

Christian Social Theory

Workbook 6

Note To Instructors: Remove Final Test from back of workbook before giving to student.

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Workbook 6

The Christian Social Theory Workbooks are designed to help you come to a solid understanding of how God designed His world to operate. After completing this course you will have a solid foundation to understanding the problems in our society today and what God's answers are. You can then dig in to greater details on your areas of special operation. To successfully complete this workbook you will need to:

1. Complete all the questions in a Section.
2. Score all questions before taking the related Review. Underline the answers in the text for any questions you got wrong.
3. Take the Review.
4. Score the Review. Underline the answers in the text for any questions you got wrong.
5. Go on to the next section and repeat.
6. Memorize selected Scriptures.
7. Before taking the Pre-Test make sure all questions in the Sections and Reviews are correctly answered.
8. Take the Pre-Test.
9. Score the Pre-Test. Underline the answers in the text for any questions you got wrong.
10. Take the Final Test.

Note 1: Not all questions on reviews or tests will be taken directly from previous questions. However, reviews and pre-tests will show how well you understand the material. If you do well on them you should have no difficulty with the Final Test.

Note 2: Final Tests may include some random questions from previous workbooks to test how well the student is remembering the material.

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Write out and memorize Deut. 19:20-21: _____

THE JUSTICE SYSTEM

The main principle in relation to crime and punishment is the justice of God. God is perfect justice. While the Family and the Church focus on the mercy of God and on restoration, the Civil Government is to focus on the justice of God and seek restitution on behalf of the victim. Although it can never be perfect, it is to reflect and witness the perfect justice of God.

Hell is the ultimate expression of God's justice. Humanists - and even some Christians - hate the doctrine of Hell. It reminds them that a judgment is coming. It brings them face-to-face with the fact that they are totally responsible for their rebellion against God. Hell is eternal and once sentenced there by the Judge there is no escape, no pardon, no release...ever. Because they hate what they know is the future of unrepentant rebels against God, they try to design their own justice systems in the image of what they hoping for their own future. They want light sentences, second chances, early parole, etc., for themselves in eternity so they design systems which lie about God's justice now. The second chance offered to all humanity through the Blood of the Lord Jesus Christ is available only in this life. Once the curtain of death is drawn they are locked into their destiny forever. [For further details on Hell and life after death, take our course Death and Beyond at www.joshua-club.com.]

Hell is not a reformatory. In a Godly justice system restoration of the criminal is of secondary importance and is often a by-product. God's focus is always on the restoration of His order and the healing of the victim. If the victim is not healed [no matter how serious or light the offense], then God's order is not restored. This is why even unsolved crimes had a penalty, as we will see later. For example, Tom Thief steals \$10.00 from Victor Victim. He is caught and convicted. He then repays Victor the \$10.00 plus another \$10.00 for violating Victor [in addition to paying all costs associated with his capture and conviction]. When Tom makes the full restitution of \$20.00, he is restored to the community. All is forgiven and he can get on with his life. There is no

criminal record or restrictions holding him back. He has paid for his crime and can now get on with his life as can Victor. If Tom becomes a repeat or professional criminal then the case is different, as we will see below.

The humanistic/socialist justice system reverses God's order. It seeks the restoration or rehabilitation of the criminal. Restitution, if considered at all, is of secondary interest. [Often when restitution is talked about it comes from the tax payer not the offender.] The focus is on the criminal: What was his motive? Was he sane at the time? Had he been abused in the past? The unconscious motive behind this is a search for excuses when they met the Judge of Universe on the edge of eternity. That Judge will except no excuses, however.

“Show no pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.”
Deut. 19:21

Your memory verse shows the basic principle of justice. This is an expression, not a literal command. There is no record that anyone's hand was chopped off or eye put out as a punishment in a Biblical court. If we were to reword it into modern English we would probably say, “Let the punishment fit the crime.” In other words, you don't chop off a person's hand for stealing [over harsh] or you don't give a murderer a fine [light]. To confirm this, the Bible gives us the penalties for various crimes. With only one exception, it never includes mutilation of the body. The one exception was to show the seriousness of the action and was in a case so rare that it most likely never had to be carried out.

1. The main principle in relation to crime and punishment is the _____ of God.
2. While the Family and the Church focus on the mercy of God and on restoration, the Civil Government is to focus on the justice of God and seek _____ on behalf of the victim.
3. _____ is the ultimate expression of God's justice.
4. The second chance offered to all humanity through the _____ of the Lord Jesus Christ is available only in this life.
5. God's focus is always on the _____ of His order and the healing of the victim.

Before we go any further, some of you are probably saying, “But didn't Jesus strike down this law/principle?”

“You have heard that it was said, ‘Eye for eye, and tooth for tooth.’ But I tell you, Do not resist an evil person. If someone strikes you on the right cheek, turn to him the other also.”
 Matt. 5:38-39

To begin with, Jesus perfectly kept and supported the Law of God [see the Life Line series on www.free-bible-study-lessons.com]. If He did not, then He wasn't perfect and He couldn't die for our sins.

So what did Jesus mean by the above statement? We must consider the audience of Jesus. This law was given as a foundational principle of justice in a Godly court of law. Jesus was not talking to civil rulers in charge of enforcing God's law. He was talking to a people under the bondage of Roman law. Jesus was stating that when a person is in an oppressive situation, seeking justice is not always the wisest course of action. If a Roman soldier hit you, hitting him back was not good idea. Better to take it patiently. If someone was to want to drag you into an ungodly court, it would be better to work out some kind of deal. In most cases like this, a low profile and a humble attitude are the wisest actions.

