

## Biblical Principles Of Justice (Part Two)

Learning to Judge Matters of This Life

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Given 28-Feb-15; Sermon #1255

I have got a little bit of a story to tell you. So sit back and listen if you will.

Douglas and Kristen Barbour—a well educated, well-to-do, and allegedly religious couple—lived in Franklin Park, Pennsylvania which is a Pittsburgh suburb. Douglas was a Deputy Attorney General for the Pennsylvania State Attorney's Office. He was assigned to the district office in Pittsburgh.

In March 2012, despite having two biological children, he and Kristen adopted a 5-year-old boy and a 13-month-old girl from Ethiopia. They did this through a Christian adoption agency. Six months later, however, both children were rushed to Children's Hospital in Pittsburgh.

At the time of admission on September 14, 2012, the boy weighed 37½ pounds and was severely malnourished. His body temperature was only 93.6 degrees. He had a skin infection which doctors determined was caused by lying in his own urine. The examining doctor determined that he was "the victim of significant neglect and possible emotional abuse over a prolonged period of time." The boy told investigators a little bit later that he was once thrown to the ground, upon which he hit his head, and he was sometimes required to stand in a dark bathroom and even sometimes eat his meals there.

The little girl who was 17 months, a toddler, had several fractures of her femur and her toes and they were healing. Kristen Barbour claimed, however, that they were the result of several accidental falls that the little girl had taken.

In addition, the girl had a severe brain injury, breathing difficulties, and retinal hemorrhaging (retinas are in the eye). She was also malnourished, like her brother. As a result of the toddler's head trauma, which included several skull fractures, she was blind in one eye—and they were concerned that that would be a permanent condition. She now has, after these couple of years since, poor impulse control and a significant likelihood of learning disability because of frontal lobe damage.

As one might expect after hearing about such things, the Barbours were charged with child abuse, two counts of endangering the welfare of a child, and (in the case of the little girl) aggravated assault which is a felony offense. Regarding the boy, the couple faced charges of simple assault which is, in Pennsylvania, a misdemeanor. Douglas

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faced, then, two misdemeanor charges and Kristen faced two felony charges. But even though this was laid on them, they were given their biological children back just within a couple of weeks of the charges being filed against them. There was never any abuse to their own children.

In June 2014 they pleaded 'No Contest' to these charges. 'No Contest' pleas have the same effect as guilty pleas; they are considered to be convictions and they go on your record. But the Barbour's acknowledged no guilt—that was part of the plea bargain that they agreed to. Their defenders, throughout the long process of this, had consistently blamed the two children for being uncooperative and hurting themselves.

In the plea deal, Allegheny County judge Jeffrey Manning gave Douglas Barbour five years' probation. He also stands, of course, to lose his license to practice law in the State of Pennsylvania. Kristen Barbour got six to 12 months in the Mercer County jail where the couple had moved after they had been arrested.

In his ruling, the judge remarked: "The whole aura of this matter has an aggravated [feel] about it, but I don't find an aggravated range sentence would be appropriate. It seems to me this started out as a significant act of charity gone awry. It is clear there does not appear to be an intent to harm. I see no evidence of malice here."

That is kind of a self-contradictory statement. He said that this is an aggravated matter, but there was no intent to harm—aggravated assaults usually contain intent to harm.

Four months later (this was getting into October 2014), Judge Manning changed his mind about the sentence that he gave to Kristen Barbour. Instead of six to 12 months in jail, she was given work release for six out of seven days of the week. That is, just to explain what was happening here, she is allowed to go home for 8½ hours each day, six days out of seven days, to care for their two biological children. Essentially, her only punishment now, for what was done to these two young Ethiopian children, was to eat a few meals and sleep at the Mercer County jail. Beyond this, she has petitioned to serve the rest of her time at home with an ankle monitor.

Now, my question to you, after hearing that story: Is this justice? I will let you make up your own mind about that.

A lot of people say, "No. This isn't justice at all." Some, after some thought, say that the judge was constrained by the plea bargain that the lawyers and the prosecutor worked out, and he took the Barbour's upstanding prior record into account—this was essentially their first offense.

Child advocates say that this is far, far too merciful. It is worse, almost less than a slap on the wrist and an example of the decline of American justice and values, especially in regard to child protection.

Yet, others believe that it is an example of the inherent racism of the US Criminal Justice system in which the well-being of two black children matters very little compared to two upwardly mobile white people (suburbanites).

I do not necessarily want you to make a decision on this case. I have not given you all the information. I have given you basically one side of the story. I do not really know what the Barbours' side of the story is, except what I had mentioned there about them saying that it was the kids' fault. That is a principle of justice we will get to shortly.

