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The Trial of Jesus Christ - Legal Reflections on Freedom of Thought, Conscience and Religion

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Abstract: The trial of Jesus Christ represents one of the most emblematic and historically debated events in the history of Western civilization. Beyond its religious significance, the trial provides a profound opportunity for legal reflection, especially when analyzed through the lens of human rights. This article examines the legal context, procedures, and implications of the trial of Jesus, aiming to identify violations of fundamental rights and draw parallels between ancient legal systems and modern standards of justice. The first part of the study explores the dual legal context of the time—the Jewish religious law and the Roman civil law—highlighting the systemic tensions between these two forms of authority. It analyzes the characteristics of each legal framework and how their interaction shaped the proceedings against Jesus. Special attention is given to the clash between religious orthodoxy and political expediency, which resulted in a trial that departed from both procedural fairness and ethical principles. The second part investigates the trial from a juridical standpoint, assessing whether it respected or violated legal norms of its time. It evaluates the actions of the Sanhedrin and the Roman governor Pontius Pilate, underlining their legal limitations and political motivations. The third part extrapolates the legal lessons for contemporary human rights, focusing on freedom of religion, freedom of expression, and the separation of powers. The trial serves as a case study for examining the dangers of religious influence on civil justice and the enduring relevance of legal safeguards. Finally, the article addresses current legal disputes involving conflicts between religious norms and state laws, providing

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recommendations for maintaining a balanced, rights-based legal framework in pluralistic societies. This scientific article summarizes the essence of a future bachelor's thesis.

Keywords: Jesus Christ; religious law; civil law; human rights; freedom of thought

1. Introduction

The trial of Jesus Christ continues to arouse great interest theologically, historically and legally. Often analyzed from a religious or philosophical perspective, this emblematic event of antiquity also provides fertile ground for reflection on the evolution of law and standards for the protection of human dignity.

First, understanding the trial of Jesus requires a rigorous contextualization within the legal framework of the time. The Judaic legal system, based on Mosaic Law, coexisted at the time with Roman law, imposed as a system of imperial law in the province of Judea. This dual jurisdiction generated a conflict between religious and civil law, reflected during the trial - from the arrest of Jesus by the religious authorities to his final condemnation under Roman rule. The analysis of these two normative frameworks, with different procedural standards, highlights tensions between dogma and state power, between religious tradition and political authority.

Beyond its historical significance, the theme of the trial of Jesus is relevant to contemporary reflections on human rights. The choice of this topic is based on the hypothesis that a retrospective examination of this trial can contribute to a better understanding of the need for fundamental guarantees in the act of justice: the right to a defense, to a fair trial, to protection against arbitrary conviction - all elements enshrined today in international instruments such as the Universal Declaration of Human Rights or the European Convention on Human Rights.

The article therefore proposes an analysis of the trial of Jesus Christ not only as a religious event, but also as an occasion for legal-historical reflection, with significant implications for the development of modern concepts of justice. Investigating how ancient judicial procedures influenced (or failed to respect) the principles underlying human rights offers a valuable interdisciplinary perspective at the intersection of history, law and public ethics.

2. Religious Law Versus Civil Law in Historical Context

2.1. Characteristics of Religious Law

At the time of the trial of Jesus Christ, the Jewish legal system was deeply rooted in religion, based on the Mosaic Law (Torah) and its interpretations developed by the oral tradition (Mishnah). The law was not separate from the spiritual life, but was a comprehensive code governing religious, moral and social matters. The Jewish community in Judea perceived the application of the law not only as a civic necessity, but as an expression of obedience to the divine will.

Jewish norms covered a wide range of areas - from rules on ritual purity and the Sabbath to criminal justice and court procedures. The principle that God is the source of the law made religious rules absolute and immutable, and breaking them was considered not just a legal transgression but an offense against the divinity. In this context, the preservation of religious order and strict observance of the law became major priorities for religious authorities.

