CHAPTER – VII

CONCLUSIONS AND SUGGESTIONS

On a synoptic overview of the material contained in Chapters I to VI supra, it is now the turn to record closing remarks in the same serial order with suggestions based on the result of study. The heart of this research is the Bible itself. The name “Bible” is derived from the Greek word biblos, meaning “book”. This “Book”, actually composed of sixty-six separate books, is a collection of ancient Hebrew and Christian writings each complete in itself. The order of these sixty-six books in the Old Testament and New Testament is a logical one, giving, in general, a consecutive history of mankind – from the story of creation in the first chapter of Genesis to the close of history foretold in the Revelation.

The order of Old Testament books in the English Bible differs somewhat from the order of the books of Hebrew Scriptures. The sacred writings of the Jews were divided into three parts: (1) the Law, five books setting forth the laws that God gave through Moses; (2) the Prophets, including the four “former Prophets,” Joshua, Judges, Samuel, and Kings, and the four “later Prophets,” Isaiah, Jeremiah, Ezekiel, and the Twelve (the Twelve consisting of twelve brief prophetical books contained in a single scroll, thus looked upon as a single Holy Book); and (3) the Writings, which are divided into four sections: (a) Psalms, Proverbs, Job; (b) Song of Solomon, Ruth, Lamentations, Ecclesiastes, Esther; (c) Daniel; and (d) Ezra, Nehemiah, Chronicles. The relative importance of the scriptural writings according to Jewish thinking is by this order: The law, standing first, was considered the
most important; second, the Prophets; and third, the Writings, which were truly inspired and to be treasured but were not as important as the law and the Prophets.

In English translations of the Old Testament, the thirty-nine books may be regarded as falling into four categories: 1. History, the books from Genesis to Esther, including the Pentateuch; 2. Poetry, the books from Job to the Song of Solomon; 3. the major Prophets, the books of Isaiah, Jeremiah, Ezekiel, and Daniel (with Lamentations, a brief poetical book, associated by theme and authorship to the book of Jeremiah); and 4. The Minor Prophets, the same brief poetical books spoken of by the Jews as “The Twelve”.

The word “pentateuch,” derived from the Greek, means “five books,” and is used to designate the first five books of the Old Testament. This section is also called “The Law” or “The Book of Moses,” following the Jewish tradition that these five books were written by Moses.

The twenty-seven New Testament books are also divided into four categories: 1. History, including the four Gospels (i.e., books proclaiming the good news) and the book of Acts: 2. Paul’s Epistles, the books of Romans through Philemon; 3. the General Epistles, the book of Hebrews through Jude; and 4. the Apocalypse, the book of the Revelation.

The scriptures were written over a period of 1500 years (ca. 1405 B.C. to A.D. 95) passed down since then for over 2000 years, and translated into hundreds of languages. Torah is the Hebrew word for a law, instruction from Yarah, to teach, and to instruct. The Pentateuch, the first five books of the Old Testament: Genesis, Exodus, Leviticus, Numbers, and Deuteronomy –
contains the law. The Decalogue or the Ten Commandments seem to summarize the body of laws thus:

1. Thou shalt have no other gods before me; 2. Thou shalt not make unto thee any graven image; 3. Thou shalt not take the name of the Lord thy God in vain; 4. Remember the Sabbath day to keep it holy; 5. Honor thy father and thy mother; 6. Thou shalt not kill; 7. Thou shalt not commit adultery; 8. Thou shalt not steal; 9. Thou shalt not bear false witness; 10. Thou shalt not Covet.

The substance of these Ten Commandments in a short capsule means: Love God; and love man your neighbor as you love yourself. The biblical definition of Love is: keeping the commandments according to 1 John 5:3. And he that loveth not his brother, whom he hath seen, cannot love God whom he hath not seen according to 1 John 4:20. Whosoever hateth his brother is a murderer. The Ten Commandments or the Decalogue have been of inestimable significance for the history a development of mankind. They have been called the Magna Charta of the social order. The Bible is often quoted, as is the Roman law. In the twentieth Century, major advances in securing biblical principles have been made in international law, particularly through the United Nations’ Universal Declaration of Human Rights. Most modern legislation and court action has had a clear biblical base. Legislators and judges act on biblical principles, but without reference to their origin sometimes.