Also, Jesus was warning against turning this principle of justice into an excuse for revenge. In any kind of sociality - Godly or ungodly - the justice cannot be abused to satisfy personal grudges and extract revenge. To twist the law into an instrument of revenge is to miss the entire point of the law.

The words of Jesus in no way detract from this law in its proper place, i.e. as a principle of justice for the courts to use in administering God's law.

6. Jesus perfectly _____ and supported the Law of God.
7. Jesus was stating that when a person is in an _____ situation, seeking justice is not always the wisest course of action.
8. To twist the law into an instrument of _____ is to miss the entire point of the law.

RESPONSIBILITY

The foundation of Biblical Law is that everyone is responsible for their actions. We cannot blame our education, our parents, our mental state, our emotions, or our cell phone. If we do something that hurts someone else or someone else's property, we are responsible for make it right.

“If a man grazes his livestock in a field or vineyard and lets them stray and they graze in another man's field, he must make restitution from the best of his own field or vineyard. If

a fire breaks out and spreads into thornbushes so that it burns shocks of grain or standing grain or the whole field, the one who started the fire must make restitution.” Ex. 22:5-6

This is a minimum case law [review Workbook 1 if you are unsure of what minimum case law is]. This establishes that we are responsible for our actions. This is not a case where a person with malicious intent tried to hurt someone else’s property. Here we have Cam Careless not paying proper attention to his cattle or fire. Before he knows it, he has damaged his neighbour’s property. Cam has no excuses. It doesn’t matter if he spilt hot coffee on his lap, he is responsible for the results of his actions. As this is minimum case law, we know since a person who causes damage accidentally or through careless actions is still responsible for repairing the damage, how much more is the person responsible who deliberately causes damage.

For example, if Cam’s car accidentally damages Victor’s car in the mall parking lot, Cam is responsible to have the damage repaired. How much more is Matt Mad responsible to repair [or replace] the damage when he takes a baseball bat to his enemy’s car.

9. If we do something that hurts someone else or someone else’s property, we are _____ for make it right.
10. Since a person who causes damage accidentally or through careless actions is still responsible for repairing the damage, how much more is the person responsible who _____ causes damage.

INSANE OR YOUNG OFFENDERS

Biblical law reveals that a person is responsible for their acts - both accidental and deliberate. The focus is on the restoration of God’s order and the healing of the victim. Since this is the case, the mental condition of the offender is immaterial. It is always a question of whether the accused committed the act not why he committed the act. The question of why he committed the act is unimportant except for establishing whether it was a deliberate act or an accidental one.

“If an ox gore a man or a woman, that they die: then the ox shall be surely stoned, and his flesh shall not be eaten; but the owner of the ox shall be quit.” Ex. 21:28

Again, this is a minimum case law. It shows that even an animal, who has no spirit or reasoning intelligence, is responsible for its actions and is subject to capital punishment if it kills a human being. If this is the case with animals, then every human

being is responsible for his or her actions which violate someone else regardless of their mental condition. The Bible allows no “not guilty by reason of insanity” plea. A person who does the crimes, pays the price.

“The modern plea of not guilty by reason of insanity arose in 1843 in the trial of Daniel M’Naughton for the murder of Edward Drummond, secretary to Sir Robert Peel. As a result of M’Naughton’s trial, the M’Naughton Rules were developed. It was [a] presumed that every man is sane until the contrary is proved, but [b] a man who was insane or laboring under a defect of reason while committing the act, so that he did not realize the nature of the act or its wrongness, was not guilty by reason of insanity. The M’Naughton Rules led to the decision in 1954 by David T. Bazelon of the Court of Appeals for the District of Columbia that no one could be held “criminally responsible if his unlawful act was the product of mental disease or mental defect.” R.J. Rushdoony, Institutes of Biblical Law, pg. 231

It should be obvious, but if there is no plea of “not guilty by reason of insanity,” it also means that a person under the influence of alcohol or drugs is totally responsible for their actions [unless the drugs were forcibly administered]. Biblical law does not make drug taking a criminal offense but if a person chooses to take them, they are still 100% responsible for their actions.

It follows naturally that Biblical Law does not make a distinction in the age of the criminal. As the modern saying goes: “If you’re old enough to do the crime, you’re old enough to do the time” - except, as we will see, prison is not a Biblical system. There is no adult court and youth court. There is no hiding criminal information for minors. The focus is on the victim - the age of the criminal is immaterial. We dramatically see the humanistic focus on the criminal in the court system. Biblical law focuses on the victim. In Biblical law there are only two questions of real importance: Did the accused commit the act? and - if yes - how are they going to make restitution?

11. The mental condition of the offender is _____.
12. The question of _____ he committed the act is unimportant except for establishing whether it was a deliberate act or an accidental one.
13. The Bible allows no “not guilty by reason of _____” plea.
14. A person under the influence of alcohol or drugs is totally _____ for their actions.
15. Biblical Law does not make a distinction in the _____ of the criminal.
16. The focus is on the _____ - the age of the criminal is immaterial.

PROFESSIONAL/REPEAT CRIMINALS

Biblical law is basically geared toward the amateur criminal. The laws considers the criminal as a citizen who has out of greed, passion, or want has committed some crime. It is not his overall lifestyle. In some way he put fulfilling his desires over the Word of God and must now make restitution to his victim and then be restored to society. He is not a person who is likely to reoffend.

However, the Bible also recognizes that there are some who will, in spite of all possible consequences, determine to get what they want by violating others. These are the professional criminals or repeat offenders. In today's society they commit the majority of crimes and so take up the majority of police and court time.

“In both the B.C. and the federal prison systems, there is one repeat prisoner for every 1.6 first-timers. That means 39 per cent are repeat offenders....

“Estimates on the number of repeat offenders in Canada depends on who you count.