Enforcement of religious law was carried out by the Sanhedrin - the supreme Jewish religious and legal council, composed of 71 members, mostly priests, elders and scribes (Pharisees and Sadducees). It had jurisdiction on matters of doctrine, criminal judgment and interpretation of the law. Although in Roman times the Sanhedrin's authority was limited in matters of capital punishment, internally the council had a major influence on the life of the community (Hoenig, 2016, p. 209).

The Sanhedrin enforced religious law in its own proceedings, usually held in the synagogues or the Temple in Jerusalem. Decisions were taken by vote, and the testimony of two or three witnesses was essential to validate the charges. Emphasis was also placed on preventing wrongful convictions - an intention evident in the principle that the frequently convicting court was suspected of incompetence or excessive severity.

However, in the case of Jesus, the religious authorities acted hastily and with deviations from traditional procedures, which will be detailed in the following sections. In this sense, his trial was an exception, but also an expression of the tensions between religious authority and the aspirations of a figure perceived as destabilizing the existing order.

2.2. Characteristics of Civil Law

At the time of the trial of Jesus Christ, Palestine was under Roman occupation and organized as an imperial province under the direct authority of Rome. Within this framework, Roman law applied as the official legal system in criminal and administrative matters, administered by imperial representatives, in particular Roman procurators - in the case of Judea, the governor Pontius Pilate.

Roman law of the 1st century AD was a well-developed legal system, structured on principles such as legality, hierarchy of norms and adversarial procedure. Although tolerant of the internal organization of local communities and the preservation of religious traditions, the Roman authority retained control over high-level criminal justice, including the right to apply capital punishment (*ius gladii*). Thus, despite the limited autonomy of the Sanhedrin, no execution could be carried out without the approval of the Roman governor.

Roman justice was based on the investigation of evidence and the observance of certain procedural rules, including the right of the accused to be heard and to present a defense. Pilate, as the emperor's representative, had a duty to maintain public order and political stability. His decisions therefore often reflected a delicate balance between the application of the rule of law and considerations of political expediency.

Roman authorities did not normally interfere in internal Jewish doctrinal matters. However, when it came to accusations involving treason, sedition or undermining imperial authority - as the accusation against Jesus was indirectly phrased - Roman intervention became mandatory. This charge turned the case from an internal religious conflict into a political matter falling under Rome's exclusive jurisdiction (Josephus, 1981, p. 78).

Thus, Roman civil law, through its representatives, not only exercised legal but also political authority, becoming an instrument for maintaining control over a tense province. The trial of Jesus, finally judged by Pilate, reflects the tension between the maintenance of the imperial order and the fairness of the individual trial - a conflict that will be discussed further in the analysis of the involvement of the Roman authorities.

2.3. Conflict between the Two Legal Systems

The trial of Jesus Christ took place in a legal context marked by the overlapping of two distinct systems: Jewish religious law and Roman civil law. This coexistence

generated not only jurisdictional confusion, but also fundamental value and procedural tensions which were directly reflected in the conduct and outcome of the trial.

Jewish law, regarded by the faithful as divine in origin, was an essential component of the identity and cohesion of the Jewish community. It dictated not only rules of religious conduct but also social, penal and moral rules. The supreme authority in interpreting and applying these rules was the Sanhedrin - a religious council composed of legal scholars, priests and spiritual leaders. For them, maintaining doctrinal purity and punishing transgression was a sacred duty.

By contrast, the Roman legal system operated on secular and administrative principles, with the law emanating from the authority of the state and having as its main purpose the maintenance of public order and political stability. In Palestine, the highest authority was the Roman procurator, at that time Pilate of Pontus. Although Rome tolerated the existence of a parallel religious system, it retained control over major criminal cases, especially those involving disturbing public order or challenging imperial authority.

The conflict between the two systems became evident in the case of Jesus. Although he was initially arrested and tried by the religious authorities on charges of blasphemy, they did not have the legal power to impose capital punishment. As a result, the case was transferred to the Roman authorities, who had to reassess the charges in a political register - that of inciting rebellion against Rome by proclaiming Jesus as "King of the Jews" (Taylor, 2006).