The biblical base in respect of Criminal Laws is no mean. There is a good deal of original biblical material which is an ancient source and
foundational basis for current legislation and case law. This thesis dealt with
criminal laws – which are four-fold. They are these:

A. Crimes against the Public are 1. bribery 2. contempt for the law
3. perjury 4. perverting or obstructing justice; and 5. conspiracy

B. Crimes of immoral acts are 1. adultery 2. rape 3. prostitution 4.
seduction 5. incest and 6. sodomy

C. Crimes against persons are 1. murder 2. manslaughter 3. assault
4. kidnapping; and 5. slander

D. Crimes against property are 1. stealing 2. arson 3. moving a
landmark

Apart from this, methods of punishment, damages etc. constituted part
of the study. As a sequel concluding remarks and suggestions based on the
study Chapter-wise have been recorded.

Under Chapter II are these Crimes against the public: bribery,
contempt for the law, perjury, perverting or obstructing justice and
conspiracy. Individually crime-wise conclusions and suggestions are recorded.

Bribery: Bible laws condemn it as an evil and a crime against the
public. A bribe blinds the witnesses who saw. A bribe makes the blind to see.
Two partners are involved – briber and bribee. Bribes were offered to acquit
the guilty; or even to slay the innocent. There is an allusion that fire shall
consume the tabernacle of bribery – meaning thereby that the punishment is
death. Bribery leads to false witnessing. In effect it perverts justice. Instances
of bribery recorded in the Bible included – 1. Delilah, a beautiful Philistine
woman who betrayed Samson, Israel’s Judge famous for his great strength for
1100 pieces of silver – 2. Another judge Samuel’s sons turned to lucre and
perverted justice – 3. Benhadad, king of Syria yielded to bribes to break the league with Basha, king of Israel – 4. Ahasuerus, king of Persia accepted bribe from his prime minister Haman who conspired to destroy the Jews – 5. Chief priests bribed Judas, for betraying Jesus Christ; and – 6 Soldiers were bribed to declare that the disciples stole the body of Jesus Christ.

Originally the offense of bribery applied only to corrupt giving to judges. Then it broadened to cover officials also. Modern states also condemn the practice of bribery and anti-corruption laws have been legislated. British and American laws as are laws of Indian Penal Code condemned bribery and punishments like imprisonment, fine etc. prescribed. Yet the evil of corruption is widespread in every area of public life. It has been discovered in the case of architects, engineers, planning officers, police officers, and tax collectors. Like Human Immunodeficiency Virus, bribery infected the society and the difference between country and country is a matter of degree. In effect where there is no corruption there is more prosperity; and where there is more corruption there is less prosperity.

**Suggestions:** Bribery offends the Tenth Commandment of the Decalogue – ‘Thou shalt not covet’. It also offends the Eighth Commandment – ‘Thou shalt not steal’. It is therefore important to learn what honesty is, how we are tempted to be dishonest, and how we can overcome the temptation. We have got to be honest in every thought, in our reflections, in our meditations, in our private circles, in our deals, in our declarations, and in every act of our lives. Those who choose to cheat and deceive and misrepresent become slaves of corruption.
Honest people love truth and justice. They are honest in their works and actions. They do not lie, steal, or cheat.

**To lie is Dishonest:** Lying is intentionally deceiving others. Bearing false witness by accepting bribe money is one form of lying. The Ninth Commandment of the Decalogue is: ‘Thou shalt not bear false witness’ as recorded in *Exodus 20:16*. Jesus also taught this when He was on earth as recorded in *Matthew 19:18*. There are many other forms of lying. When we speak untruths, we are guilty of lying. We can also intentionally deceive others by a gesture or a look, by silence, or by telling only part of the truth. Whenever we lead people in any way to believe something that is not true, we are not being honest. Honest people will speak the whole truth, even if it seems to be to their disadvantage.