10% - Criminals who return to a federal prison within two years of release from a federal jail. This figure does not include people sentenced to a provincial prison within two years of release from a federal penitentiary.

37% - Criminals who return to a federal or provincial prison within two years of release from a federal prison.

39% - Criminals in B.C. prisons who are labelled repeat offenders. This figure does not include people who have served time in federal or provincial jails outside B.C.

62% - Those convicted in adult criminal court who have been previously convicted at least once in youth court.

“Sources: The Correctional Service of Canada, the B.C. Ministry of Public Safety and Solicitor- General, Statistics Canada.”

Joel Baglole, Vancouver Sun 2004.11.06

“Under federal law, all inmates who have not been granted parole or had parole revoked must be released after serving two-thirds of their sentence. The decision to grant statutory release is not made by the National Parole Board, but in some cases, the board can set conditions for statutory release or suspend or revoke statutory release. Some serious offenders are given a "one chance" statutory release under strict conditions. If they break those conditions, they are returned to penitentiary to complete their sentences.” www.cbc.ca/news/background/crime/

As we saw at the beginning of this workbook, humanist “justice” systems try to rehabilitate the criminal. The criminal becomes the center of attention. They believe in the ancient heresy of salvation by law. They believe they can create the laws and environment that will change the human heart. Christians know that salvation can only come through Jesus Christ. The law can never be a saving agent. That is not what it was designed for. Because of its faith in humanistic law, the justice system tries to be a saviour. It releases criminals back into society in vain hopes that they have been cured of their “disease.” They refuse to acknowledge original sin and the depravity of the human heart. They are then accessories to every crime a repeat offender commits. They will have much to answer for on Judgment Day.

“2003 there were 57,562 violent crime convictions in Canadian adult court. Of those convictions, only 35% resulted in a prison sentence. Of those prison sentences, the median sentence was 60 days. (Source: Canadian Centre for Justice Statistics)

“Light sentences were prevalent across all categories of violent crime in 2003. For instance, 13% of those convicted of homicide in 2003 were not sentenced to any jail time. Of those who received a jail sentence the median was just 7 years. Of all attempted murder convictions, 30% were not sentenced to any jail time. Those who were incarcerated received a median sentence of 3.5 years. Of those adults convicted of major assaults, 56% escaped jail time altogether. The median sentence was 205 [2.5?] months for those actually sent to prison. Over half (55%) of all prison sentences in 2003 were for one month or less. (Source: Canadian Centre for Justice Statistics)”
www.justicemonitor.ca

How does Biblical Law deal with repeat offenders or professional criminals? Biblical law acknowledges both original sin and the depravity of the human heart. It knows that criminals are not sick or foolish but, like everyone, they are rebels at heart. They have chosen to reveal their rebellion in a way which harms other people. If they refuse to change their ways after being caught and convicted [except in the case of capital punishment, of course], then they move into the repeat offender/professional criminal class. They have declared their intention to live their life by violating the lives of others.

“If a man have a stubborn and rebellious son, which will not obey the voice of his father, or the voice of his mother, and that, when they have chastened him, will not hearken unto them: Then shall his father and his mother lay hold on him, and bring him out unto the elders of his city, and unto the gate of his place; And they shall say unto the elders of his city, This our son is stubborn and rebellious, he will not obey our voice; he is a glutton, and a drunkard. And all the men of his city shall stone him with stones, that he die: so shalt thou put evil away from among you; and all Israel shall hear, and fear.” Deut. 21:18-21

This is a minimum case law. As you know, minimum case law shows us the extent to which the law applies and then we know it will include any offense above it.

In this law we see a teenage or adult son who refuses to accept the correction of his parents and live a productive life. Instead he is disobedient, disrespectful, and lazy. After trying to correct him without success they are to turn him over to the court system which is to execute him. This reveals the principle that a person who sets his life to be a drain on or a hurt to society has given up his right to life. Because this is a minimum case law, we know that, if this is true of an unrepentant drunkard, it would also apply to repeat offenders and professional criminals who in a much more violent way declare their intention to live by hurting others. Therefore, professional criminals and repeat offenders should be executed. Think how many innocent lives would be untouched by crime if the professional criminal class were eliminated. Think of the drop in the crime rate if they were not around. Think how many people who might have been tempted into a life of crime would reconsider at such final consequences. Crime would become a rare event instead of an every day occurrence.

This law brings up another point. The parents were required to turn in a criminal son. This means that no matter what the relationship a person must stand with Biblical Law and against a criminal family member. All Biblically criminal activity must be reported to the authorities.

“Then Joshua, together with all Israel, took Achan son of Zerah, the silver, the robe, the gold wedge, his sons and daughters, his cattle, donkeys and sheep, his tent and all that he had, to the Valley of Achor. Joshua said, “Why have you brought this trouble on us? The LORD will bring trouble on you today. Then all Israel stoned him, and after they had stoned the rest, they burned them.” Joshua 7:24-25

The case of Achan illustrates this point. This family did not steal the items, but Achan hid the items in his tent which indicates that his family knew about it after the fact. They did not report him when they learned of his crime and so they suffered the consequences along with him when he was caught. If we know of a criminal act - even if committed by a family member - and do not report it, we are condoning it and become guilty of the act. Cain also knew that he could find no support in his family after becoming a murderer [Gen. 4:13-14]. Our loyalty to God and His order must be greater than our loyalty to our family, our nation, or anything else.

”If anyone comes to me and does not hate his father and mother, his wife and children, his brothers and sisters—yes, even his own life—he cannot be my disciple.” Luke 14:26

17. Biblical law is basically geared toward the _____ criminal.
18. Humanists believe in the ancient heresy of _____ by law.
19. Christians know that salvation can only come through _____.