This transposition of the accusation from the religious to the political highlights not only the institutional limits of the Sanhedrin, but also the way in which legal systems can be manipulated to achieve extra-legal ends. In the end, the trial of Jesus reflects not only a conflict of norms, but also a collision between two visions of justice: a theocratic one, which privileged sacred norms, and an imperial one, centered on control and order.

"Regarding the place where the trial took place, we can say without mistake that Jesus' trial took place in Judea, in Jerusalem, and the entire event, from the arrest to the crucifixion, took place in several places, such as the Garden of Gethsemane (the place of the arrest), the Temple (the trial before the Sanhedrin), the Palace of Herod the Great (where Jesus' trial took place, in the Roman procedure before Pontius Pilate) and the Hill of Skulls (the place of the crucifixion)." (Ciucă, 2021).

3. The Jesus Christ Trial: A Legal Analysis

3.1. Religious Proceedings of the Sanhedrin

In Jewish society during the Second Temple period, the Sanhedrin was the supreme court of religious judgment, with wide-ranging powers to interpret Mosaic law and to enforce rules of moral and communal conduct (Duțu, 2015). It operated within a strictly regulated framework, based on written and oral tradition, and its functioning was guided by the ideal of fair justice, deeply rooted in spiritual values.

According to Jewish tradition, trials were designed to favor the defense of the accused and prevent miscarriages of justice. It was forbidden to hold capital trials at night or to pronounce the verdict on the same day as the debate. Testimony was essential and any contradiction between witnesses could nullify the case. Judges were also expected to actively seek evidence in favor of the accused in a spirit of fairness and compassion.

The religious trial of Jesus Christ, on the other hand, was marked by multiple irregularities in relation to these principles. The trial took place at night, in emergency conditions, without Jesus having the benefit of a real defense. The cross-examination was aimed at self-incrimination rather than impartial ascertainment of the truth, and the testimony presented was inconsistent without being rejected by the court. The Sanhedrin, led by the high priest, seemed more concerned to eliminate a theological and social threat than to respect the traditional form of religious justice (Kubala, 2017, p. 88).

Although the conviction was on a charge of blasphemy - a serious offense in Jewish law justifying the death penalty - the religious authorities under Roman rule did not have the power to carry out the death sentence. In this situation, the Sanhedrin's decision was clearly politically conditioned, and the appeal to Roman authority reflects the practical limitations of religious power in the face of imperial domination.

All in all, the religious trial of Jesus reveals not only a series of procedural deviations, but also the instrumentalization of a sacred court for the purpose of excluding and suppressing a perceived subversive voice. Religious justice, far from being applied in its original spirit, was subordinated to a logic of preserving authority and defending the traditional religious order.

3.2. Involvement of the Roman Authorities

The involvement of the Roman authorities in the trial of Jesus Christ marks a moment of transition from an internal religious trial to a civil one with political implications. Under Roman occupation, the province of Judea was administered by a procurator, at that time Pontius Pilate. He was responsible not only for maintaining public order, but also for overseeing the decisions of local courts, especially in cases that could disrupt political stability or damage the prestige of the empire.

In the case of Jesus, conviction for blasphemy, while sufficient for Jewish religious leaders, had no legal relevance in Roman law. Therefore, in order for the imperial authorities to intervene, the accusation had to be reformulated in a political key. Thus, Jesus was presented to Pilate not as a heretic, but as a potential agitator who would have proclaimed himself “King of the Jews” - a claim that, in Roman eyes, could be interpreted as a form of rebellion or usurpation of imperial authority.

Pilate found himself in a delicate position. On the one hand, he failed to identify clear evidence to support the charges of inciting a riot. On the other hand, pressure from religious leaders and the potential danger of popular unrest meant that his final decision reflected a political concession rather than a legal sentence. His repeated hesitations, attempts to free Jesus and appeal to the opinion of the mob suggest a reluctance to take direct responsibility for an unjust conviction (Taylor, 2006).