But would you be able to judge such a case based on God's law? I am not even talking about American law anymore or Pennsylvania law. We do not know American law or Pennsylvania law very well, so we would have trouble there. But you are supposed to be experts on the Bible. You have been studying it for a long time. Would you be able to judge such a case if all you had to work from was the Bible that was sitting on your lap?

I do not mean how you might *feel* about something like this. We feel that this is a heinous crime and it must be punished. We see, in our mind's eye, this little boy and this little girl—skinny, scared, bruised, beaten, broken—and we think that something must be done. And it is a very human and right reaction to feel revulsion and a sense of injustice—that we want to correct—and that is all good.

But, could you construct a biblically-based legal argument on this matter?

Would you know where to turn to in your Bible, to get the legal backing from God's Word, to make a decision? Could you cite chapter and verse on this matter?

Do you even know which laws and principles would apply?

If you were a judge in a court, let us say, would your court function justly and equitably—because you know the principles that God will require of a godly court?

How well (I guess this is what it comes down to) do you know the kind of godly judgment that we are supposed to learn and emulate from God?

I will level with you here. I will admit freely, that despite my theology degree which is hanging on my wall in my office, despite a lifetime of study, a lifetime of being in the

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church and actually now, twenty years almost, of being a minister in the church of God, I would have a hard time judging this matter under what I just said about being able to cite chapter and verse and all the principles and all of that. It would be difficult.

Truth be told, coming to such a judgment should not be easy, it should be difficult, because lives are hanging in the balance. It should be something that takes a great deal of study and hard work and hours of deep thought, to make sure that any decision—any kind of verdict that we might hand down—would be right and just.

My purpose in giving these sermons on the biblical principles of justice is to help us to learn some of these things (at least the basics) so that we can consider and evaluate matters in a godly way, right now, as we are going through our lives. We know we have not been given the authority in this world to be judges. That is not our purpose as yet.

But we have been put into this world and given the authority to learn these things. You could say we are in law school, in terms of God's law and God's principles, and we are supposed to be learning these things right now and becoming experts in the law. Now, we will not use this until later, in full, but we are supposed to use it in part right now in the matters of this life.

We have to learn to evaluate. We have to learn to make judgments. We do not have the power or the authority to hand them down yet, but we have to learn to at least have godly judgment. And that is the verse we ended with last time where Jesus said that we must judge righteous judgment.

So we have got to begin learning those things now so that we will be prepared in the future. It is all about being prepared for the Kingdom of God, and learning how to judge is one of those big ones.

In part one of this series, we surveyed Genesis and the first half of Exodus, and we distilled several principles from the accounts that are recorded there. I would like to give you a listing of seven of these basic, yet very major, principles that we went over so we can kind of get a running start into the Old Covenant, essentially.

So here they are—I think this is the order that I gave them. I may have skipped over a couple of minor principles that we went over, but these are the major ones.

1. All authority for law and justice resides in God since He is our Creator.
2. His Word—what He says—establishes right and wrong.

3. The breaking of a law incurs a penalty. If you break the law, there must be a penalty for breaking the law. And, as we found out, the penalty for breaking the law is death.
4. Sinful actions (and this would include crimes) have inherent consequences. Besides the penalty of the law that is incurred because of sin, there are consequences to sin. This is the principle of cause and effect. If you sin, it is going to bring bad things on you; and those things, unless God intervenes to stop them, will come upon the sinner. I mentioned adultery automatically brings on a penalty of distrust—and it takes a long time to get that trust back in that situation.
5. Execution of judgment is relegated to constituted authority. So God gives authority to judge, in certain situations, to certain people or institutions. Not everyone has the same authority to make judgments or to execute those judgments. So, for instance, the state has certain authorities in terms of executing the judgments that the judges make. But the average citizen does not—he is not a constituted authority to carry out those acts of judgment.
6. Everyone is equal under the law. This is a *huge* one. This is the principle of equity under the law. And a part of this is that everyone must obey the same laws. It is one law for everyone and everyone is equal under that law.
7. Courts should be organized in a hierarchical manner to handle cases of increasing difficulty. This was from the example of Moses and his father-in-law, Jethro, that we went over. From this we also took the principle that not every court or every person is qualified to judge certain cases or situations. So if we find ourselves in such a situation where we do not have the knowledge, the wisdom, the experience, or what have you, we should get counsel or kick it up to somebody who might be able to help us. It is just a general principle. We cannot know everything and we may not have come across a situation that could help us to make such judgments. So it is good to get counsel. Sometimes even, it is good to put the decision in somebody else's hands who might have a better chance of getting a right answer.

We are going to go through several more. We are going to stay in the Old Testament primarily. There are a lot of principles of justice in the Old Testament. And, like I mentioned, there are several in the Old Covenant.

If you would go back to Exodus chapter 21, we are going to start there and run through

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five principles that we can find in the Old Covenant; and then a couple more that we can find in the book of Deuteronomy; and then two more—one in Proverbs and one in Ezekiel. So that should take us the rest of the time.