20. Biblical law acknowledges both _____ sin and the depravity of the human heart.
21. A person who sets his life to be a drain on or a _____ to society has given up his right to life.
22. No matter what the relationship a person must stand with Biblical Law and against a criminal _____ member.
23. Our _____ to God and His order must be greater than our loyalty to our family, our nation, or anything else.

Review 1

1. The main principle in relation to crime and punishment is the justice of _____.
2. While the Family and the Church focus on the _____ of God and on restoration, the Civil Government is to focus on the justice of God and seek restitution on behalf of the victim.
3. Hell is the ultimate expression of God's _____.
4. The _____ chance offered to all humanity through the Blood of the Lord Jesus Christ is available only in this life.
5. God's focus is always on the restoration of His order and the _____ of the victim.
6. Jesus perfectly kept and supported the _____ of God.
7. Jesus was stating that when a person is in an oppressive situation, seeking justice is not always the _____ course of action.
8. To _____ the law into an instrument of revenge is to miss the entire point of the law.
9. If we do something that hurts someone else or someone else's _____, we are responsible for make it right.
10. The question of why he committed the act is _____ except for establishing whether is was a deliberate act or an accidental one.

11. The Bible allows no “_____ by reason of insanity” plea.
12. A person under the influence of alcohol or _____ is totally responsible for their actions.
13. Biblical Law does not make a _____ in the age of the criminal.
14. Biblical law is basically geared toward the amateur _____.
15. _____ believe in the ancient heresy of salvation by law.
16. _____ know that salvation can only come through Jesus Christ.
17. Biblical law acknowledges both original sin and the _____ of the human heart.
18. A person who sets his life to be a drain on or a hurt to society has given up his right to _____.
19. No matter what the relationship a person must stand with _____ and against a criminal family member.
20. Our loyalty to God and His order must be _____ than our loyalty to our family, our nation, or anything else.

Score: _____ [Each answer 5 points]

HOW WOULD A BIBLICAL COURT SYSTEM OPERATE?

“When men have a dispute, they are to take it to court and the judges will decide the case, acquitting the innocent and condemning the guilty.” Deut: 25:1

The civil government is responsible for maintaining a Biblical Court system. The majority of the cases would be tried at the local level. The difference between local, provincial [state], or federal courts would not be one of types of crime but location and appeals. In other words, a local court would try all types of cases from shoplifting to murder to divorce which happened within their boundaries. Provincial courts would try the same types of cases where the offense happened outside of local boundaries, but within the province or where those involved lived in different communities in the province. The Federal courts would do the same thing where the crime was interprovincial in nature. The provincial and federal courts would also serve as appeal

courts if there was evidence that the local court had misrepresented God justice or if the issue involved a foundational principle that was not clearly established. Appeals are not allowed simply because the loser doesn't like the verdict.

“The daughters of Zelophehad...approached the entrance to the Tent of Meeting and stood before Moses, Eleazar the priest, the leaders and the whole assembly, and said, ‘Our father died in the desert. He was not among Korah’s followers, who banded together against the LORD, but he died for his own sin and left no sons. Why should our father’s name disappear from his clan because he had no son? Give us property among our father’s relatives.’ So Moses brought their case before the LORD and the LORD said to him, ‘What Zelophehad’s daughters are saying is right. You must certainly give them property as an inheritance among their father’s relatives and turn their father’s inheritance over to them. Say to the Israelites, ‘If a man dies and leaves no son, turn his inheritance over to his daughter. If he has no daughter, give his inheritance to his brothers. If he has no brothers, give his inheritance to his father’s brothers. If his father had no brothers, give his inheritance to the nearest relative in his clan, that he may possess it. This is to be a legal requirement for the Israelites, as the LORD commanded Moses.’ “ Num. 27:1-11

This is an example of an appeal on the basis of a foundational principle. This issue had not come up before so the daughters were able to take their case to the highest court in order to get the foundational principle laid down. Once it was established, lower courts could handle similar cases in the future.

1. The civil government is responsible for maintaining a Biblical _____ system.
2. The provincial and federal courts would also serve as _____ courts if there was evidence that the local court had misrepresented God justice or if the issue involved a foundational principle that was not clearly established.

Witnesses

“The two men involved in the dispute must stand in the presence of the LORD before the priests and the judges who are in office at the time. The judges must make a thorough investigation, and if the witness proves to be a liar, giving false testimony against his brother, then do to him as he intended to do to his brother. You must purge the evil from among you.” Deut. 19:17-19

A witness who did not tell the truth or who hid the truth received the same sentence as if he had committed the offense he was witnessing against. This would include witnesses who refused to come forward with information concerning a crime. A person who does not testify is just as guilty as the person who gives false evidence. Police officers who hide or fabricate evidence [or do a sloppy investigation] and lawyers and judges who hide evidence or do not allow it in court are also guilty of perjury. The point of the court case is to arrive at the truth, not to dance with technicalities.

“One witness is not enough to convict a man accused of any crime or offense he may have committed. A matter must be established by the testimony of two or three witnesses.” Deut. 19:15

To protect the innocent from malicious testimony there had to be more than one witness. Witnesses do not necessarily have to be human, i.e. evidence collected by the police witnesses to what happened - however, you still need two to three independent witnesses to establish what happened. The evidence must be substantial not circumstantial. The current legal principle developed from this law is that for a conviction there must not be “reasonable doubt” as to whether the accused committed the crime or not. While justice will never be perfect on this earth it is better to let a guilt person go free than to convict an innocent person.

“The hands of the witnesses must be the first in putting him to death, and then the hands of all the people. You must purge the evil from among you.” Deut. 17:7

Being a witness was a serious responsibility. In the event of a conviction in a capital case, the witnesses had to lead in the execution.