The decision to hand Jesus over to be crucified was not motivated by the strict application of the law, but by the delicate balance between Roman authority and the religious sensitivities of the local population. Roman justice, in this situation, functioned not as a guarantor of individual rights, but as a tool to maintain control and avoid open conflict. Pilate acted as a political administrator rather than an impartial judge.

Through this decision, Roman civil authority dangerously intersected with local religious interests, resulting in a condemnation that reflected the balance of power rather than principles of law. The case of Jesus thus highlights the limitations and vulnerabilities of the legal system in the face of social and political pressures, a topical theme in contemporary human rights analysis.

3.3. Religious Discrimination and Protection of the Rights of Jesus

The trial of Jesus Christ, viewed through the prism of modern human rights values, reveals multiple violations of the fundamental principles of fairness, impartiality and

human dignity. Beyond the legal and procedural aspects discussed above, his case raises serious questions about the discriminatory treatment of a person who expresses a religious view different from the officially accepted one.

Jesus was marginalized and accused not for concrete acts that would have disturbed public order, but for his religious ideas and spiritual influence on the masses. The reaction of the religious authorities was motivated more by the fear of losing doctrinal authority than by the existence of an actual crime. Thus, rather than enjoying the protection of a fair trial, Jesus was treated as a dangerous religious dissident who had to be eliminated for reasons of institutional conformity and the preservation of the religious order.

From the perspective of fundamental rights, Jesus was deprived of a real defense, he was not afforded the presumption of innocence, and the accusations against him were not supported by conclusive evidence. The dialogue with the authorities, in particular before Pilate, indicates that no concrete possibility of a defense or of challenging the decision was offered, which in contemporary law would constitute a serious violation of the right to a fair trial (Wingo, 2011, p. 34).

Moreover, the fact that Jesus was condemned on the basis of his religious convictions and not for an actual criminal act highlights an early form of religious persecution. Such practices, from the perspective of current international legal instruments, such as the European Convention on Human Rights or the International Covenant on Civil and Political Rights, are considered unacceptable and incompatible with any modern rule of law.

Therefore, the trial of Jesus cannot be seen only as a historical or theological event, but also as a symbolic case of the failure of legal protection for personal faith. It illustrates how fragile freedom of thought and conscience is in the face of a justice system influenced by ideological or political interests. These historical lessons remain highly relevant in today's context, where discrimination on the basis of religion continues to affect communities and individuals around the world.

3.4. Violations of Human Rights and Procedural Law in the Jewish and Roman Trials of Jesus

Following the analysis carried out, we can outline a series of violations of human rights and procedural law, as regulated according to the Books of Moses, violations that we identified in the analysis of the trial of Jesus:

The Jewish trial, based on Mosaic law, involved the court of the Great Sanhedrin (based in Jerusalem) composed of 120 members, presided over by the High Priest commander of the Custody (military force).

1. Although the trial was supposed to take place during the day, Jesus was tried at night, but to cover these procedural rules and keep the conviction valid, they waited for dawn and resumed the trial in the Great Congress building. *“The nighttime arrest of Jesus represents the first error committed by the Jewish priests because the law of the time forbade this. It is worth noting, just for clarification, that the arrest in the Garden of Gethsemane was carried out by the Temple guard at the command of the leading priests and not by Roman soldiers, as is erroneously shown in some writings or paintings.”* (Ciucă, 2021).

2. Jesus was initially heard by Annas, the father-in-law of Caiaphas – the High Priest, a person without the competence to contribute to the trial.

3. The two witnesses were found after the initiation of the trial based on unclear accusations: either the accusation of Jesus that he would tear down and rebuild the Temple of Solomon in 3 days, or the blasphemy consisting in Jesus’ claim that he was the Son of God, a circumstance that also influenced the legal framing of the facts.

