

The Importance of Law in Society

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Alan Dershowitz, professor at the Harvard Law School, talks about the importance of law in society. He also talks about the rule of law in Western countries.



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We probably went through along a period of time a Homo Sapiens without law and with law. Law probably is a development of four or five thousand years or maybe earlier. We only have written records that go back to Hammurabi, who finished the earliest versions of the Bible. Law is a very important way of controlling rage, passion, revenge, jealousy and law must reflect all these emotions as well. The law historically develops some experience. I read a book called "The Genesis of Justice" which dealt with the origins of biblical law and the point I made is "The Book of Genesis" didn't have law. There is no law on Genesis. The law begins in Exodus. Mount Sinai, the rules of law and Genesis shows us how a world operates without law and it is a terrible world in which people do awful things to each other and the God character in the Book of Genesis has to destroy the whole world by the flood and has to try to recreated from scratch. And we see human beings operating on the basis of instincts, some good some bad. The dysfunctional family of the Bible, killing their enemies, sometimes even preemptively. And then we move toward the development of some kind of a common law. Some understanding toward the end of the Book of Genesis what is right, what is wrong and then eventually the clarification in the Book of Exodus with the Ten Commandments and then the rules that following the Ten Commandments. So what is essential to a civilized society. Every tyrant has to understand that. What tyrants wants are laws that they can impose on others but are not restricted of themselves. And we, in western culture, is saying no one is above the law and everybody must be subject to the rule of law. It is also part of democratic accountability. The law has to be published and visible, accessible to all, and subject to challenge and change. And that is what the rule law is and probably there is no more important contribution to civilization in progress than the rule of law.