3. A witness who did not tell the truth or who hid the truth received the _____ sentence as if he had committed the offense he was witnessing against.
4. Police officers who hide or fabricate evidence [or do a sloppy investigation] and lawyers and judges who hide evidence or do not allow it in court are also guilty of _____.
5. To protect the innocent from malicious testimony there had to be more than _____ witness.
6. The current legal principle developed from this law is that for a _____ there must not be “reasonable doubt” as to whether the accused committed the crime or not.

7. In the event of a conviction in a _____ case, the witnesses had to lead in the execution.

Jury

“Appoint judges and officials for each of your tribes in every town the LORD your God is giving you, and they shall judge the people fairly.” Deut. 16:18

“The priests, the sons of Levi, shall step forward, for the LORD your God has chosen them to minister and to pronounce blessings in the name of the LORD and to decide all cases of dispute and assault.” Ex. 21:5

Honest, reliable people were selected from the community to hear the cases. They would, of course, be familiar with Biblical Law. The idea is to bring God’s justice to bear on the situation. The fact that there were judges and officials [plural] shows that more than one person was to be involved in deciding the case. This reduces the possibility of corruption or personal agendas. The modern trial by jury system is an application of this law. Since the court is to represent God’s justice, it follows that the jury members should be committed Christians with a knowledge of Biblical Law and without a personal bias in the case.

Judges/Lawyers

“In all cases of illegal possession of an ox, a donkey, a sheep, a garment, or any other lost property about which somebody says, ‘This is mine,’ both parties are to bring their cases before the judges. The one whom the judges declare guilty must pay back double to his neighbor.” Ex. 22:9

In most cases, under Biblical Law, lawyers would be unnecessary. The Word of God is an open book and all men have the duty to read and understand it. The Law of God is not complicated. In fact, if you love God and love your neighbour you have kept it all. However, when going to court is necessary - because of disputes between people - each person or group honestly presents their case and why they feel, according to the Bible, that they are right. The judges have the duty to examine the case to determine that the facts have not been misrepresented and then to apply Biblical Law to the case.

“The two men involved in the dispute must stand in the presence of the LORD before the priests and the judges who are in office at the time. The judges must make a thorough investigation...” Deut. 19:17-19

The judges were to make sure a proper investigation had taken place and that all the facts possible were available. They were not to exclude vital evidence as

“inadmissible.” They were charged with making sure all the relevant information was there to determine the truth of what had happened. They were not to be gullible, but evaluate each piece of evidence and put a truthful picture together. Witnesses - or lawyers - who tried to cloud the issue would be guilty of perjury and punished as above. There was good motivation for all to tell the truth and for none to remain silent.

8. The fact that there were judges and officials [plural] shows that more than one person was to be involved in _____ the case.
9. The modern trial by _____ system is Biblical.
10. Jury members should be committed _____ with a knowledge of Biblical Law and without a personal bias in the case.
11. The Word of God is an open book and all men have the _____ to read and understand it.
12. The judges have the duty to examine the case to determine that the facts have not been _____ and then to apply Biblical Law to the case.
13. The judges were to make sure a proper _____ had taken place and that all the facts possible were available.

CRIMINAL LAW VS CIVIL LAW

Our law today is divided into criminal law and civil law. It is possible to be declared innocent in criminal law and convicted of the same crime in a civil court. Some rape victims, for example, have seen their attackers released by the criminal court system and then successfully sued them in civil court. Also in criminal court, as I understand it, the attorney general and his staff must bring the charge. If he decides the case is not worth his time or there is not enough evidence, he can refuse to take the case to court.

The Biblical system is totally different. Crime is not divided between criminal law and civil law. The law is united. Every offense is a crime. The victim or their representative - not a professional attorney - brings the case to court or to the attention of the police. The investigation and court case then proceeds. If found guilty the offender is required to make restitution whether it be financial or otherwise.

UNSOLVED CRIME

“If a man gives his neighbor silver or goods for safekeeping and they are stolen from the neighbor’s house, the thief, if he is caught, must pay back double. But if the thief is not found, the owner of the house must appear before the judges to determine whether he has laid his hands on the other man’s property.” Ex. 22:7-8

If a man is found slain, lying in a field in the land the LORD your God is giving you to possess, and it is not known who killed him, your elders and judges shall go out and measure the distance from the body to the neighboring towns. Then the elders of the town nearest the body shall take a heifer that has never been worked and has never worn a yoke and lead her down to a valley that has not been plowed or planted and where there is a flowing stream. There in the valley they are to break the heifer’s neck. The priests, the sons of Levi, shall step forward, for the LORD your God has chosen them to minister and to pronounce blessings in the name of the LORD and to decide all cases of dispute and assault. Then all the elders of the town nearest the body shall wash their hands over the heifer whose neck was broken in the valley, and they shall declare: “Our hands did not shed this blood, nor did our eyes see it done. Accept this atonement for your people Israel, whom you have redeemed, O LORD, and do not hold your people guilty of the blood of an innocent man.” And the bloodshed will be atoned for. So you will purge from yourselves the guilt of shedding innocent blood, since you have done what is right in the eyes of the LORD.” Ex. 21:1-9

The judges must make sure that every opportunity has been taken to find the guilty person. A crime has been committed, restitution must be made to turn away God’s anger and to restore the victim or his heirs. No crime goes into a “dead” file. There must be some resolution within a reasonable time of the crime being committed.