**Exodus 21:22-27** If men fight, and hurt a woman with child, so that she gives birth prematurely, yet no harm follows, he shall surely be punished accordingly as the woman's husband imposes on him; and he shall pay as the judges determine. But if any harm follows, then you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe. If a man strikes the eye of his male or female servant, and destroys it, he shall let him go free for the sake of his eye. And if he knocks out the tooth of his male or female servant, he shall let him go free for the sake of his tooth.

So if you are a slave and you pick a fight with your owner, and he damages you, you can go free. That is not exactly what the principle is here. But I can see somebody making use of it like that (because I am a devious person just like anybody else). But, actually, this is a very big principle that is found in this passage here, and that is that the punishment should fit the crime.

The Romans called this in Latin 'lex talionis' (the law of retaliation). So the principle, or law of retaliation is that a punishment inflicted should correspond in degree and kind to the offense of the wrongdoer.

Now, the Romans used to (and even today, the Muslims) apply this literally—that if somebody poked out somebody's eye, the pocker of the eye would get his own eye poked out; if a person stole, he would get his hand chopped off. That is the sort of way they, in their own legal system, have used this lex talionis.

God's law was not quite so cruel. There may have been some judges at certain times in Israel's history where they applied this literally—where they took an eye or they took a tooth, or they burned for burn or gave stripe for stripe. But, most often, that was not the way it was applied.

I do not know if you noticed, when I was reading through verse 22, I emphasized the word 'pay.' It says here "as the woman's husband imposes on him; and he shall pay as the judges determine." That kind of sets the tone for what comes next in terms of eye for eye, tooth for tooth. Most of the time, under God's law, it was a financial or monetary punishment (or a fine) that was levied as punishment for damage inflicted, so that it

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would correspond in degree and kind to the offense.

Let us just say (this is kind of anachronistic) somebody made a mixer. And somebody sticks his hand in there while the machine is going, gets his hand caught, and it comes off. The owner of the shop that employed that machine would probably be responsible, if not the manufacturer of the said machine. Anyway, the owner of the shop and the manufacturer of the machine would not get their hands lopped off. They would, instead, have to pay the victim an amount of money equal to the loss of his hand.

Now, they did not say necessarily that “Oh, a hand is \$400 and that’s all you get.” They also had to consider how much loss of income the man would have—because he could no longer use his hand. And so, it would be figured out a lot like our own system today where there would be restitution for the loss of ability to work. All of that would be considered in the judgment.

Like I said, that is what we do today. God did not want them to lop off somebody’s hands. That would be kind of silly. But the fine would be harsh enough that it would make people think twice about the designs of their bread mixers, and also make sure that such a thing would not happen again; and help the man, who was victimized by all this, to live.

So, under God’s law, in terms of restitution, it was usually money paid to the victim, and it was money proportionate to the injury and loss of income. This law is known in various places as equal restitution or proportionate retaliation; or proportionate restitution, equal retaliation (however you want to put it). Those are the ideas here.

Instead of retaliating in kind and actually heightening a situation and causing a feud, they stop the violence at that point—because, remember, the situation that we are going over here is about two men fighting and, so, it is already starting (it is a violent situation). And they want to stop the violence right here and turn it into an economic problem rather than any kind of further fighting.

This is one of the few times we will go to the New Testament in the sermon. We want to go to Matthew 5 because, here, Jesus talks about this same principle—even quotes these verses—but He changes things, for us. I want to give you just a kind of a precursor, or a preview, into my next sermon because that is kind of what we are going to get into, of how these Old Testament laws appear in the New Testament but are changed for us just a little bit.

**Matthew 5:38-42** You have heard that it was said, ‘An eye for an eye and a

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tooth for a tooth.’ But I tell you not to resist an evil person. But whoever slaps you on your right cheek, turn the other to him also. If anyone wants to sue you and take away your tunic, let him have your cloak also. And whoever compels you to go one mile, go with him two. Give to him who asks you, and from him who wants to borrow from you do not turn away.

Notice (you probably understand this), but in this part of the Sermon on the Mount, Jesus is making several very bold statements where He says: “You have heard the law explained this way and you have followed it this way. But I am telling you . . .”

Notice what He said there: “But I tell you . . . ,” or “But I say unto you . . . ,” or “Verily, verily, I say unto you . . .” What He is saying is a kind of a key, a clue: “Look, I’m changing things a little bit” or (maybe even better yet) “I’m restoring things to the way I intended them to be when I gave the law to Moses.”

So He is saying “Look, when I gave these laws, I gave them to a physical people, and they took them and used them as they saw fit. But I wanted My people to use them this other, better way—a way that I am imposing on My disciples.”

