

## A Higher Law

by Dave Miller, Ph.D.

Concomitant with the decline of the American Republic with its inherent Christian connections, has been the infiltration of various segments of society, education foremost among them, by alternative philosophies and ideologies. Indeed, though once considered unthinkable, atheism and evolution have now achieved respectability within academia. The implications of these false systems of belief are sinister and destructive to civil (i.e., Christian) society. As French existentialist philosopher, Jean Paul Sartre, openly acknowledged:

**Everything is indeed permitted if God does not exist**, and man is in consequence forlorn, for he cannot find anything to depend upon either within or outside himself.... Nor, on the other hand, if God does not exist, are we provided **with any values or commands that could legitimize our behavior** (1961, p. 485, emp. added).

Or, to put it in the words of prominent evolutionist, Richard Dawkins:

I am not advocating a morality based on evolution. I am saying how things have evolved. I am not saying how we humans morally ought to behave.... **My own feeling is that a human society based simply on the gene's law of universal ruthless selfishness would be a very nasty society in which to live.** But unfortunately, however much we may deplore something, **it does not stop it being true** (1989, pp. 2,3, emp. added).

So if atheism, and its sinister protégé, evolution, are true, no higher standard for human behavior exists than human opinion, genetic tendency, and subjective inclination—animalistic impulse.

But such thinking is utter nonsense. No sane evolutionist would want to live in a society where the behavioral implications of his theory are enacted on a thoroughgoing, widespread scale. Yet, atheists and evolutionists continue their propaganda campaign to eradicate Christian principles from civilization. Tragically, the gradual encroachment of atheistic morality is evident in American society. Not only have crime statistics exploded since the systematic elimination of God and Christianity from public schools commenced in the 1960s, many immoral behaviors are openly, blatantly vying for legal and social sanction—from same-sex marriage, polygamy, and abortion to gambling, suicide, and a host of other evils.

No atheist or evolutionist desires to embrace the logical outcome of his godless philosophy. He seeks to distance himself from those moments in history where atheistic ideology has managed to assert itself over a society. One stark example is seen in the rise of the Nazis and their Third Reich in 1930s Germany. Their agenda included the persecution and elimination of Christian and Jewish elements of society. When their regime came crashing down and they were called before the world's tribunal, one of their attempts to justify themselves was that they were merely obeying the law of the land. They insisted that they all had to obey Hitler's orders, which had the force of law in the German state, and, hence, obedience could not be made the basis of a criminal charge. Dr. Stahmer, the defense attorney for Hitler's "Successor Designate No. 1," Hermann Goering, articulated the point on July 4, 1946 at the Nuremberg Trials in Nuremberg, Germany:

From whence will they [the victorious Allies—DM] take the standard by which to decide about justice and injustice in a legal sense? In so far as such standards exist by International Law, valid up to now, further statements are not required. That a special court for the trial was created by the Charter of this Tribunal I also do not object to. **I must, however, vigorously protest against its use, in so far as it is meant to create a new material law by threatening punishment for crimes which, at the time of their perpetration, at least as far as individuals are concerned, did not carry any punishment....** Can one expect that hereafter punishment will be recognized as just, if the culprit was never aware of it, because at the time he was not threatened with such punishment, and he believed to be able to derive the authorisation for his way of acting solely from the political aims pursued?... **Because internationally recognized standards outside the positive International Law by which the legitimacy of States and of their aims could have been judged did not exist, any more than did an international community as such.** Slogans about the legitimacy of

one's own and of the illegitimacy of foreign aspirations served only the formation of political fronts just as the efforts to brand political adversaries as disturbers of the peace. In any case **they did, indeed, not create law** (*The Trial of...*, 1946b, 18:106-107, emp. added).

In his final argument, Dr. Stahmer further asserted that Germany was operating under a dictator: "A dictator does not enter into a conspiracy with followers, he does not make any agreement with them, he dictates" (1946b, 18:111). Hitler was the law of Germany. Hence, what right did America, Britain, or Russia (the Allied powers) have to call the Nazis to account for their actions? What standard of behavior, what law code, could possibly justify their condemnation of the Nazis? How could Nazis be judged on the basis of American, British, or Russian law, seeing they were Germans—not Americans, British, or Russians? **Atheists, humanists, materialists, and evolutionists can offer no legitimate answer to these questions.** The very nature of their viewpoint militates against the existence of objective, absolute morality. Indeed, to the evolutionist, morality can be nothing more than a function of the human mind—an expression of personal taste, likes, and dislikes.