4. The hearing of the two witnesses for the accusation took place at the same time and in the same place, and their testimonies contradicted each other, in which case, according to the 5th Book of Moses, the death penalty should have been applied to both of them.

5. The decision was based strictly on the testimony-answer of Jesus to the question asked by Caiaphas, if He is the Son of God? Jesus answering: “you said it”!

6. Another violation of the dogmas of the 3rd Book of Moses consisted in Caiaphas tearing his own clothes, during the interrogation of Jesus.

7. The judges voted simultaneously, although the youngest judge had to pronounce himself first so as not to be influenced by the judgment of the highest judges.

The Roman trial began on Friday morning, with the Jews leading Jesus to Pilate outside the Praetorium (the Roman courtroom), because the Jews considered it a pagan place and did not want to contaminate themselves. Thus, the Roman trial took place on the pavement.

- Jesus was deprived of his liberty throughout the Roman trial.

- Death sentences had to be ratified by the Roman authority, being provided for in the case of several crimes, but rarely applied.
- A different legal framework is noted compared to the Jewish trial. Thus, the Romans accused Jesus of instigating the non-payment of taxes to Caesar and not of blasphemy, as he was condemned by the Jews, which represented a serious violation of procedural norms because the Roman trial had to ratify an existing decision (made within the Jewish trial) based on a specific incrimination that implied the death penalty.
- Acquitted by Herod, Jesus is taken back to Pilate, without being released before the sentence is pronounced.
- Acquitted by Pilate, Jesus is still not released, as the majority applauds Jesus' condemnation.
- Pilate declares that it is not within the competence of the Roman court to judge Jesus but within the competence of the local jurisdiction of the accused – Galilee and sends him to King Herod who invokes, in turn, the lack of competence of the Jewish court because the Jewish trial took place outside the borders of Galilee. Thus, Jesus is acquitted twice.
- Returning to Pilate, Jesus is acquitted again, but the Jews request the death sentence for blasphemy, according to the sentence given by the Great Synod.
- We also note the violation of the principle *ne bis in idem*: No person can be prosecuted or tried for committing a crime when a final criminal judgment has previously been pronounced against that person regarding the same act, even under a different legal framework.

4. Legal Lessons for Modern Human Rights

4.1. Freedom of Thought, Conscience and Religion

Freedom of thought, conscience and religion is one of the fundamental pillars of human rights in contemporary international law. Protected by Article 18 of the Universal Declaration of Human Rights and Article 9 of the European Convention on Human Rights, this freedom implies not only the right to hold or change religious beliefs, but also the right to manifest them publicly, individually or collectively, without fear of reprisals.

Also, Article 18 of the *International Covenant on Civil and Political Rights and the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief* provide regulations on freedom of thought, conscience and religion.

According to this international document, freedom of religion it's defined as: "[everyone's] right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance".

In Romania, freedom of religion is provided in Law no. 489/2006 on religious freedom and the general regime of religions (Official Gazette No. 201 of 2014). Art. 2(1) Freedom of religion includes the right of every person to have or adopt a religion, to manifest it individually or collectively, in public or in private, through practices and rituals specific to the cult, including through religious education, as well as the freedom to maintain or change his religious belief. (2) Freedom to manifest his religious belief may not be subject to any restrictions other than those provided by law and which are necessary in a democratic society for public security, the protection of order, health or public morals, or for the protection of fundamental human rights and freedoms.

The Romanian Constitution regulates in art. 29, marginally called freedom of conscience:

- (1) Freedom of thought and opinion, as well as freedom of religious beliefs, may not be restricted in any way. No one may be forced to adopt an opinion or adhere to a religious belief contrary to his or her convictions.
- (2) Freedom of conscience is guaranteed; it must be manifested in a spirit of tolerance and mutual respect.
- (3) Religious denominations are free and are organized according to their own statutes, under the conditions of the law.
- (4) In relations between denominations, any forms, means, acts or actions of religious enmity are prohibited.
- (5) Religious denominations are autonomous from the state and enjoy its support, including by facilitating religious assistance in the army, in hospitals, in penitentiaries, in asylums and in orphanages.