**To steal is Dishonest:** Stealing is taking something that does not belong to us. When we take what belongs to someone else or to a store or to the community without permission, we are stealing. Taking merchandise or suppliers from an employer is stealing. Copying music, movies, pictures, or written text without the permission of the copyright owners is dishonest and is a form of theft. Accepting more change or goods than one should is dishonest. Taking more than own share of anything is stealing.

**To cheat is Dishonest:** We cheat when we give less than we owe, or when we get something we do not deserve. Some employees cheat their employers by not working their full time; yet they accept full pay. Some employers are not fair to their employees; they pay them less than they should. Taking unfair advantage is a form of dishonesty. Providing inferior service or merchandise is cheating.
People use many excuses for being dishonest. People lie to protect themselves and to have others think well of them. Some excuse themselves for stealing, thinking they deserve what they took, intend to return it, or need it more than the owner. When we excuse ourselves, we cheat ourselves and we become more and more unrighteous.

However to become completely honest, we must look carefully at our lives. Even if there are ways in which we are being even the least bit dishonest, we should repent of them immediately.

When we are completely honest, we cannot be corrupted. We are true to every trust, duty, agreement, or covenant, even if it costs us money, friends, or our lives. Then we can face anybody without shame. Let every man’s life be so that his character will bear the closest inspection, and that it may be seen as an open book, so that he will have nothing to shrink from or be ashamed of.

**Contempt for the Law:** The ancient biblical law recognizes contempt for the law as a crime against its public at large. Death is the punishment for irreverence. The biblical mandate is that people shall diligently keep the commandments, testimonies and statutes of God and the people shall hear and fear and do no more sin presumptuously. The evil of contempt for the law, death shall alone put it away from Israel. This foundational biblical principal is well recognised by modern legislative bodies but the punishments inflicted under modern statutes are imprisonment or fine. Contempt of congress and ignoring a valid court order is only a misdemeanor.

**Suggestions:** Defiance of law should be declared a felony punishable with a strong arm of law. Modern experience more often then not is that contempt of law is not seriously regarded. There are instances that summons
issued for attending the court are not regarded with fear. The reason could be that punishments inflicted for defiance of law are not severe and exemplary. Ancient biblical laws in this regard are serious against defiance of law. Severe punishments against defiance of law would discipline the offenders. Instances of attacking the judges in the open court reflect lack of fear and respect for law. Perhaps corruption could be the reason. The immutable, incorruptible, infallible and eternal law should be followed to put away the evil of contempt of law which is an offense against the public. A man without lover for God and man defy both divine and human laws. Human laws must be consistent with divine law. Cities and States then shall have rest from the evil of contempt of law.

**Perjury:** Ninth Commandment of the Decalogue forbids perjury. Punishment is the same which the malicious witness schemes to inflict. Objective is to put the evil away from the people. Perjury in England is required to be proved by at least two witnesses. In India under the Evidence Act, 1872 no particular number of witnesses is required for proof of any fact. Imprisonment and fines are the modes of punishment for intentionally giving false evidence or fabricating false evidence in judicial proceeding. Thus the ancient biblical laws on perjury are the foundational laws for the modern laws.

**Suggestions:** False witness is forbidden in the Ninth Commandment and throughout the Old Testament. The New Testament echoes the Old Testament on it. The prohibition was of vital importance in legal cases in days when there was no Counsel to protect the accused. His fate could be determined, perhaps his life jeopardized, by false witness. Today the prohibition can readily be extended to cover slander, detraction and gossip.
Perjury is an evil of lying. It destroys the basis of human association and in the end stultifying. Most people tell lies when they should not. The temptation comes swiftly and they succumb. Perhaps it is to get out of an awkward situation, or to practice some petty fraud or deception. The only way to have the sensitivity of spirit to know when a lie is called for in particular circumstances is to be habitually truthful.