So He says here that eye for an eye and tooth for a tooth should not have ever been thought of in terms of retaliation, revenge, or any kind of ‘I’m going to get my pound of flesh’ attitude. That is not what He intended when He gave this law. So He modified it and, in doing so, He ratcheted up high the standard that we are supposed to live up to. It is one, actually. The high standard is so high that human nature alone cannot meet it. And, really, it only can be met with the power of God’s Spirit.

Essentially, what He says here is that we should not have the attitude of demanding what we are owed. In other words, we are not to demand our rights even though they may be clearly stated and we may have an avenue to pursue them. But Jesus says: “Don’t. It’s not necessary.” So we are not to demand our rights, nor are we to aggressively protect our own interests (and that word ‘aggressively’ is very important there).

We know, for instance, that the apostle Paul, when he was taken by the Jews in Jerusalem when he came back, used his right as a Roman citizen to basically save his life. He demanded to be treated as a Roman. And that is fine—you can use your rights.

Jesus here is saying, though, that when faced with a situation that is against us, we are not to turn around and try to make the other guy pay for victimizing us. We are

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supposed to, as He says, turn the other cheek (take it; sacrifice ourselves).

Paul, in I Corinthians 6, says: “Why don’t you just accept injury and be done with it?” Do not demand to go before the law and get what you deserve for the pain or the inconvenience that you went through.

That is what one of them is here where the Roman soldier tells you to walk a mile—that is an inconvenience. It was not necessarily a life-or-death situation. He was just telling you to carry this, or whatever, for a certain distance—one, two, or three stadia. But Jesus is saying, “Hey, go ahead and walk another one.” Because what that does is that, in one sense, it heaps coals of fire on the other guy’s head and it allows you the right attitude that you can actually have a relationship with the other person—that you have stopped all antagonism right there. And you can say “Hey Roman Centurion, you’re such a nice guy. I think I’ll go another two or three stadia. It’s been such fun” and totally disarm the other one and make him actually feel a little bit bad for what he has done and, maybe make him start thinking.

So Jesus instructs us to take (that is, suffer) what ungodly and ignorant people dish out. We are to prefer suffering wrong over intensifying the situation. If anything else, we are not to make things worse. And the best way not to make things worse is to just comply and be a little bit humble and do what needs to be done. Situation over. You can get about your daily life and it will not get any worse.

But He also says that we are to go above and beyond and to give more service than we are asked. That is really difficult. I am not saying that this is an easy thing. Jesus put the standard way, way up high for us to live up to. Most of us would be grumbling, at the very least. Others of us would want to swing a fist, or to call up our lawyer, or pull up all their corn plants (or whatever happens to be) to get back at them. But Jesus says, “No. Stop it right there, just give in, and put the situation behind you.”

So we are not supposed to demand our rights. This law that we see back in Exodus 21, is supposed to then be modified by what Jesus said. We are supposed to look at what is here, in the Old Covenant, and make the change—to look at it with Christian eyes rather than physical Israelite eyes and understand what is going on here. That, yes, in terms of a judgment in, let us say, a community, the eye for an eye principle works just fine. But it has to be understood from the standpoint of what Jesus said, in that there should be mercy and good placed on top of this, so that any kind of argument or fight or aggression is tamped down and the matter is put to an end quickly.

So it is ‘fine’ for equal restitution. That is a good principle. If somebody does something

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wrong, they should have to pay. But if we are on the 'victim' end of that (which is the side that Jesus actually talked about in Matthew 5)—if you are the victim of a certain thing that happens and you are due \$5 million under the current system for what was caused against you, what you had to go through, you can take that but you should not demand it. You should not be in there trying to get \$10 million. You are not supposed to try to get all that you can get.

Your biggest goal in such a situation is to make sure, yes, that it is fair, but, on the other hand, that it goes no farther—that everybody is satisfied with the agreement and the judgment can be made, and you can go forward and get on with your life. A little bit difficult, but that is what we are supposed to do—not take advantage of the system.

Let us go back to Exodus, this time in chapter 22, just a few verses on. We are going to read verses 1, 4, 7, and 9 because they are all kind of connected: They are all connected with this idea of an eye for an eye.

**Exodus 22:1** If a man steals an ox or a sheep, and slaughters it or sells it, he shall restore five oxen for an ox and four sheep for a sheep.

**Exodus 22:4** If the theft is certainly found alive in his hand, whether it is an ox or donkey or sheep, he shall restore double.

**Exodus 22:7** If a man delivers to his neighbor money or articles to keep, and it is stolen out of the man's house, if the thief is found, he shall pay double.

**Exodus 22:9** For any kind of trespass, whether it concerns an ox, a donkey, a sheep, or clothing, or for any kind of lost thing which another claims to be his, the cause of both parties shall come before the judges; and whomever the judges condemn shall pay double to his neighbor.