U.S. Supreme Court justice, and U.S. Chief of Counsel for the prosecution (Chief Prosecutor) of Nazi war criminals at Nuremberg, Robert Jackson, made the following observation in his opening remarks on November 21, 1945: "The Charter of this Tribunal evidences a faith that the law is not only to govern the conduct of little men, but that even rulers are, as Lord Chief Justice Coke [said] to King James, '**under God and the law**'" (*The Trial of...*, 1946a, 1:78, emp. added). Similarly, on July 27, 1946, Sir Hartley Shawcross, Chief Prosecutor of the United Kingdom of Great Britain, asserted the fundamental basis for human behavior: "Ultimately the rights of men, **made as all men are made in the image of God**, are fundamental" (*The Trial of...*, 1946d, 19:470, emp. added).

On Friday, July 26, 1946, Jackson included the following comments in his closing arguments:

As a Military Tribunal, this Tribunal is a continuation of the war effort of the Allied nations. As an International Tribunal, it is not bound by the procedural and substantive refinements of our respective judicial or constitutional systems, nor will its rulings introduce precedents into any country's internal system of civil justice. As an International Military Tribunal, **it rises above the provincial and transient** and seeks guidance not only from international law but also from the basic principles of jurisprudence which are assumptions of civilization and which long have found embodiment in the codes of all nations (*The Trial of...*, 1946c, 19:383, July 26, emp. added).

The only legal guidance and authority that transcends international law, which is responsible for the moral assumptions of civilization as embodied in the codes of all nations, and which rises above "the provincial and transient" (geographical locale and time), is **the law of God!** Here is the only basis upon which human behavior may be rightly measured.

Atheists typically define morality in terms of "minimizing harm and pain," and then insist that humans naturally possess an inherent recognition of morality—mores that have characterized human civilization throughout history. But this vague, ambiguous attempt to evade the existence of **objective** morality will not do. World-renowned atheist, Antony Flew, attempted this sleight of hand in his debate with Thomas B. Warren in 1976, when he insisted that the Nazis were tried for their crimes on the basis of "International" law (p. 248). Observe that this quibble side-steps the real issue, for at least three reasons: (1) There is no such thing as "International" law, since the entire international community has never established a single law code that can be bound on all countries. Even the United Nations lacks any such law code. Nor would they ever come to an agreement on one, if they tried! (2) Even if all nations on Earth somehow united to reach consensus on right and wrong, what right would those nations' representatives have to impose **their** standard of behavior on all humans? (3) And, further, even if one generation of world leaders defined right and wrong for the entire world, what would prevent the next generation of world leaders from meeting and overturning that standard? All subsequent moral frameworks and law codes would be just as legitimate as the first one—though they may differ with each other in numerous instances. In the specific case of the Nazis, if some later tribunal convened to revisit the Nuremberg verdicts, and decided to overturn those decisions and declare to the world that the Nazis' actions were actually noble, heroic, and moral—would their action make it so? If there is no God, the atheist must answer, "Yes."

The Founders of the American Republic insisted that human government must be established on unchanging moral principles that transcend human opinions and feelings. These unchanging moral principles are derived from and based upon the unchanging laws of God—what the Founders styled in the *Declaration of Independence*: "the laws of nature and of nature's God." As *Constitution* signer and U.S. Supreme Court Justice James Wilson expressed: "Human law must rest its authority ultimately upon the authority of that law which is Divine" (1804, 1:105). Or as *Constitution* signer Alexander Hamilton insisted: "The law...dictated by God Himself is, of course, superior in obligation to any other. It is binding over all the globe, in all countries, and at all times. No human laws are of any validity if contrary to this" (1961, 1:87). Noah Webster said it so well when he observed that "our citizens should

early understand that the genuine source of correct republican principles is the Bible, particularly the New Testament, or the Christian religion" (1832, p. 6).