**Perverting or obstructing Justice:** The laws of the Bible relating to crimes against the public included perverting or obstruction of justice. In righteousness judgments shall be delivered. The wicked persons shall be rejected. The judges shall not be the respecters of persons. No gifts shall be accepted to pervert justice. Multitude shall not be followed to do evil. Modern states following the ancient biblical foundational principles legislated laws against perverting justice. Offences by which conscious effort is made to interfere with proper administration of justice and attempt to destroy or suppress evidence – are enlisted in American Federal Laws. Indian Penal Code under Chapter XI enlists a variety of offences like giving false evidence, fabricating false evidence, causing disappearance of evidence etc. biblical laws of justice show concern for the poor. But the yawning gap between the rich and poor is the breeding ground for Naxalism and violence associated with it. Poor people are constantly exploited by the rich in every sphere of life.

**Suggestions:** Biblical laws relating to crimes against the public are the indexes which should be followed to remove injustice to the poor and needy. Poor should not be pawn to serve others. Good Samaritans must increase and the **law of love** – promulgated by Mahatma Gandhi the father of the nation based on non-violence would alone ensure a well-ordered
society. ‘Love thy neighbour as thyself’ – is the commandment spoken of in
the parable of Good Samaritan by Jesus Christ. Distributive justice attempts
to ensure the fair distribution of rights and privileges, on the maxim: ‘to every
man his due’. The evil of perversion or obstruction of justice must be driven
out.

Conspiracy: This is another evil and crime against the public, which
is condemned by the Holy Bible. Partners in conspiracy collude against
persons, Government, kingship to displace the governance through killing,
stealing and covetousness. Conspiracy thus offends Sixth, Eighth and Tenth
commandments of the Decalogue: ‘Thou shalt not kill’; ‘Thou shalt not steal’;
and ‘Thou shalt not covet’. Modern legal systems including American Federal
Laws recognized conspiracy as separate and distinct offense from the act that
is the purpose of conspiracy. So did the Indian Penal Code under Section 120-
A defining criminal conspiracy and prescribing rigorous imprisonment and
fine.

Suggestions: biblical laws relating to conspiracy are the foundational
principles for the modern states. Day-in and day-out, mass media reports on
conspiracy in one or other part of the globe. Biblical laws are inerrant,
immutable and infallible divine laws and human laws must be in tune with
them. Conspiracy should be treated as a felony but not as a misdemeanor.

Under Chapter III are these crimes of immoral acts: Adultery, rape,
prostitution, seduction, incest and sodomy. What is morally wrong can never
be legally right. Conversely what is legally wrong cannot be morally right. If
immorality is legalized such human action endangers human society and
becomes questionable. The crimes of immorality cited are directly connectable
to sex, marriage and the family. They are different forms of sexual immorality and are interconnected.

**Adultery** is forbidden in the Seventh Commandment of the Decalogue. If a man enticed an unbetrothed virgin, he shall endow her to be his wife. He shall pay money according to the dowry of virgins if her father utterly refuses to give her unto him. In case of adultery with married woman both man and woman shall suffer death penalty. In case of bestiality both the person and the beast he commits the sin with shall be put to death. Incest i.e. sexual relations between close relatives (18 classes of persons) are forbidden – A monstrous woman shall not be uncovered of nakedness. Prostituting a daughter or causing her to be a whore is prohibited. Adultery with father’s wife – and for adultery with daughter-in-law – both the man and the woman shall die. Homosexuals shall be put to death. Marriage with mother and daughter is forbidden – all three shall die. If a woman sins with a beast, both she and the beast shall be put to death. Regarding adultery there is provision for inquest. Innocent wife was protected and guilty wife stoned. Death for rape both in cities and in country was inflicted.

However, sexual offenses of immorality have been identified by modern states – but largely they are misdemeanors punishable with imprisonment and fines. biblical laws on sexual immorality prescribed harsher punishments. Today, sexual offences are on the increase. And the offenders escape through procedural legal loopholes. biblical laws are settled laws. They are inerrant, infallible, immutable divine laws given to ensure a harmonious society. But the controversy on the question of decriminalizing homosexuality in India is pending adjudication in the apex court.
**Suggestions:** The law of chastity is the answer. We are to have sexual relations only with our spouse to whom we are legally married. No one, male or female, is to have sexual relations before marriage. After marriage, sexual relations are permitted only with our spouse.

