

2008 LEADERSHIP SERIES

*Universal Foundations
for Human Rights:
A Dialogue in Genesis*



CHRISTIAN EMBASSY

7. JUSTICE
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Dr. Michael Leary

Universal Foundations for Human Rights: A Dialogue in Genesis

In our previous sessions, we have seen that the inherent dignity and worth attributed to every person by the Universal Declaration of Human Rights is due to the fact that we are all created in the image of God. In a similar fashion, gender equality derives from both male and female being created in the image of God and given equal responsibilities. Likewise, the origins of rights related to marriage, work and rest can be easily traced to the nature of God and the account of Creation. Justice, with its desirable qualities of equality, impartiality, protection and punishment, is similarly anchored in the character of God.

Justice is universally accepted as indispensable to a stable society and the security of the individual citizens. However, justice is sometimes exercised arbitrarily, with partiality and with discrimination. More than one third of the articles in the UDHR specifically addresses these civil and political rights. They offer such high standards as “equality before the law,” a “fair and public hearing by an independent and impartial tribunal,” “presumed innocent until proved guilty,” and punishment that is not “cruel, inhumane or degrading.” Each of these has a correlation with judicial practices recorded in the earliest books of the Bible. Each has a universal foundation in the very nature of God who is holy and just.

There is little controversy on these major issues. We saw the justice of God exercised with Adam and Eve. He established the rule of law with its just punishment: “You are free to eat from any tree in the garden, but you must not eat from the tree of good and evil, for when you eat of it you will surely die.” They violated this law and suffered the consequences. The divine tribunal was impartial and there was no favoritism shown. But there was more. We saw God exercise love and mercy immediately afterward.

The story of Cain and Abel give us indication of how swift and deep the effects of the Fall infected the human family. Here, in this very first family on earth, anger and jealousy led to cold-blooded murder, even after a significant warning! In *The Rise and Fall of Civilization*, David Hocking concludes, “Cain’s sin of murdering his brother Abel requires the justice of God Himself. Murder is an attack on the Creator Who made humanity in His own image.... Human life is sacred because first and foremost, we were made in the image of God.”

We all understand the moral justice of rewarding the good and punishing the evil. The world is divided, however, on the necessary consequences of a capital crime. The majority of nations today, with notable exceptions, prohibit capital punishment. It might be presumed in light of their belief in a God who is loving and merciful, that Christians in particular would be unanimously opposed to the death penalty. Doesn’t Jesus teach to love your neighbor and your enemy? While many religious groups are officially opposed to capital punishment, not all Christian’s agree.

It is necessary, then, as we approach the topic of capital punishment, to ask first, “What does the Bible say about it?” Second, “How does this apply today?” Finally, “Am I willing to objectively consider a viewpoint other than my own?”

We will consider that God Himself is impartial and just and that we are expected to judge in like manner. We will also see what the Bible teaches about jurisprudence and the influence this has had on our legal systems today. We will also trace the development of capital punishment in the Bible, and determine its validity for today. Ultimately, the conclusion is yours to reach and to administer.

Let it also be clear that the *Christian Embassy does not officially support nor oppose the death penalty*. This issue is raised to introduce a perspective on capital punishment that rarely enters into the political dialogue or the public debate.

1. **What is the original and ultimate source of justice?**

Genesis 2:15-17

Genesis 18:25

Deuteronomy 10:17

Isaiah 45:21

2. **What are some attributes of Biblical justice that correlate with the Universal Declaration of Human Rights (see handout) and current legal practice?**

Exodus 23:1-9

Exodus 21:23

Exodus 21:12-14

Deuteronomy 1:17

3. **Compare and contrast the justice exercised in Genesis 4 and Genesis 9.**

	<u>Genesis 4:8-12</u>	<u>Genesis 9:5-6</u>
What is the offense?		
Who is the judge?		
What is the punishment?		
What is the rationale?		
Who administers justice?		
Why are their differences?		

4. **What safeguards protect the accused killer?**

Deuteronomy 19:4-7

Deuteronomy 19:11-13

Deuteronomy 19:15-19

5. **Compare and contrast Romans 12 and Romans 13.**

	<u>Romans 12:19-21</u>	<u>Romans 13:1-5</u>
Who is responsible for justice?		
What actions can they take?		

6. **What is your personal responsibility?**

Amos 5:15

Micah 6:8

James 2:8-13

7. **Write a short statement on justice and capital punishment based on your study.**

Whereas ...

Therefore...

“Hate evil, love good; maintain justice in the courts.”

(Amos 5:12 NIV)

Universal Declaration of Human Rights specifically related to Justice

Article 3

Everyone has the *right to life, liberty and security* of person.

Article 4

No one shall be held in slavery or servitude; *slavery and the slave trade shall be prohibited* in all their forms.

Article 5

No one shall be subjected to torture or to cruel, *inhuman* or degrading treatment or *punishment*.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are *equal before the law* and are entitled *without any discrimination* to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an *effective remedy* by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to *arbitrary arrest*, detention or exile.

Article 10

Everyone is entitled in *full equality to a fair and public hearing by an independent and impartial tribunal*, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be *presumed innocent until proved guilty* according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the *protection of the law* against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries *asylum from persecution*.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.