This is an example of just restitution, or equal restitution, so that a person pays a fine for his thievery. This is a very ancient principle (obviously, it is here in the Bible; so, at this point, it is 3500 years old). But it goes back a long way, probably far before this. This is just when it was codified in God's law, but it was probably extant before that. But this has come down in history in various cultures and, surprisingly, in Israelite cultures.

The Germanic and Scandinavian peoples called this system 'Wergild,' and that is the amount of compensation paid by a person committing an offense to the injured party. If it is a death, sometimes the death was not punishable by death. They could actually pay

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money to the family for the death, especially in terms of accidental death.

In the Germanic and Scandinavian world, there were not cities of refuge where people could run to. Instead, they set up this system where a certain amount of money could be paid to the family of someone killed accidentally. So this is a very common kind of law in human society. Probably, the one that was in the Germanic and Scandinavian nations was a remnant of Israelite law.

Notice, in these examples that are in Exodus 22, the criminal must not only restore what he stole but he also had to pay a fine. If he stole an ox, he had to pay five oxen back (which is pretty stiff). Let us say he stole an ox and the ox was going for \$2500. So now he is up to \$12,500 for a \$2500 theft. He is getting stung pretty harshly there. For sheep, it was four-to-one rather than five-to-one.

We see here that God is not joking when He says “You shall not steal.” He wants them to learn this so they will not do it again. So, He imposes a very harsh penalty. This high fine that is placed on the criminal is a form of deterrence. We will get to that in a little bit, but deterrence is a big matter in God’s law.

Just down the page, in Exodus 23, we will read the first two verses for another one. We start getting out of equal restitution and into something else.

**Exodus 23:1-2** You shall not circulate a false report. Do not put your hand with the wicked to be an unrighteous witness. You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn aside after many to pervert justice.

These are just a couple of verses that are in a long passage about justice and we are going to look at a great many of them, all the way through verse 8. But what we see in verses 1 and 2, first of all, is the law against perjury. A perjured witness is a criminal. He cannot be trusted. He is a liar. He is willing to lie for whatever reason in a criminal case. God says perjury prevents justice because it is not the truth—godly justice is all about getting to the truth—and so a perjured person has to be punished.

Of course, his eyewitness testimony has to be thrown out. I think we are all pretty much aware of this one. It is not too difficult a principle to understand. Perjury is not allowed. You cannot lie on the witness stand.

Verse 2 condemns something else, and that is any kind of mob or majority rule outside

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of God's system of right and wrong, the intent (as it says here in the text) being to do evil. What this gets to, in terms of justice, is, as judges, we are not to go against what is right or what is against our conscience in order to please the public—if we are ever in a situation where we have to judge and we have got this whole crowd yammering that this is what the judgment should be.

We see this in a lot of things now because a lot of the court cases and such that come up are public. They are open. Anybody can go there. Now we have television cameras in the courtrooms. We have got media going 24/7. We have got the Internet screaming at us. And we know what is going on in these things and the public is very eager to let everybody else know what they think about the matter.

But a judge cannot rule based on the mob or what the majority public opinion is. He is there in his courtroom, behind the gavel, to find the truth. So it does not matter what everybody else says or what everybody else thinks. If he has to, a judge must rule for right against everyone else if he knows what he is ruling is the truth.

So a judge has to be willing to make unpopular decisions to uphold the truth. He cannot be willing to please the people out there with the torches and the pitchforks. He must be, actually, willing to risk his life for the truth and say, "This is what God says and it must be followed."

So those are the two here, in Exodus 23 verses 1 and 2: Perjury (which is condemned) as well as ruling to please the mob.

**Exodus 23:3** You shall not show partiality to a poor man in his dispute.

**Exodus 23:6** You shall not pervert the judgment of your poor in his dispute.

These actually are opposites. What it means is that if the poor man is innocent, rule him innocent. But if the poor man is guilty, rule him guilty. You are not supposed to take the side of the rich against the poor, nor the poor against the rich. Remember, the whole idea here is to find the truth and to be just, and there is equity in the land. The poor man has just as much right to fair justice as the rich man.

The judge is told not to show partiality to a poor man, to feel all kind and merciful because the poor man is in a pitiful condition. But, on the other hand, he should not be taking what the rich man says that he is going to give him, or say: "Well, maybe I can have the rich man's favor if I rule in his favor, whether he gives me anything or not."

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The principle here is, once again (and it is basically what it comes down to in a lot of these principles), that a judge has to find the truth and rule on the truth or act on the truth, no matter what—no matter who is before him, no matter who are the parties in the case.

So, in this case, what we are seeing here is that there is to be equity in terms of social station. The poor are in the lowest stratum of society and the rich are in the highest stratum; and it does not matter, they are supposed to get the same justice before the law. There is equity in terms of social status.

Let us go to verses 4 and 5 here and see that there is a different perspective on equity.