To the Israelites the Lord said, “Thou shalt not commit adultery” in the book of Exodus. Those Israelites who broke this commandment were subject to severe penalties. Jesus Christ has repeated this commandment in the latter days. The law of chastity encompasses more than sexual intercourse. Young people are warned of other sexual sins:

Before marriage, do not do anything to arouse the powerful emotions that must be expressed only in marriage. Do not participate in passionate kissing, lie on top of another person, or touch the private, sacred parts of another person’s body, with or without clothing. Do not allow anyone to do that with you. Do not arouse those emotions in your own body.

Like other violations of the law of chastity, homosexual behaviour is a serious sin. Marriage between man and woman is divinely ordained.

Gays and lesbians may have certain inclinations which are powerful and may be difficult to control. They must be helped out of their immoral activity, if they try to uphold and defend and live in a so-called same sex marriage situation. To permit such would be to make light of the very serious and sacred foundation of God-sanctioned marriage and its very purpose, the rearing of families.

Jesus taught, ‘ye have heard that it was said by them of old time, Thou shalt not commit adultery’:
“But I say unto you, That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart.”\(^1\)

We live in a world of terrible temptations. Pornography, with its sleazy filth, sweeps over the earth like a horrible, engulfing tide. It is poison. Do not watch it or read it. It will destroy you if you do. It will take from you your self-respect. It will rob you of a sense of the beauties of life. It will tear you down and pull you into a slough of evil thoughts and possibly of evil actions. Stay away from it. Shun it as you would a foul disease, for it is just as deadly. Be virtuous in thought and in deed. God has planted in you, for a purpose, a divine urge which may be easily subverted to evil and destructive ends.

The scriptures tell about a righteous young man named Joseph who was greatly trusted by his master, Potiphar. Potiphar had given Joseph command over everything he had. Potiphar’s wife lusted after Joseph and tempted him to commit adultery with her. But Joseph resisted her and fled from her. This story is narrated in the book of \textit{Genesis}.

Unchastity is next to murder in seriousness. If a man and a woman break the law of chastity and conceive a child, they may be tempted to commit another abominable sin: abortion. There is seldom any justifiable reason for abortion. Pregnancy could be the result of incest or rape. When a man and woman conceive a child out of wedlock, every effort should be made to encourage them to marry. When we obey the law of chastity, we can live without guilt or shame. Our lives and our children’s lives are blessed when we keep ourselves pure and spotless before God. Children can look to our example and follow in our footsteps.

\(^1\) Matthew 5:27-28
Under Chapter IV fell the Crimes against Persons. They are these: murder, manslaughter, assault, kidnapping and slander. Life is sacred. The Sixth Commandment of the Decalogue reads: ‘Thou shalt not kill’. Whosoever sheds blood, his blood shall be shed. However battlefront killings, killing of Criminal by hangman are outside its purview. Murder with malice aforethought is a capital offence and the murderer shall be put to death. Murder is a criminal homicide. Accidental killing is not a criminal homicide. Unintentional killers had safety in cities of refuge during Old Testament biblical era.

Based on the foundational biblical law, modern states adopted death penalty against intentional and pre-mediated killing. Killing of unborn child, abortion in the guise of protecting mother’s life are not biblically approved though human laws do. Under the Indian Penal Code killing with malice aforethought is punishable with death.

Manslaughter is unlawful killing without malice aforethought. Accidental killer is allowed to flee to the city of refuge and dwell therein until the death of the high priest and thereafter he may return to his land. Fratricide and regicide are also case referenced in the Bible. In modern legal sense involuntary manslaughter is an offense committed during the perpetration of a misdemeanor. Negligent homicide or automobile homicide is killing of pedestrian on account of careless driving. Justifiable homicide is killing under lawful orders e.g. wartime, hangman killing a criminal as stated supra.

Biblically assault is a non-capital crime attracting compensation for loss of time and paying medical expenses to the injured. In modern legal sense
intentional assault is a felony and without intention is a misdemeanor. Victim has a right to sue and the State may bring an action for offense.

