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The Post-Christian Condition — Anders Breivik and the Limitations of Justice



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The trial of Anders Behring Breivik represents one of the greatest tests of human justice in decades. Breivik stood in an Oslo courtroom this week and declared: “I admit to the actions, but not to the guilt.” The “actions,” of course, were the killing of 77 people on July 22, 2011. Eight were killed in a car bomb in Oslo. Breivik then shot 69 people to death on Utoya Island — most of them teenagers and young people involved in a summer camp sponsored by one of Norway’s major political parties.

Breivik has celebrated his murderous actions in court, calling his massacre the most “spectacular” event in recent European history. Having admitted to the killings, Breivik told the court, “I would do it again.”



He may have an opportunity to do so. Norwegian law allows Breivik to be imprisoned for only 21 years, even if found guilty of all 77 killings. Officials in Norway have attempted to assure their fellow citizens that Breivik is unlikely to be released, but the law allows criminals to be held in captivity after their sentence only on psychological grounds that represent a threat, and Breivik has been found sufficiently sane to stand trial.

How can this be? What sane nation would allow for a maximum sentence of 21 years in prison for premeditated murder — much less the calculated killing of 77 people?

Breivik is yet another example of a criminal type that is, by now, all too familiar to us. He is driven by an unfathomable hatred, largely directed at Muslims and those he claims are allowing Muslims to infiltrate Norway and subvert its national identity. He dares to pose as a “Christian warrior” even as he repudiates the essence of Christianity by his terrorism. He will be allowed to make a full defense in court, spewing his hatreds.

Meanwhile, the world stands in wonder at the fact that a guilty verdict on all counts can produce only a sentence of 21 years in prison — and Norway’s prisons are infamously plush. What is going on here?

The horrifying case of Anders Behring Breivik has opened a window into the reality of Scandinavian justice — and that window also reveals the shape of justice in a post-Christian world.

The Scandinavian nations are, according to many sociologists, the most radically secularized nations on earth. A study undertaken by sociologist Peter Berger years ago rated Sweden as the world’s most secular nation, with neighboring Norway close behind. But the Scandinavian nations are not merely secular; they are specifically post-Christian. The specific religious worldview they have lost or rejected is that of Christianity — the faith that shaped the culture of these nations for many centuries.

Christianity produces a system of laws and justice that puts a high premium on both personal moral responsibility and the sanctity of human life. For this reason, the punishment of murderers has been taken with great seriousness. Those who take a human life with premeditation were understood to forfeit their own.

The rejection of the Christian worldview and the loss of biblical moral instincts produces a very different system of justice. Norway abolished the death penalty in 1902. Later, the nation abolished the sentence of life in prison, claiming that it was too extreme. As *Newsweek*’s Stefan Theil has reported, “Normally, even murderers are fully eligible for parole after just a few years in prison.”

As for the “prisons” themselves, Theil explains:

“Take Halden Prison, a maximum-security facility for murderers and rapists a few miles from the Swedish border. Completed last year for \$280 million to house 250 inmates, its living quarters are bright and airy, with mint-green walls and IKEA-style furniture in varnished natural wood. Looking more like a college dorm than a maximum-security jail, each cell comes with a flat-screen TV, a private bath, and a large unbarred window.

Inmates take cooking classes and work out with personal trainers; there's a deluxe gym with a rock-climbing wall as well as a professional music studio for prisoners' bands. Half the guards are women, which prison governor Are Hoidal says creates a less aggressive atmosphere. For the same reason, the guards don't carry weapons and freely mingle with the inmates. Prisoners even fill out questionnaires to rate the level of service."

At one point, Theil declares the obvious: Norway "considers the idea of punishment barbaric."

The loss of the Christian worldview often comes with a diminishment of both personal responsibility and the sense of punitive justice. Add to this the redefinition of human life and its value. The result is a nation that takes pride in a notoriously lax system of criminal justice — a nation that considers punishment itself to be barbaric.

Standing in that Oslo courtroom, Anders Breivik stated that he would prefer the death penalty to a "pathetic" sentence of 21 years. He, at least, seems to understand the scale of his crimes. "There are only two just and fair outcomes in this case," he insisted in court, "Acquittal or capital punishment."

The biblical roots of the death penalty for murder are found in texts like Genesis 9:5-6. Rooted in God's covenant with Noah, the text reads: "And for your lifeblood I will require a reckoning: from every beast I will require it and from man. From his fellow man I will require a reckoning for the life of man. 'Whoever sheds the blood of man, by man shall his blood be shed, for God made man in his own image.'"

As Claus Westermann, one of the most famous Old Testament scholars of the twentieth century explained, this text indicates that God expects murderers to be punished with death. "The execution of the death penalty by humans is the carrying out of the command of God."

Every human life is sacred precisely because every single human being is made in God's image. Murder is, Westermann explained, "a direct attack on God's right of dominion."

He commented further: "Here in Genesis 9 murder is something utterly on its own; nothing can be compared with it. Throughout the whole sweep of human history, the murderer by his action despoils God."

And yet, in another statement from his commentary on this text, Westermann points straight to the reason that a post-Christian culture loses its moral confidence in the punishment of murderers. He states: "A community is only justified in executing the death penalty insofar as it respects the unique right of God over life and death and insofar as it respects the inviolability of human life that follows therefrom."

Once those convictions and moral intuitions are lost, the death penalty no longer makes sense. Eventually, even the idea of punishment itself loses all cultural credibility.

The world is watching closely as the trial of Anders Behring Breivik takes place in Oslo. The trial is now an international spectacle. But, much more than Norway's justice system is on display. That Oslo courtroom is also revealing what remains of an understanding of criminal justice and criminal responsibility when the Christian worldview fades away. The post-Christian condition is fully on display in that courtroom. The man who committed the worst single-handed mass murder in Europe since World War II is on trial — and the maximum term to which he can be sentenced amounts to less than 3.3 months for each of the 77 people he murdered.

I am always glad to hear from readers. Write me at mail@albertmohler.com. Follow regular updates on Twitter at www.twitter.com/AlbertMohler

Claus Westermann, *Genesis 1-11: A Commentary*, trans. John J. Scullion S.J., (Minneapolis: Augsburg Publishing House, 1984), pp. 468-469.

Stefan Theil, "[Norway Shooter Gets Off Easy](#)," *Newsweek/The Daily Beast*, Tuesday, July 26, 2011.

Kjetil Malkenes Hovland, "[Accused Mass Killer Admits Actions, Pleads Not Guilty](#)," *The Wall Street Journal*, Tuesday, April 17, 2012.

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