In the context of the trial of Jesus Christ, a flagrant violation of these essential freedoms can be seen. Jesus was not condemned for a concrete act, but for promoting an alternative religious teaching which provoked reactions among traditional religious authorities. His condemnation represents an archetypal case of religious persecution, in which a form of faith was suppressed by legal and political means.

This historical reality illustrates how fragile freedom of faith can be in the absence of an impartial, independent and fair legal system. The lesson conveyed is clear: in any society that claims to be based on the values of democracy and the rule of law, religious pluralism must be protected by clear and effective legal instruments, and interference by the authorities in the spiritual beliefs of individuals must be strictly regulated and justified.

4.2. Freedom of Expression

Freedom of expression, enshrined in Article 19 of the Universal Declaration of Human Rights, is essential to the functioning of an open and pluralistic society. It entails not only the right to express opinions, but also to communicate them to the public without censorship or intimidation.

The case of Jesus Christ highlights the limits imposed on public expression in regimes dominated by authoritarian religious or political authorities. Jesus' speeches and sermons, which challenged the theological authority of the religious elite, were perceived as a direct threat and interpreted as incitement or blasphemy. As a result, his freedom of expression was not only challenged, but penalized in the gravest possible way: the death sentence.

This situation reminds us how dangerous it is to interpret public opinion subjectively and ideologically in the absence of firm legal protection. In the modern context, any restriction of freedom of expression must respect the principles of legality, proportionality and necessity in a democratic society.

4.3. Separation of Powers and Protection of Justice

The trial of Jesus was decisively influenced by the interference of the religious authorities in the decision-making mechanisms of the civil authorities. The Sanhedrin, while not having the authority to impose a death sentence, used its influence to force the hand of the Roman governor Pilate. This kind of pressure led

to a decision that did not reflect the will of justice, but the fear of social and political unrest.

This interference demonstrates the importance of the principle of separation of powers, without which there can be no just justice. In the absence of a clear dividing line between religious and political authority, the fairness of the act of justice is compromised. In modern societies, this principle is essential precisely to ensure that judicial decisions are based exclusively on facts and legal rules, and not on ideological or dogmatic pressures.

The trial of Jesus Christ therefore becomes not only a historical event with spiritual resonance, but also a legal symbol. It provides a solid basis for reflecting on the importance of defending fundamental freedoms and the fragility of rights in the face of unchecked authority.

5. Contemporary Implications of the Conflict Between Religious Law and Civil Law

5.1. Current Case Law on Conflicts Between Religion and the State

In modern societies, the conflict between religious law and civil law is not an isolated phenomenon in the historical past, but a legal reality present in multiple national and international contexts. Constitutional Courts and international courts, in particular the European Court of Human Rights, are frequently called upon to resolve situations where religious rules conflict with civil law.

A relevant example are cases concerning the wearing of religious symbols in public spaces, where freedom of religion clashes with the principle of state neutrality. The refusal of medical practices on religious grounds, challenges to vaccination or the rejection of civil obligations such as same-sex marriages on the grounds of religious beliefs are also recurrent themes. In these cases, the courts have to strike a balance between protecting religious identity and safeguarding the public interest, order and equality (Dijoux, 2012).

The decisions of the European Court of Human Rights show how the courts interpret the proportionality between religious freedom and the rights of others or the requirements of the democratic state. This case law confirms the topicality and complexity of the tension between religious law and civil law.