Biblically **kidnapping** is stealing for selling. It is a mortal offence. Today’s world witnesses widespread kidnappings of kids with heavy demands for ransom which culminate in killing for non-compliance. Punishments range from fines to infliction of capital punishment.

Finally biblically **slander** offends the Ninth Commandment of the Decalogue: “Thou shalt not bear false witness against thy neighbor. It is perjury inviting death penalty. Public whippings, fine of 100 shekels, deprival of future divorce from the hated wife are the penalties against a husband for indulging in slander. In modern states defamatory statements interfering reputation are slanderous. Legislators enjoy privileges against actions for slander in respect of their statements on the floor of the legislature. Under the rule of fair comment journalists enjoy protection and no action would lie against. Biblical laws influenced greatly modern legislation though it is not openly acknowledged.

**Suggestions:** Life is God’s gift. What God gifts let no man take away. According to M.K. Gandhi, father of the Indian Nation who was influenced by Jesus’ Sermon on the Mount recorded in the book of Matthew well-constructed societies are based on the Law of Non-violence and the Law of Love. **Ahimsa** really means that one may not offend anybody, one may not harbour an uncharitable thought even in connection with one who may consider himself to be an enemy.

The Jews were well-versed in the law contained in the Pentateuch, the first five books of the Old Testament traditionally ascribed to Moses. You
won’t find principles of loving your enemies taught under the law – you will find retribution and judgment. Under the law, the principle was, “an eye for an eye and a tooth for a tooth”. Even when you read the psalms of David you see him praying against his enemies. He was trying to get the LORD to hate them as he hated them. But Jesus Christ said something entirely different. The Jews had never heard about the royal law of love – the God-kind of love. No one had heard of the love of God until Jesus Himself began to teach about it. The first time the Jews ever heard about the God-kind of love was right here when Jesus said, “But I say unto you, Love your enemies...” When your spirit is born again, it is recreated in Christ Jesus. Then you can love your enemies.

How good and how pleasant it is for mankind to love the Law of Love which is the Royal Law against which there can be no superior law.

Chapter V dealt with Crimes against property. They are these: stealing, arson and moving a landmark. Stealing is a major crime against property. Biblical laws relating to crimes contain inter alia Law against larceny. The eighth commandment of the Decalogue is: Thou shalt not steal. The stars still are in their ancient places simply because they are out of the reach of predatory human hands. Stealing of corporeal movable property is forbidden. Stolen cattle be restored five-fold. Stolen sheep be restored four-fold. No penalty is infictable for killing a thief caught stealing. When thief is caught full restitution is required against the stolen property. The thief who cannot make restitution is taken as a salve. Double restitution if cattle or sheep are found alive. Crops eaten by the stock of a neighbour get settled by restitution. Double restitution for theft of property from one holding it in trust; likewise double restitution if one steals the property held in trust by
him. Employees wages should not be robbed. Kidnapping attracted death penalty.

Modern states in America recognized the crime of larceny as a felony. It is larceny to take a pile of logs in a field to your fireplace at home. It is larceny to take home wild animals that you find on your stroll. There could be grand larceny or petty larceny. In England grand larceny is a capital offense and petty larceny is punishable by forfeiture of goods and whipping, but not death. Earlier they were both felonies.

**Arson** is intentionally setting something on fire. Restitution is inflictable. Bible recorded three instances of arson – one by Samson, one by Absalom and another by Zimri. Statues in many states in America extended the crime of arson to malicious burning of houses or anyone’s commercial or industrial property. Widely arson is recognised as a felony. In England, the burning of one’s own dwelling to collect insurance did not constitute common-law arson.

Moving a landmark is another offence recognized in the ancient biblical era. It imperils means of livelihood and threatens life. Modern state recognized it as a felony punishable depending on the contended facts. The law of crime against property in biblical era are the foundational laws for modern laws.

**Suggestions:** Crimes against property are contrary to biblical ethics. Property belongs to mankind. Promoters of property has the responsibility and obligation to distribute wealth to the needy. Any concentration of wealth in the hands of a few may create social imbalances and breed Naxalism and killings. Social responsibility must be felt by all by inculcating the good
neighbourly relations and the attitude of Good Samaritan. Stealing, arson, and moving landmarks must be replaced by the law of love which is the royal law of love. Then alone cities and states will have rest from the evil.