**Exodus 23:4-5** If you meet your enemy's ox or his donkey going astray, you shall surely bring it back to him again. If you see the donkey of one who hates you lying under its burden, and you would refrain from helping it, you shall surely help him with it.

We just talked about equality of judgment, or equity, between social strata. Now we are talking about equity for your enemy. It does not matter if the guy that has come up before you in judgment is the one that cheated you last summer over whatever, or he moved your boundary, or he did something; if he is your enemy, he still gets true justice. So his status, as your enemy, should not be a determining factor in how you rule.

In one way, you have to look at everybody who comes before you, in terms of judgment, as nameless and faceless and without history. That is why, in our country, there are a lot of things you cannot bring up, that happened before, because it will prejudice the judge or the jury against him. So the only things under consideration are the actions that led to the crime and the crime itself. A judge has to put aside his feelings, for either the criminal or the victim, and judge it fairly. So this is all under the major heading of equity.

Let us go to Leviticus 19 and see that this is obviously a major principle, and it is repeated here in the holiness code.

**Leviticus 19:15-16** You shall do no injustice in judgment. You shall not be partial to the poor, nor honor the person of the mighty. In righteousness you shall judge your neighbor [and maybe I should just pull one little phrase out from verse 16]: I am the Lord.

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That is what God says. The reason we do this is because He is the Lord, and so we have to be just and equitable in our judgments.

In Numbers 27:1-11 is where the daughters of Zelophehad came to Moses and said, "Look, we don't have any brothers. We're going to lose our inheritance." And Moses said, "You just wait right there. I'll go ask God." And so he does and God tells him that these women—the daughters of Zelophehad—should inherit, like sons. Of course, there were a few caveats—that they were to marry within the tribe of Joseph, so that Joseph would not lose the lands that they had inherited, but they were to be inheritors just like sons. Though it is not a complete equity there that was shown (like I said, there were caveats; if there are no sons, then the daughters should inherit), but there was a sort of equity between the sexes.

We might think "Oh, that's not fair. They should always be able to inherit." But, truth be told, Israelite law concerning women's rights and such as that were far advanced over their neighbors. That is why there was a question. Because, normally, everybody else would say: "No, women have no place in this at all." But this was brought to God's attention and He made sure it was incorporated into Israelite law that women could inherit. So there is a sort of equity there too.

Let us go back to Exodus 23 and we will pick up verse 8 now. This is obvious.

**Exodus 23:8** And you shall take no bribe, for a bribe blinds the discerning and perverts the words of the righteous.

Like I said, this does not need much explanation. Bribes blind and pervert. Whenever a bribe is introduced into the situation, the truth loses. So judging righteously is imitating the example of God Himself. Let us just go to Deuteronomy 10 just to see this. He reiterates here some of these principles.

**Deuteronomy 10:16-19** Therefore circumcise the foreskin of your heart, and be stiff-necked no longer. For the Lord your God is God of gods and Lord of lords, the great God, mighty and awesome, who shows no partiality nor takes a bribe. He administers justice for the fatherless and the widow, and loves the stranger, giving him food and clothing. Therefore love the stranger, for you were strangers in the land of Egypt.

Do I need anything more there?

Let us just go down to chapter 16 in verses 18 through 20 where these principles are brought together.

**Deuteronomy 16:18-20** You shall appoint judges and officers in all your gates, which the Lord your God gives you, according to your tribes, and they shall judge the people with just judgment. You shall not pervert justice; you shall not show partiality, nor take a bribe, for a bribe blinds the eyes of the wise and twists the words of the righteous. You shall follow what is altogether just, that you may live and inherit the land which the Lord your God is giving you.

So, actually, just judgment was a condition of living in the land. He wanted His people to treat each other justly and equitably; and if they did not, He would kick them out of the land—and that is eventually what happened.

We could go to Amos and find out that justice was being perverted right and left by the time they were defeated by the Assyrians and exiled from the land—and are still exiled, because it has not changed much since the 8<sup>th</sup> century BC in Israel. There were times in Israel's history when they have done better, but it seems more consistent that they have perverted justice—because they have human nature just like we do.

Let us stay in Deuteronomy and find a few more principles, all in one passage here, in Deuteronomy 19. We will not do the one about cities of refuge, slightly outside of our subject here. But I want to go to verses 15 through 21. This is that whole paragraph here. And it is kind of an interesting one.

**Deuteronomy 19:15-21** One witness shall not rise against a man concerning any iniquity or any sin that he commits; [you will know this verse:] by the mouth of two or three witnesses the matter shall be established. If a false witness rises against any man to testify against him of wrongdoing, then both men in the controversy shall stand before the Lord, before the priests and the judges who serve in those days. And the judges shall make careful inquiry, and indeed, if the witness is a false witness, who has testified falsely against his brother, then you shall do to him as he thought to have done to his brother; so you shall put away the evil from among you. And those who remain shall hear and fear, and hereafter they shall not again commit such evil among you. Your eye shall not pity: life shall be for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

This passage regulates witnesses, obviously, and it puts a pretty big responsibility on them to tell the truth. Of course, the big one here is probably the one that you thought I would get to last time but did not, and that is that a person cannot be convicted on the testimony of only one witness. No matter how strong the evidence may seem to be against him, if there is only one witness to the crime, then the judge has to say: "Well, the law requires at least two witnesses."