Currently, the deeds of Jesus could not be considered minor offenses either. In support of this statement, we exemplify a decision of the Rădăuți Court – Civil Section no. 2224/2023 of October 18, 2023 (Ungureanu, 2024). In this case, on January 29, 2023, a practitioner of the Christian denomination Jehovah's Witnesses¹, together with his son, also a practitioner of the same denomination, were on the sidewalk on Bucovinei Street (Rădăuți). They were carrying out a religious activity specific to the religious denomination Jehovah's Witnesses: they were having biblical discussions with passersby. They had two small carts with them, on which were arranged biblical publications specific to the religious denomination to which they belong. All the Bible literature on display was offered free of charge to those who requested it, as this type of activity is part of the religious education work that Jehovah's Witnesses are recognized to carry out and which is regulated by law. The two were fined by a police officer.

In the court's opinion, the dissemination of religious materials in public places, as a component of freedom of religion and expression, cannot in any way be assimilated to the activity of displaying advertising materials, and the misdemeanor sanctioning of the two religious practitioners was classified as an act of abuse resulting from the lack of the essential condition for restricting religious freedom provided for in Article 9 paragraph (2) of the European Convention on Human Rights, namely that of being "provided for by law", including its two components: accessibility and foreseeability.

The activity carried out on October 1, 2022, for which a member of the aforementioned religious organization was sanctioned as a contravention, was exercised precisely in the realization of the right guaranteed by this art. 2 paragraph (1) of Law no. 489/2006 - the law on religions, since the primary work of the members of the organization, which is recognized in over 240 countries and territories and which is based on the commandment of Jesus Christ recorded in the Bible, in the Gospel of Matthew, chapter 24, verse 14, and in chapter 28 verses 19

¹ The religious organization "Jehovah's Witnesses" is a religious denomination that operates according to the Statute of Organization and Functioning, approved by Government Decision no. 658/18.06.2008 and published in the Official Gazette of Romania, Part I, no. 470/25.06.2008, as well as in accordance with art. 8 of Law no. 489/2006 on religious freedom and the general regime of religions, but also with the provisions of art. 29 paragraph (3) of the Constitution of Romania. According to art. 2 paragraph (1) of Law on Religions no. 489/2006, religious freedom includes the right of any person to have or adopt a religion, to manifest it individually or actively, in public or in private, through practices or rituals specific to the religion.

and 20, is preaching in any public place and from door to door (provided for in art. 9 letter b) of the Statute of this religious organization) (Ungureanu, 2024).

The European Court of Human Rights also found a violation of the provisions of Article 9 of the ECHR, in the case of *Hamzayan v. Armenia* (ECHR, 2024). The applicant, Marina Hamzayan, is an Armenian national who was born in 1980 and lives in Yerevan. The case concerns an administrative penalty that the applicant, a Jehovah's Witness, was given by the authorities of the unrecognised "Nagorno Karabakh Republic", for having a religious conversation with somebody, not a Jehovah's Witness, in that person's home. Relying on Articles 9 (freedom of thought, conscience and religion) and 14 (prohibition of discrimination) of the European Convention on Human Rights, the applicant complains that being given an administrative penalty for a peaceful discussion of a religious text constituted an unlawful and disproportionate interference with her right to freedom of religion. She maintains that she was discriminated against by the authorities as she was treated differently to the followers of officially registered religions. In paragraph 40 of the European Court of Human Rights' judgment it is mentioned that: As enshrined in Article 9, freedom of thought, conscience and religion is one of the foundations of a "democratic society" within the meaning of the Convention. This freedom is, in its religious dimension, one of the most vital elements that go to make up the identity of believers and their conception of life, but it is also a precious asset for atheists, agnostics, sceptics and the unconcerned. The pluralism indissociable from a democratic society, which has been dearly won over the centuries, depends on it. That freedom entails, *inter alia*, freedom to hold or not to hold religious beliefs and to practise or not to practise a religion (see, among other authorities, *Kokkinakis v. Greece*, 25 May 1993, § 31, Series A no. 260-A; *Buscarini and Others v. San Marino* [GC], no. 24645/94, § 34, ECHR 1999-I; *S.A.S. v. France* [GC], no. 43835/11, § 124, ECHR 2014 (extracts); and *İzzettin Doğan and Others v. Turkey* [GC], no. 62649/10, § 103, 26 April 2016)¹.