Chapter VI dealt with Methods of Punishment and Damages. A variety of punishments are found in biblical criminal laws. In general good law reinforces moral standards, and bad law weakens moral standards. There are many ways to create bad law or systems of justice.

Unenforceable law is bad because non-enforcement undermines respect for the law and promotes corruption among the citizenry and law enforcement officials.

Unjust law comes in many forms. It is unjust to accept hearsay evidence or to convict without adequate evidence. It is unjust to subject a victim of sexual assault or child abuse to repeated emotional and mental assault, shame and intimidation in the court hall. One pervasive form of injustice in the present criminal systems is that the poor, friendless, and uneducated are convicted far out of proportion to those who can afford expert legal representation, have friends and influence in high places and know how to work the system. It is unjust to give a prison sentence to one who shoplifts one hundred rupees worth of merchandise, yet have no law to keep the owner of the shop from unjustly depriving the government of lakhs of rupees in tax.

Inappropriate or unequal punishment is another kind of bad law. Real life instances may be recalled. In 1964 in Sicily, Gaetano Furnari killed a person who had seduced his daughter. In Manila a Chinese businessman was apprehended for kissing his Filipino secretary five years earlier. The murderer and the kisser were both given four years in prison. Around that time a Tokyo
newspaper reported the story of some young men who got drunk, captured a swan from the imperial palace moat, roasted the swan, and were given four years in prison. One’s sense of justice is thus offended. Good law and good law enforcement must be equitable and appropriate to the crime. In Indian context decades of procrastination is anathema of our legal system. In protecting the innocent, good law does not make an unwarranted infringement on the rights and freedom of others. This delicate balance is difficult but is the object of good law.

It is always wrong for society not to punish a crime. Apparently not, for many crimes went unpunished in the annals of scripture. Not only wife-stealing kings like David, but a powerless woman taken in the act of adultery and a thirsty adulteress at the Samaritan well were not executed according to law. This does not mean that crime should be overlooked or that criminal justice should be subverted. Scripture is abundantly clear on that. But it does not mean that mercy and forgiveness may sometimes be legitimate without violating justice.

Modern system of imprisonment is the primary sanction against crime, whereas in scripture it was not mandated for that purpose. The prison system functions well as a just form of punishment, retributive justice is served. Frequent outbursts of prison violence give the public brief glimpses of the appalling situation behind the wall. Violence is endemic, corruption a way of life, drugs and homosexuality rampant. Prison reform – is evident primarily in reports by investigative commissions, rarely action is taken. There are viable alternatives.
Deprivation of privilege is a common form of punishment, whether a relatively light deprivation, such as a driver's license, or a severe deprivation, such as one's license to practice medicine or law. Corporal punishment is unlikely to be acceptable any time soon in western society. Banishment or exile, formerly common, also has fallen out of favor except in the deportation of criminal aliens. It would seem less cruel than the typical prison environment, but that would depend largely on the place of exile. Military service is used in some societies as a form of punishment. None of these could be ruled out on biblical grounds, but none is likely to be acceptable in modern states today.

There is one present form of punishment that could be greatly expanded – the monetary fine or expropriation of property. The convicted criminal could be required to pay a stipulated amount to the victim and to the government (for costs of apprehension and prosecution) in monthly installments if necessary. Other alternatives would be a community service assignment or an assignment to serve or care for the victim in some way. These might be especially appropriate for juvenile offenders, many of whom are guilty of truancy, incorrigibility, and other offenses that would not be punishable as a crime in an adult. These juveniles crowd the system and are society's greatest loss. Surely a society with creativity sufficient to put a man on the moon need not settle for a failed system of punishment here on earth.

Dealing with the purpose of criminal justice and punishment one must agree with Sir John Salmond who stated thus: Where punishment is disabling or preventive, its aim is to prevent a repetition of the offence by rendering the
offender incapable of its commission. The most effective method of disablement is the death penalty.  