Dr. Gary North has suggested one way this could be applied in our modern society. A fine could be imposed on a community for every unsolved crime. This shows before God that the community is serious about restitution to the victim. It also motivates the citizens of a community to make sure the police do a good investigation and that people with knowledge of the crime come forward, because if it is unsolved the increase in taxes to cover the fine is coming out of their pockets. The laws on perjury would prevent anyone from fabricating evidence.

14. Our law today is divided into criminal law and _____ law.
15. In Biblical law every offense is a _____.

16. The _____ or their representative - not a professional attorney - brings the case to court or to the attention of the police.
17. The judges must make sure that every opportunity has been taken to find the _____ person.
18. There must be some _____ within a reasonable time of the crime being committed.
19. A _____ could be imposed on a community for every unsolved crime.

IS THE PRISON SYSTEM BIBLICAL?

Prison is not a Biblical system. It is truly cruel and unusual punishment to cage people and dehumanize them. It does not help the victim, or deter the criminal. Prison cells are to be used only a temporary holding cells for accused criminals while they are awaiting a speedy trial. If they are convicted then their punishment is whatever form of restitution the Bible declares is appropriate.

WHAT ARE BIBLICAL TYPES OF RESTITUTION?

When looking at the types of restitution, it is important to keep in mind that professional/repeat offenders for any crime were to be executed. So all these penalties are referring to first time offenders or people who have not yet showed that they intend to be professional criminals.

Financial

“If a man shall steal an ox, or a sheep, and kill it, or sell it; he shall restore five oxen for an ox, and four sheep for a sheep.” Ex. 22:1

Here we have a man who has stolen something, but he no longer has it [or it damaged beyond reasonable repair]. He is going to have replace the item, not just restore it. If he was no longer in a position to return the stolen item in its original condition, the penalty was much higher than if it could be returned. The difference between the ox and the sheep probably had to do with the time invested in training and time lost from work. Oxen were work animals. They took time to train and were necessary in the running of a farm. A sheep took no training. The time it took to train the ox and the lost income since it was stolen had to be taken into consideration. So when assessing restitution various factors have to be considered. In this case, the

victim would receive a 400% to 500% compensation. This certainly would work to remove the profit from crime.

“If the theft be certainly found in his hand alive, whether it be ox, or ass, or sheep; he shall restore double. Ex. 22:4

In this case the stolen property was recovered and could be returned to the victim in the same condition it was taken. Restitution then involved a double payment. This again worked to remove the profit from crime and to motivate the criminal to take good care of the property in case he was caught. It would be the difference between 100% repayment and 400%-500% repayment.

What if the thief was unable to pay? His property was confiscated - the only time the government is allowed to confiscate property, but it is not for themselves. The property was sold and the victim paid. Any money in addition to the fine would be given back to the thief. If the amount was still not enough he would be sent to a work farm until he had paid the debt or someone had paid the debt on his behalf. Good motivation not to swindle millions of dollars!

20. _____ is not a Biblical system.
21. Prison cells are to be used only a temporary _____ cells for accused criminals while they are awaiting a speedy trial.
22. If he was no longer in a position to return the stolen item in its original condition, the penalty was much _____ than if it could be returned.
23. When _____ restitution various factors have to be considered.
24. If the stolen property was recovered and could be returned to the victim in the same condition it was taken, then restitution involved a _____ payment.
25. If the thief could not pay the fine his _____ was confiscated and sold.
26. If the sale of the thief’s property did not cover his fine he would be sent to a _____ farm until the debt was paid.

Whipping

“If the guilty man deserves to be beaten, the judge shall make him lie down and have him flogged in his presence with the number of lashes his crime deserves, 3 but he must not give him more than forty lashes. If he is flogged more than that, your brother will be degraded in your eyes.” Deut. 25:2-3

The Bible doesn't give any examples of whipping although it is allowed. It would be for relatively minor offenses that did not victimize anyone in particular. Public profanity would be one possible example. Of course, the whipping was like a harsh spanking - painful, but not causing physical damage. It would motivate the person not to repeat the offensive activity.

Capital Punishment

“But if a man schemes and kills another man deliberately, take him away from my altar and put him to death. Anyone who attacks his father or his mother must be put to death. Anyone who kidnaps another and either sells him or still has him when he is caught must be put to death. Anyone who curses his father or mother must be put to death.” Ex. 21:14-17

” “Do not accept a ransom for the life of a murderer, who deserves to die. He must surely be put to death.” Nu. 35:31

Every murderer was to be put to death - no exceptions. This would include all involved in the abortion industry.

The fact that the Scripture specifically states that a ransom could not be taken for a murderer leads some to believe that for other offenses death was the maximum penalty, but not necessarily the required penalty in every case. For example, if death was automatic for a kidnapper he would have no reason for treating his victim with care. However, if death was the maximum penalty - and especially if the victim had input into the sentencing - then he would be motivated to treat his victim with care in hopes of receiving a lighter sentence if caught.

Manslaughter

“Anyone who strikes a man and kills him shall surely be put to death. However, if he does not do it intentionally, but God lets it happen, he is to flee to a place I will designate.” Ex. 21:12-13 Also see Nu. 35:6-29

An accident causing death was not a capital offense. Since there was no police force, often the relative - Avenger of the Blood - of the victim tracked down the offender and executed him. To prevent being mistaken for and executed as a murder, the accidental killer had to flee to a city of refuge to receive protection. He had to stay there until the death of the High Priest. If he left the city, the Avenger of Blood could execute him without penalty.

We learn from this how precious life is. The person who innocently killed someone had his own life placed in danger. His life was restricted for a period of time in compensation for the life that was taken.