5.2. International Protection Against Religious Discrimination

In contemporary international law, protection against discrimination on religious grounds is enshrined in numerous treaties such as the European Convention on Human Rights, the International Covenant on Civil and Political Rights and the Charter of Fundamental Rights of the European Union. These instruments guarantee

¹ [https://hudoc.echr.coe.int/#/%22itemid%22:\[%22001-230705%22\]](https://hudoc.echr.coe.int/#/%22itemid%22:[%22001-230705%22]).

freedom of religion but also impose positive obligations on states to prevent and sanction discrimination.

Religious discrimination can take a variety of forms - from symbolic exclusion of religious practices to direct attacks, institutional exclusion or limitations on participation in public life. In all these cases, state authorities have an obligation to guarantee a non-discriminatory legal framework, to ensure equal access to justice and to allow the expression of religious pluralism without undue interference.

Thus, unlike during the Jesus trial, when religious law might influence political decision and vice versa, the modern international system tries to draw a clear line between the right to religious belief and the obligation of the state to maintain social and legal balance.

5.3. Recommendations for Balancing Civil and Religious Norms

Historical experiences, as well as contemporary legal conflicts, demonstrate the need for normative and institutional solutions that allow the peaceful coexistence of religious pluralism and the rule of law. A first direction should cover legal and civic education, in particular in respect of diversity and constitutional values. Intercultural and interreligious dialogue, supported by state institutions, can help reduce tensions and strengthen social cohesion.

At the legislative level, it is recommended to maintain a clear framework that delimits the scope of religious rules from that of public law. The State must ensure its neutrality with respect to any doctrine, but it must provide a real space for the expression of religious beliefs, as long as they do not affect the rights of others or the proper functioning of public order.

In essence, the lesson of Jesus' trial for the present age is that justice must remain independent, unbiased and protected from ideological influences – whether religious or political. Only in this way can a lasting balance be built between freedom and responsibility in a pluralistic society.

6. Conclusion

The trial of Jesus Christ remains not only a striking episode in the religious history of humanity, but also a case study particularly relevant to contemporary legal reflections. Analyzed from the perspective of human rights and the relationship

between religious and civil authority, this process reveals numerous vulnerabilities of the justice system, when it is devoid of procedural guarantees, institutional independence and respect for human dignity.

We believe that Jesus' trial did not meet any procedural and procedural rules, as established in the Books of Moses (Deuteronomy - Book 5 or Leviticus - Book 3), applicable at that time.

During the course of the paper, it was pointed out that the Jesus trial was carried out in a context of legal and political tension, in which the Jewish religious law and the Roman civil law entered into a deep conflict. This collision led to the application of a "justice of compromise," in which the fairness of the process was sacrificed in favor of religious stability and public order.

From the point of view of fundamental rights, the Jesus trial reveals multiple violations: the absence of real defense, the lack of procedural transparency, external pressure on the court and conviction based on personal beliefs. These elements make this case a paradigm of the danger posed by the politicization of justice and the use of law as a tool to suppress freedom of conscience.

In the contemporary context, these lessons become more relevant than ever. Protecting fundamental freedoms – such as religion, thinking and expression – is essential in a democratic society. Also, clear separation between religious authority and secular state remains a necessary condition for maintaining legal equity and social peace.

The paper showed that analyzing a historical event from a human rights perspective is not a purely theoretical exercise, but an invitation to reflect on how the past can illuminate the present. In a world where religious, ideological or identity conflicts continue to influence political and legal decisions, the Jesus Christ process becomes a symbol of the importance of autonomous, equitable and human justice. For future research, it is recommended to extend the analysis to other historical processes with religious and legal implications, as well as explore how various religious traditions influence modern concepts of justice and human rights. Such investigations can contribute to the consolidation of a universal legal culture based on respect, pluralism and human dignity.

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