



The Four Brave Jurors

Trial by JURY is an important part of a good justice system. A jury is usually 12 people who are to be 'peers' or much the same as the person accused of the crime. It is the job of the Jury to listen carefully to all the evidence in the case and decide if the person is guilty and deserves to be punished or not.

What many people don't know is that a jury has the power to refuse to enforce a law that it feels is not right in the sight of God's proper human rights.

The story of Edward Bushell and three fellow jurors shows the harshness of the times when the 'church' used the courts to enforce its wishes. These four men were part of a twelve-man jury in England that was brought to decide the guilt of a young man who had dared to preach without a license from the Church of England.

It was 1670, the tenth year of the reign of Charles II. The young man, William Penn, was on trial for breaking the 'Conventicle Act'. This bad law gave the Church of England the only legal right to decide who could preach. Of course, Penn, a Quaker, had clearly broken this law. Penn was on trial for his life. His 'crime' included preaching and teaching a different view of the Bible from that of the Church of England.

The prosecutor and the judge were determined to have a guilty verdict, but these four men refused to agree to find the man guilty. Eight other jurors had gone along with the demands of the judge and prosecutor.

The four brave jurors spent nine weeks of torture in prison. Often they were given no food or water, they were provided no toilet facilities, thus they were soaked with urine and smeared with feces when they were hung up by wrist-chains. They were threatened with fines, yet not one of them gave in. Edward Bushell said, "My liberty is not for sale." Bushell was a man of great wealth. He owned an international shipping company, but he refused his own freedom, comfort, and safety to defend the rights of another man.

Great good came from the faithfulness of the four jurors who refused, even under torture, to find this godly man guilty of a capital offense, when indeed he had done harm to no man. Neither Bushell nor the other jurors could know how important was their courageous stand. What would have happened had William Penn been found guilty? He would have been put to death, or kept in prison for a very long time!

The noble colony of Pennsylvania, with its major city, Philadelphia, named for brotherly love, would never have been known. Oh yes, the colony would have been established by someone else, but its history and name would have been very different.

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This was only one of the good things that came from the brave stand of the four jurors. Their stand set the basis for freedom of religion in Britain, a principle that was to be even more strongly upheld in the United States. It helped towards the English Bill of Rights, established in 1689. At the time, this was the greatest bill of human rights ever provided by a secular government. The English Bill of Rights was certainly the forerunner of the American Bill of Rights.

The action of the four jurors provided the basis for the right for people to get together in peaceful assembly, which is central to the free practice of religion. It was the foundation of freedom of speech and 'habeas corpus', which declared that no man could be kept in jail without being charged with a jailable offense. Indeed, the first writ of habeas corpus that was issued by the Court, was used to free Edward Bushell himself. The stand of these men would ultimately lead to freedom of the press.

The trial of William Penn and the courage of the four jurors established a precedent in law—that justice is a higher standard than legality. Penn had broken the law. By the law he was condemned to a harsh penalty. But the four jurors judged the law itself, and determined that it was an unjust law. To them, justice was not to serve laws, which deprived a man of his God-ordained freedoms. Thus it must always be in civilized nations. No man or woman must be condemned on the basis of law alone. Every juror must judge if the law is right before declaring the accused guilty. The jury in this sense is above the law. (Adapted) =^..^=