Criminal acts have to be seen and witnessed by at least two people, and three is even better. This principle is stated five or seven times throughout Scripture. So, if it is repeated that much, it is a pretty important one. This testimony of two or three witnesses is a major principle of justice here.

You notice what would happen if our courts actually followed this? Any kind of 'He said, she said' type of case would be thrown out on its face. Because you cannot have just one person accusing another person without any other eyewitnesses to the crime or to whatever happened. So this removes all kinds of cheap and baseless and self-serving accusations from the courts. Boy, would that help!

What it does is it actually speeds the courts up because they are clogged with a lot of these kinds of situations now where one person goes up against the other and it is just a matter of one-say rather than two-say or three-say. So a lot of these things would just not even come to trial.

The American Constitution actually enshrines this in the section on treason, which I thought was interesting. It says there that if a person is accused of treason, there must be at least two eyewitnesses to convict. Obviously, this is a governmental document and they were concerned that there would be people within the American government who would accuse someone else in the government of treason and there were no witnesses to it except himself. It was a protection of the Founding Fathers of themselves and other government officials so they would not be tagged with accusations of treason just at the drop of a hat. This section is something that they put in there.

This happened in the French Revolution a great deal, that there would be people in the government accusing other people in the government of treason and there would be a summary trial and the person would get guillotined. The American government wanted to avoid all kinds of finger pointing for treason, and so they put this right within the Constitution. There has to be at least two witnesses. And it has worked pretty well for us throughout our history.

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What this does is it deters the venal and the ambitious person from charging his fellows with treason in order to make a place for himself and climb the ladder. But what it also does—these two or three witnesses—is it makes it much more difficult to convict a person. And so, what you might call, the ‘rights’ of the criminal are not being protected here so that people can be falsely accused.

The other major principle in this passage is that the system is designed to deter false accusations and perjury, as I have been talking about here. The penalty is very stiff for being a false witness or for making a false accusation. So if you accuse somebody of killing somebody else, and the trial goes through and that person is found to be innocent, then they could come back against you—the law says here that you falsely accused that person of murder, and the penalty for murder is death, and that would come upon the false accuser. That is pretty stiff.

What that does is it deters people from making silly baseless accusations. It is also one of these things that keeps the courts clear for real cases and does not allow the courts to be used for personal vendettas or anything like that.

I think I mentioned before, a great deal of biblical principles of justice have to do with this principle of deterrence—that God makes the laws and the principles of justice so that people do not misuse the system. They try to deter people from crime and deter people from clogging up the courts by making false accusations and such.

I am going to kind of just drop this on you and not talk about it very much, but the entire penal system of ancient Israel was based on four principles. These four principles are: Swiftmess of punishment, harshness of punishment, deterrence, and public observation. That is one we are going to get to shortly. And we saw it in this—that the people “hear and fear.”

These things were supposed to be done in the gate so the people could see the courts at work. The judgments, as we will see, were supposed to be public and they were supposed to be done immediately. There were not these drawn-out things where people were able to stay in jail and appeal time and time and time again until they die of old age. Those things were not a part of the Israelite system.

When a judgment was handed down, it was supposed to be enacted immediately. Right then. The judgment was usually pretty harsh, as we have seen (five-to-one, four-to-one); or in cases where they had to be physically punished, we will see they are fairly harsh. These were public things that happened—anybody could come up and see both the trial and the punishment. All of these things led to deterrence. People did not want to

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get involved in the court system. They did not want to be victims. They did not want to be perpetrators. Crime was kept to a minimum. So God sets up a pretty good system.

Let us move forward here to Deuteronomy 22. This is one I just want to kind of pass through quickly.

**Deuteronomy 22:8** When you build a new house, then you shall make a parapet for your roof, that you may not bring guilt of bloodshed on your household if anyone falls from it.

This is the principle of negligence. It may seem kind of minor, but it is an important one because a lot of cases that appear before courts have to do with personal negligence (slip-and-fall injuries or what have you), and God backs that up. That, if we have a property, we have responsibility over it, and if things happen on that property and we have not done what is required in order to keep the people who are on your property safe, then we are liable. This goes all the way to the punishment for a death on the property because of your negligence. God wants us to look out for one another. He wants us to do what we can to keep people safe. We have the responsibility, because we own property or what have you, to make sure that happens there.