The truth is that all human behavior that conflicts with the law of God is sin (1 John 3:4)—the only moral evil. Any civilization that jettisons this objective standard of morality is committing ultimate, national suicide. That society is leaving itself open to unimaginable horror—the natural consequence that logically follows from the expulsion of God from the minds of the citizens. Atheism, if honestly applied, must inevitably result in hedonism. The psalmist certainly connected the dots:

The fool has said in his heart, "There is no God." They are corrupt, and have done abominable iniquity; There is none who does good (Psalm 53:1).

The solution? Citizens must return to the founding principles: God exists, the Bible is the Word of God, Christianity is the one true religion, and citizens must govern themselves by Christian moral principles.

## REFERENCES

Dawkins, Richard (1989), *The Selfish Gene* (Oxford: Oxford University Press).

Hamilton, Alexander (1961), *The Papers of Alexander Hamilton*, ed. Harold Syrett (New York: Columbia University Press).

Sartre, Jean Paul, (1961), "Existentialism and Humanism," *French Philosophers from Descartes to Sartre*, ed. Leonard M. Marsak (New York: Meridian).

*The Trial of German Major War Criminals* (1946a), 2nd Day: Wednesday, 21st November, 1945, (Vol. 1, Part 7 of 8), (London: His Majesty's Stationery Office), <http://www.nizkor.org/hweb/imt/tgmwc/tgmwc-01/tgmwc-01-02-07.html>.

*The Trial of German Major War Criminals* (1946b), 187th Day: Thursday, 4th July, 1946, (Vol. 18, Part 7 of 8), (London: His Majesty's Stationery Office), <http://www.nizkor.org/hweb/imt/tgmwc/tgmwc-18/tgmwc-18-171-07.shtml>.

*The Trial of German Major War Criminals* (1946c), 187th Day: Friday, 26th July, 1946, (Vol. 19, Part 1 of 12), (London: His Majesty's Stationery Office), <http://www.nizkor.org/hweb/imt/tgmwc/tgmwc-19/tgmwc-19-187-01.shtml>.

*The Trial of German Major War Criminals* (1946d), 188th Day: Saturday, 27th July, 1946, (Vol. 19, Part 8 of 8), (London: His Majesty's Stationery Office), <http://www.nizkor.org/hweb/imt/tgmwc/tgmwc-19/tgmwc-19-188-08.shtml>.

Warren, Thomas and Antony Flew (1976), *The Warren-Flew Debate on the Existence of God, Creation and Evolution* (Ramer, TN: National Christian Press). <http://www.nationalchristianpress.net/NCPcatalog.pdf>.

Webster, Noah (1832), *History of the United States* (New Haven, CT: Durrie & Peck).

Wilson, James (1804), *The Works of the Honourable James Wilson*, ed. Bird Wilson (Philadelphia, PA: Lorenzo Press).

---

Copyright © 2009 Apologetics Press, Inc. All rights reserved.

We are happy to grant permission for items in the "Existence of God" section to be reproduced in part or in their entirety, as long as the following stipulations are observed: (1) Apologetics Press must be designated as the original publisher; (2) the specific Apologetics Press Web site URL must be noted; (3) the author's name must remain attached to the materials; (4) textual alterations of any kind are strictly forbidden; (5) Some illustrations (e.g., photographs, charts, graphics, etc.) are not the intellectual property of Apologetics Press and as such cannot be reproduced from our site without consent from the person or organization that maintains those intellectual rights; (6) serialization of written material (e.g., running an article in several parts) is permitted, as long as the whole of the material is made available, without editing, in a reasonable length of time; (7) articles, excepting brief quotations, may not be offered for sale or included in items offered for sale; and (8) articles may be reproduced in electronic form for posting on Web sites pending they are not edited or altered from their original content and that credit is

given to Apologetics Press, including the web location from which the articles were taken.

For catalog, samples, or further information, contact:

Apologetics Press  
230 Landmark Drive  
Montgomery, Alabama 36117  
U.S.A.  
Phone (334) 272-8558

<http://www.apologeticspress.org>