, Christ died that the world might see that neither God's holiness nor His justice have been abrogated. God has perfect and absolute integrity. The cross was the ultimate vindication of God's justice and righteousness. The most unfathomable of all spiritual mysteries is that of the holy and just God providing redemption for sinful men and in that gracious act, not violating any attribute of His nature, but bringing supreme glory to Himself.

MacArthur, J. F., Jr. (1991). [Romans](#) (Vol. 1, p. 219). Moody Press.

The death of Christ was planned long ago, before man was created and fell into sin. God passing over sins was a not unjust, it was mercy and grace. He knew that one day the justice would be fully absorbed in His own Son. Or another way of saying this is, God was willing to forgo being wrathful

continually because would satisfy his just by punishing himself as if He were the sinners that should be destroyed.

“The real “problem,” as it were, with salvation was not the matter of getting sinful men to a holy God but of getting a holy God to accept sinful men without violating His justice.”

MacArthur, J. F., Jr. (1991). [Romans](#) (Vol. 1, p. 219). Moody Press.

Acts 17:30–31 (NKJV)

<sup>30</sup> Truly, these times of ignorance God overlooked, but now commands all men everywhere to repent,  
<sup>31</sup> because He has appointed a day on which He will judge the world in righteousness by the Man whom He has ordained. He has given assurance of this to all by raising Him from the dead.”

In his beautiful hymn, Horatius Bonar wrote,

Not what my hands have done  
 Can save my guilty soul;  
 Not what my toiling flesh has borne  
 Can make my spirit whole.  
 Not what I feel or do  
 Can give me peace with God;

Not all my prayers and sighs and tears  
Can bear my awful load.  
Thy grace alone, O God,  
To me can pardon speak;  
Thy power alone, O Son of God,  
Can this sore bondage break.  
No other work save thine,  
No other blood will do;  
No strength save that which is divine  
Can bear me safely through.