

State of Mankind

How much do you know?

Excerpts from

How the Specter of Communism Is Ruling Our World

(91)

Law is the iron force of fairness and justice that affirms good and punishes evil. What is good and what is evil must be determined by those who write the laws. From the perspective of faith, these criteria come from gods. Religious scripture provided the basis for the laws that govern human society.

The Code of Hammurabi in ancient Babylon is the first written law in human history. Engraved in the stone tablet, above the code itself, is a powerful scene: Shamash, god of the sun and justice, bestows the laws to King Hammurabi. This is the depiction of a god granting a human sovereign the authority to govern his people using the rule of law.

For the Hebrews, the Ten Commandments in the Old Testament were considered to be simultaneously divine as well as secular law — a tradition that became the foundation of Western legal culture. Starting with fourth-century Roman emperors and the

East Roman Justinian I and his successors and continuing to Alfred the Great, the first of Britain's Anglo-Saxon kings, the legal system took the Ten Commandments of Moses and Christian doctrine as their inspiration. [1]

Followers of religion believe that in order to be considered legitimate, the law must accommodate divine standards of good and evil, as well as religious teachings. The thinking behind nonviolent civil disobedience in the United States can be traced back to early Christian doctrine. The Roman emperor commanded that Christians worship Roman gods and that statues of the emperor be erected before Jewish synagogues. As this meant direct violation of the first two Commandments, Christians opted to face crucifixion or be burned at the stake rather than follow them. In other words, secular law must be subordinate to divine commandment, which is sacred and inviolable.

In general, the Ten Commandments can be divided into two categories. The first four describe the relationship between man and God, that is, what constitutes the appropriate reverence for God. The other six govern relationships between people, and at their core reflect Jesus's teaching to love others as you love yourself. Reverence for God is an imperative that enables humanity to maintain unchanged the principles of fairness and justice.

The same is true of China, where historically the law was promulgated by imperial decree. The emperor or Son of Heaven must follow providence and the principles of Heaven and earth. This is the “Tao” or Way imparted by Lao Zi and the Yellow Emperor. The Han Dynasty scholar Dong Zhongshu said: “The greatness of Tao originates from Heaven. Heaven never changes, and neither does the Tao.” [2] In ancient Chinese usage, “Heaven” is not an abstraction of the natural forces, but a supreme god. Faith in the Tao of Heaven forms the moral bedrock of Chinese culture. The Chinese legislative system derived from this belief influenced China for thousands of years.

American legal scholar Harold J. Berman believed that the role of the law coexists with compliance to overall principles of social morality and faith. Even under the separation of church and state, both are mutually dependent. In any society, the concepts of justice and legality must trace their roots to that which is considered holy and sacred. [3]

Put another way, the law must carry authority, which comes from the fairness and justice endowed by gods. Not only is the law fair and just, it is also holy. The modern legal system retains many facets of religious ceremony that strengthen its power.

From Chapter Ten: Using the Law for Evil