

“Justice, and only justice, you shall pursue...”

Deuteronomy 16:20

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This is a fundamental responsibility of each one of us before God and before our fellow man. It does not say “obey the laws of man” because man's laws can be unjust. Everything Hitler did was no doubt legal and according to law. Just because it is law does not make it just, and also just laws can be twisted to unjust ends.

“...for the letter kills, but the Spirit gives life. 2 Corinthians 3:6 Jesus severely condemned the Pharisees because they followed God's Law to the letter, but violated the spirit of the Law: “Woe to you, scribes and Pharisees, hypocrites! For you tithe mint and dill and cummin, and have neglected the weightier provisions of the law: justice and mercy and faithfulness; but these are the things you should have done without neglecting the others.” Matthew 23:23

God has created within each person the innate knowledge of justice: “For when Gentiles who do not have the Law do instinctively the things of the Law ... they show the work of the Law written in their hearts...” Romans 2:14-15

This is borne out by a story told to me in Latin America. An “employee” was caught stealing from a drug lord, and for it was shot dead on the spot by the drug lord. Though the drug lord himself lived by “what he could get away with” his actions seem to

show that he knew in his heart that stealing was not just.

The Bible never tells us to obey government, but rather tells us to **submit** to it: “Every person is to be in subjection to the governing authorities. For there is no authority except from God, and those which exist are established by God.” Romans 13 The difference is that obeying God is above obeying man. In order to be faithful to God we must not obey governmental commands or laws contrary to God's Law, and are to decide for justice no matter what.

In view of all this, **what is the basic responsibility of government?** To ensure justice. What is the basic responsibility of the police? To ensure justice. However my observations are that the concept of justice tends to be overlooked and in its place is a rigid “enforce the law.” It may often take less discernment and be easier to “enforce the law” rather than to decide for justice.

How might this apply to **jury duty** where carrying out justice may be placed in your hands. Our forefathers who instituted our form of government knew how easily evil men can infiltrate government, and instituted the right to trial by jury. It is undoubtedly true that a jury of ones peers is less likely to be corrupted than government officials.

So, what is the basic responsibility of a jury? To ensure justice, like for all of us.

That may mean declaring the accused innocent if it cannot be shown that he had any intention of committing a crime and no harm was done, even though he may have

violated the letter of the law. Furthermore, no matter the evidence, if a jury believes a law is unjust, it is permitted to “nullify” the law rather than finding someone guilty. This is called Jury Nullification and is a jury's way of saying, “By the letter of the law, the defendant is guilty, but we disagree with the law, so we vote to not punish the accused.”¹ In other words, the jurors have the right to take upon themselves to “judge both the facts and law” in the particular case. Early in the history of our republic, jury nullification was well known and practiced, but lately there is considerable opposition to it by the legal system, and effort to hide it.

In Idaho² there was a case where “Before the jury was dismissed to enter into deliberations at the conclusion of his trial, Judge Lynn Winmill instructed the jury, believe it or not, to disregard every bit of information from 1980 to 2002, including the Corps' denial of jurisdiction and the mandate from local government for Mr. Moses to maintain the flood channel.” If the jury obeyed the judge, guilty was the only possibility, so in effect the judge decided the the verdict, and so of what use was the jury except to rubber stamp her decision. This certainly is not what the founders of our republic had in mind and if the jury had been aware of the doctrine of Jury Nullification, they should have ignored the judge's instructions and decided on the side of justice. As it stands, a great injustice was committed against an apparently innocent and honorable man who acted in good faith.

Another case where the principle of jury nullification could have resulted in a decision for justice was the Waco Siege trial in San Antonio, Texas³. Government witnesses were caught in multiple lies. The jurors apparently did not think that the defendants had done much or anything wrong, but apparently to please the judge a little, they ruled guilty on minor counts. But that was all the judge needed to give them a very severe sentence. If the jury had been aware of the doctrine of jury nullification they probably would have decided differently. Furthermore, if I am ever a juror and government witnesses lie in any material manner, for me it will be an almost automatic not guilty. If they have to lie to make their case, then at best their case can not be very substantial, and at worst could be completely fabricated. And furthermore, government witnesses will never be held accountable for their criminal lying.

Egregious cases like these are probably not so common, but jurors should be alert to such abuses.

Many times in the Bible God exhorts us to speak the truth: “*Therefore, laying aside falsehood, speak truth each one of you with his neighbor...*” Ephesians 4:25 and “*A false witness will not go unpunished, And he who tells lies will not escape.*” Proverbs 19:5 If it is a sin to bear false witness against someone else, is it not equally wrong to bear false witness against one's self.

If you are ever accused of a crime, it is likely you will be offered a “plea bargain”,

where you are asked to voluntarily confess to a lesser crime in exchange for a more lenient sentence. If in your heart you know that you are guilty of everything they ask you to confess to, you probably should accept their offer. But if not, you must uncompromisingly obey God and not bear false witness against yourself, and trust God that His will will be done for you if you obey Him. If you accept a plea bargain, then they do not have any more work to do to prove their case against you, and it will be almost impossible for you to appeal your case. Remember that they can lie to you and trick you as they please, but Martha Stewart⁴ learned the hard way that it is a prosecutable crime to lie to them. They well might not have the evidence against you that they claim they do, and prosecutors tend to want as many convictions as possible to look good in the next election.

The **Salvation of your eternal soul** is a personal matter between you and God and does not depend on rites, traditions, human effort or belonging to any church, religion or organization: “*For by grace you have been saved through faith; and that not of yourselves, it is the gift of God; not as a result of works...*” Ephesians 2:8-9 No matter what kind of person you are or what you have done: “*If we confess our sins, He is faithful and righteous to forgive us our sins and to cleanse us from all unrighteousness.*”

1 John 1:9 Pray to put your faith in Jesus Christ alone: “*For God so loved the world,*

that He gave His only begotten Son, that whoever believes in Him shall not perish, but have eternal life.” John 3:16 Then study the Bible to live in obedience to God: “*...if anyone is in Christ, he is a new creature; the old things passed away; behold, new things have come.*” 2 Corinthians 5:17

1 <http://truth-out.org/opinion/item/23929-jury-nullification-why-every-american-needs-to-learn-this-taboo-verdict>

2 <http://www.renewamerica.com/columns/fischer/080801>

3 carolmoore.net/waco/waco-trial.html

4 http://money.cnn.com/2004/03/05/news/companies/martha_verdict/