“No crime without a law” (Nullum Crimen sine lege) and “No punishment without a law” (Nulla poena sine lege). Both biblical laws on crime and modern laws on crime administered by different countries are in consonance with these legal maxims.

Now turning to the biblical laws relating to damages – they are for disfiguring a person, for stealing, for kindling a fire which destroys property, for breach of trust, for killing an animal, for loss of animal falling into a pit and for loss of borrowed property.

From the perspective of biblical laws relating to damages vis-à-vis modern legal viewpoint, penal redress involves both the compensation of the person injured and the punishment, in a sense of the wrongdoer. Yet in measuring civil liability the law attaches more importance to the principle of compensation to that of fault. For it is measured exclusively by the magnitude of the offense, that is to say, by the amount of loss inflicted by it. It takes no account of the character of the offender, and so visits him who does harm through some trivial want of care with as severe a penalty as if his act had been prompted by deliberate malice. Similarly it takes no account of the motives of the offence; he who has everything and he who has nothing to gain are equally punished, if the damage done by them is equal. Finally it takes no account of probable or intended consequences, but solely of those which actually ensue; wherefore, the measure of a wrongdoer’s liability is not the evil which he meant to do, but that which he has succeeded in doing. If one man is

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made to pay higher damages than another, it is not because he is guiltier, but because he has had the misfortune to be more successful in his wrongful purposes, or less successful in the avoidance of unintended issues.

Yet it is not to be suggested that this form of civil liability is unjustifiable. Penal redress possesses advantages more than sufficient to counterbalance any such objections to it. More especially it possesses this that while other forms of punishment, such as imprisonment, are uncompensated evil, penal redress is the gain of him who is wronged as well as the loss of the wrongdoer. Further, this form of remedy gives to the persons injured a direct interest in the efficient administration of justice – an interest which is almost absent in the case of the criminal law. It is true, however, that the law of penal redress, taken by itself, falls so far short of the requirements of a rational scheme of punishment that it would by itself be totally insufficient. In all modern and developed bodies of law its operation is supplemented, and its deficiencies made good, by a coordinated system of criminal liability. These two together, combined in due proportions, constitute a very efficient instrument for the maintenance of justice.

Finally by way of summary recapitulation what the biblical principles suggest in respect of each type of crime are as follows:

A. Crimes against the public: Bribery, contempt for the law, perjury, perverting or obstructing justice and conspiracy: The law of Honesty and Integrity and staying away from covetousness and lying are contained in the following Commandments of Decalogue.
i. Eighth Commandment: ‘Thou shalt not steal’;

ii. Ninth Commandment: ‘Thou shalt not bear false witness’; and

iii. Tenth Commandment: ‘Thou shalt not covet’.

They are biblical laws in respect of crimes against the public.

B. Crimes of Immoral Acts: Adultery, rape, prostitution, seduction, incest and sodomy: The law of chastity and fidelity – ‘Thou shalt not commit adultery’ – Seventh Commandment of the Decalogue


E. Punishments and Damages: Honest implementation of Sixth, Seventh, Eighth, Ninth and Tenth Commandments of the Decalogue.

All these biblical principles are summed up in one word – Love. The meaning of LOVE is this: “That we keep His Commandments” as per with the biblical scripture found in 1 John 5:3

It is hoped that the material for the thoughts is found in what St. Paul expressed in Philippines 4:8 long years ago:

*Whatever things are true,*

*Whatsoever things are honest,*
Whatsoever things are just,
Whatsoever things are pure,
Whatsoever things are lovely,
Whatsoever things are of good report;
If there be any virtue,
And if there be any praise,
Think on these things.

It is good for the individual and the State to have a pragmatic approach to them. In Greek conception – State is the individual writ large. Human Laws must be in tune with the laws of the Bible. They should yield to Divine Laws for ensuring peace on earth and goodwill toward man. The fruit it yields according to Paul in Galatians 5:22, 23 is: Love, joy, peace, longsuffering, gentleness, goodness, faithfulness, meekness and temperance against such there is no law.