Self-defense

“If a thief be found breaking up, and be smitten that he die, there shall no blood be shed for him. If the sun be risen upon him, there shall be blood shed for him; for he should make full restitution; if he have nothing, then he shall be sold for his theft.” Ex. 22:2-3

Any criminal should fear for his life while committing a criminal act. It would greatly reduce crime. After the fact, the criminal must be brought before a court to determine guilt or innocence and the correct restitution. During the commission of a crime there is no question of guilt or innocence. People should be allowed to own guns into order to effectively protect themselves and their property. There is absolutely no penalty or guilt for killing someone committing a crime. They were willing to risk their life to commit the crime, the responsibility is theirs.

“Every day, 550 rapes, 1,100 murders, and 5,200 other violent crimes are prevented just by showing a gun. In less than 0.9% of the time is the gun ever actually fired.” Guy Smith, Gun Facts quoted in Healing Our World In An Age Of Aggression by Dr. Mary Ruwart, pg. 241

“The police can only get to a crime scene after the crime has been committed. A citizen must be able to stop a crime.” Fred Prasse, former police officer quoted in Healing Our World In An Age Of Aggression by Dr. Mary Ruwart, pg. 243

“Luckily for Jacqueline Roland, her six-year-old son Jimmy knew how to handle the family firearm. She told Jimmy to get the gun when she went outside to investigate a strange noise. When Jimmy came outside with his .22-caliber rifle, a masked man was holding a knife at his mother’s throat. Aiming at the attacker, Jimmy demanded his mother’s release. When the man told Jimmy to put the gun down, he cocked it instead. The terrified assailant fled. He was later captured, along with his two accomplices. All were career criminals. The sheriff told Jimmy that he had probably saved the lives of his mother and five siblings.

“Nine-year-old Ashley Carpenter and her seven-year-old brother John William were not so lucky. Their 14 year-old sister Jessica had been taught how to handle the family firearms. She ran to get a gun when Jonathan David Bruce went wild and began

stabbing her siblings with a pitchfork. Unfortunately, because of California has safe storage laws, the guns were locked up. Bruce had cut the phone lines, so Jessica couldn't call the police. She ran to a neighbour's house, begging for a gun, but the neighbour offered her only a phone. By the time the police arrived, Ashley and John William were dead. Another sister was wounded. Bruce rushed the police, and they shot him dead. Had Jessica been allowed to do the same, her siblings might be alive today." Healing Our World In An Age Of Aggression by Dr. Mary Ruwart, pg. 242-243

27. Whipping would be for relatively _____ offenses that did not victimize anyone in particular.
28. Every murderer was to be put to _____ - no exceptions.
29. The fact that the Scripture specifically states that a ransom could not be taken for a murderer leads some to believe that for other offenses death was the _____ penalty, but not necessarily the required penalty in every case.
30. An accident causing death was not a _____ offense.
31. _____ is precious.
32. Any criminal should fear for his _____ while committing a criminal act.
33. People should be allowed to own _____ into order to effectively protect themselves and their property.
34. There is absolutely no penalty or guilt for killing someone _____ a crime.

Review 2

1. The _____ government is responsible for maintaining a Biblical Court system.
2. The provincial and federal courts would also serve as appeal courts if there was evidence that the local court had _____ God justice or if the issue involved a foundational principle that was not clearly established.
3. A _____ who did not tell the truth or who hid the truth received the same sentence as if he had committed the offense he was witnessing against.

4. Police officers who hide or fabricate evidence [or do a sloppy investigation] and lawyers and judges who hide _____ or do not allow it in court are also guilty of perjury.
5. To protect the innocent from _____ testimony, there had to be more than one witness.
6. The current legal principle developed from this law is that for a conviction there must not be “_____ doubt” as to whether the accused committed the crime or not.
7. In the event of a conviction in a capital case, the witnesses had to lead in the _____.
8. The fact that there were judges and officials [plural] shows that more than one person was to be _____ in deciding the case.
9. The modern trial by jury system is _____.
10. Jury members should be committed Christians with a knowledge of _____ Law and without a personal bias in the case.
11. The _____ of God is an open book and all men have the duty to read and understand it.
12. The _____ have the duty to examine the case to determine that the facts have not been misrepresented and then to apply Biblical Law to the case.
13. Our law today is divided into _____ law and civil law.
14. In Biblical law every _____ is a crime.
15. The victim or their representative - not a professional attorney - brings the case to _____ or to the attention of the police.
16. The judges must make sure that every opportunity has been taken to _____ the guilty person.
17. There must be some resolution within a _____ time of the crime being committed.

18. A fine could be imposed on a community for every _____ crime.
19. Prison is not a _____ system.
20. Prison cells are to be used only a temporary holding cells for _____ criminals while they are awaiting a speedy trial.
21. If he was no longer in a position to return the stolen item in its _____ condition, the penalty was much higher than if it could be returned.
22. When assessing _____ various factors have to be considered.
23. If the stolen property was _____ and could be returned to the victim in the same condition it was taken, then restitution involved a double payment.
24. If the thief could not pay the fine his property was _____ and sold.
25. If the sale of the thief's _____ did not cover his fine he would be sent to a work farm until the debt was paid.
26. _____ would be for relatively minor offenses that did not victimize anyone in particular.
27. Every _____ was to be put to death - no exceptions.
28. The fact that the Scripture specifically states that a _____ could not be taken for a murderer leads some to believe that for other offenses death was the maximum penalty, but not necessarily the required penalty in every case.
29. An accident causing _____ was not a capital offense.
30. Life is _____.
31. Any criminal should _____ for his life while committing a criminal act.
32. People should be allowed to own guns into order to effectively protect themselves and their _____.
33. There is absolutely no penalty or _____ for killing someone committing a crime.