Negligence is punishable in a way similar to actual deeds. So failing to do something that is required of you can be punished just as harshly as doing something to another person. God wants us to use forethought and He wants us to make things as safe as we can for others who are on our property. Negligence causes harm, and because it causes harm and distress, it must be punished. And this is also a deterrent. It makes sure people do what is required (makes them put railings on their stairways; makes them clean ice on their walkways) so that any kind of harm will not happen.

This is next one that I talked about before.

**Deuteronomy 25:1-3** If there is a dispute between men, and they come to court, that the judges may judge them, and they justify the righteous and condemn the wicked, then it shall be, if the wicked man deserves to be beaten, that the judge will cause him to lie down and be beaten in his presence, according to his guilt, with a certain number of blows. Forty blows he may give him and no more, lest he should exceed this and beat him with many blows above these, and your brother be humiliated in your sight.

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So there are two things. The judge must witness the penalty. He has to be able to stomach it and to realize the pain that he has inflicted by his sentence. He cannot be removed from it. He must experience it firsthand. And do you know what this does? It makes him more hesitant to be harsh. He might be able to dish out the punishment, but he better be able to take it in terms of seeing what he has done on this wrongdoer.

The second one: The punishment must not exceed what was imposed. So the Jews always gave 39 blows so that they would not break this law. They stopped short one so that it would not go above and beyond the 40, and then the criminal could retain his dignity, having accepted his punishment. God says, otherwise, more than that is humiliating him.

Let us go to Proverbs 18. These last two are pretty obvious, so I do not want to take a long time and I do not have a long time to take.

**Proverbs 18:17** The first one to plead his cause seems right, until his neighbor comes and examines him.

This is a caution against believing the first thing you hear. A just judge hears both sides of the story. He does not take the first thing and run with it and condemn the other person. He takes the time to sit down with both sides, hears them equally, and weighs their stories equally. He gives both the credence that they deserve. This is especially true in relationship problems. Remember the little adage 'It takes two to tango'? So if there is a problem with a relationship, normally, probably almost 98 or 99 percent of the time, both persons in the relationship problem are at fault in some way. No more needs to be said about that.

Let us go to Ezekiel 18 and see the final one for today.

**Ezekiel 18:1-4** The word of the Lord came to me again, saying, "What do you mean when you use this proverb concerning the land of Israel, saying: 'The fathers have eaten sour grapes, and the children's teeth are set on edge'? "As I live," says the Lord God, "you shall no longer use this proverb in Israel. Behold, all souls are Mine; the soul of the father as well as the soul of the son is Mine; the soul who sins shall die."

**Ezekiel 18:19-20** "Yet you say, 'Why should the son not bear the guilt of the father?' Because the son has done what is lawful and right, and has kept all

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My statutes and observed them, he shall surely live. The soul who sins shall die. The son shall not bear the guilt of the father, nor the father bear the guilt of the son. The righteousness of the righteous shall be upon himself, and the wickedness of the wicked shall be upon himself.”

**Ezekiel 18:30** “Therefore I will judge you, O house of Israel, every one according to his ways,” says the Lord God.

Like I said, another basic principle but one that people have a tendency to forget, and that is God judges each person according to his own behavior. He judges as individuals. This is a caution against making sweeping judgments that take whole families to task. Now we know that apples do not fall far from their trees. Family members tend to act alike. But we cannot assume that. We have to take each person at face value. Each person must stand or fall by his own merits or his own deficiencies.

To put it another way, we cannot paint everyone with the same brush even though they may be father and son, brother and sister of the same family, or somehow be in the same group.

Make sure, if you have a problem with one person in a family that it should remain with just that one person and not take in the whole family, if possible. Sometimes that is hard. But it is a principle here that God judges each person separately and individually, not by his associations.

Let us conclude in I Corinthians 6 and let us just read the first three verses.

**I Corinthians 6:1-3** Dare any of you, having a matter against another, go to law before the unrighteous, and not before the saints? Do you not know that the saints will judge the world? And if the world will be judged by you, are you unworthy to judge the smallest matters? Do you not know that we shall judge angels? How much more, things that pertain to this life?

It is very important that we understand these principles of justice because we are being groomed to be judges in the world tomorrow. That is what kings and priests do: They judge. So God is teaching us these principles of judgment—as we go through our lives, as we go through various trials, as we come upon various situations—that there must be a determination of one sort or another of what is right and good. So we need to be practicing what we have learned right now, as Paul says here, in things that pertain to

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this life.

As I mentioned earlier, we do not have authority to come to verdicts. Jesus says that we are not to judge, we are not to condemn people. But we can utilize our minds to think these things through and come up with righteous judgments. We need to learn to be discerning. There may be times when we have to actually make a judgment that is going to affect us in our lives.

That is the reason I am giving these sermons, so that we are at least aware of some of these principles of justice and that we can start using them.