Score: _____ [Each answer 3 points]

Pre-Test

1. Write out from memory Deut. 19:20-21: _____

2. The main principle in relation to crime and punishment is the _____ of God.
3. While the Family and the Church focus on the mercy of God and on _____, the Civil Government is to focus on the justice of God and seek restitution on behalf of the victim.
4. Hell is the _____ expression of God's justice.
5. God's _____ is always on the restoration of His order and the healing of the victim.
6. _____ perfectly kept and supported the Law of God.
7. To twist the law into an instrument of _____ is to miss the entire point of the law.
8. If we do something that hurts someone else or someone else's _____, we are responsible for make it right.
9. The Bible allows no "_____ by reason of insanity" plea.
10. A person under the influence of alcohol or drugs is totally _____ for their actions.
11. Biblical Law does not make a distinction in the _____ of the criminal.
12. Biblical law is basically geared toward the _____ criminal.

13. Biblical law acknowledges both original sin and the _____ of the human heart.
14. A person who sets his _____ to be a drain on or a hurt to society has given up his right to life.
15. Our loyalty to God and His order must be greater than our loyalty to our _____, our nation, or anything else.
16. The civil government is responsible for maintaining a _____ Court system.
17. A witness who did not tell the truth or who _____ the truth received the same sentence as if he had committed the offense he was witnessing against.
18. To protect the _____ from malicious testimony, there had to be more than one witness.
19. The current legal principle developed from this law is that for a _____ there must not be "reasonable doubt" as to whether the accused committed the crime or not.
20. The modern _____ by jury system is Biblical.
21. Jury members should be committed Christians with a _____ of Biblical Law and without a personal bias in the case.
22. The Word of God is an open book and all men have the _____ to read and understand it.
23. The judges have the duty to examine the case to determine that the facts have not been misrepresented and then to apply _____ Law to the case.
24. In Biblical law every offense is a _____.
25. These must be some resolution within a _____ time of the crime being committed.
26. _____ is not a Biblical system.
27. Prison cells are to be used only a _____ holding cells for accused criminals while they are awaiting a speedy trial.

28. If he was no longer in a position to _____ the stolen item in its original condition, the penalty was much higher than if it could be returned.
29. When assessing _____ various factors have to be considered.
30. If the stolen property was recovered and could be returned to the victim in the same condition it was taken, then restitution involved a _____ payment.
31. If the thief could not pay the fine his _____ was confiscated and sold.
32. If the _____ of the thief's property did not cover his fine he would be sent to a work farm until the debt was paid.
33. Whipping would be for relatively _____ offenses that did not victimize anyone in particular.
34. Every murderer was to be put to death - no exceptions.
35. The fact that the Scripture specifically states that a ransom could not be taken for a murderer leads some to believe that for other offenses death was the maximum penalty, but not necessarily the required penalty in every case.
36. An accident causing death was not a capital offense.
37. Life is precious.
38. Any criminal should fear for his life while committing a criminal act.
39. People should be allowed to own guns in order to effectively protect themselves and their property.
40. There is absolutely no penalty or guilt for killing someone committing a crime.

Score: _____ [Each answer 2.5 points]

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Final Test

1. Write out from memory Deut. 19:20-21: _____

2. The main principle in relation to crime and _____ is the justice of God.
3. While the Family and the Church focus on the mercy of God and on restoration, the Civil Government is to focus on the _____ of God and seek restitution on behalf of the victim.
4. God's focus is always on the restoration of His _____ and the healing of the victim.
5. Jesus perfectly kept and _____ the Law of God.
6. If we do something that hurts someone else or someone else's property, we are _____ for make it right.
7. A person under the _____ of alcohol or drugs is totally responsible for their actions.
8. Biblical Law does not make a _____ in the age of the criminal.
9. _____ law is basically geared toward the amateur criminal.
10. A person who sets his life to be a drain on or a hurt to society has given up his right to _____.
11. Our _____ to God and His order must be greater than our loyalty to our family, our nation, or anything else.

12. A witness who did not tell the truth or who hid the truth received the _____ sentence as if he had committed the offense he was witnessing against.
13. To protect the innocent from malicious testimony, there had to be more than one _____.
14. The current legal principle developed from this law is that for a conviction there must not be “_____ doubt” as to whether the accused committed the crime or not.
15. Jury members should be committed _____ with a knowledge of Biblical Law and without a personal bias in the case.
16. The Word of God is an open book and all men have the duty to _____ and understand it.
17. The judges have the duty to examine the case to _____ that the facts have not been misrepresented and then to apply Biblical Law to the case.
18. In Biblical law every _____ is a crime.
19. There must be some resolution within a reasonable time of the _____ being committed.
20. Prison cells are to be used only as temporary holding cells for _____ criminals while they are awaiting a speedy trial.
21. If he was no longer in a position to return the _____ item in its original condition, the penalty was much higher than if it could be returned.
22. When assessing _____ various factors have to be considered.
23. If the stolen property was _____ and could be returned to the victim in the same condition it was taken, then restitution involved a double payment.
24. If the thief could not pay the fine his property was confiscated and _____.
25. If the sale of the thief’s _____ did not cover his fine he would be sent to a work farm until the debt was paid.
26. _____ would be for relatively minor offenses that did not victimize anyone in particular.

27. Every murderer was to be put to _____ - no exceptions.
28. The fact that the Scripture specifically states that a _____ could not be taken for a murderer leads some to believe that for other offenses death was the maximum penalty, but not necessarily the required penalty in every case.
29. An _____ causing death was not a capital offense.
30. Life is _____.
31. Any criminal should fear for his _____ while committing a criminal act.
32. People should be allowed to own guns into order to effectively _____ themselves and their property.
33. There is absolutely no penalty or _____ for killing someone committing a crime.

Score: _____ [Each answer 3 points]