

## **THE TRIAL OF CAIN**

**A sermon preached by the Rev. John Nichols to the First Parish in Wayland  
On September 15, 2013**

### **WORDS OF JUDICIAL WELCOME**

Ladies and Gentlemen of the Jury, this morning you will be asked to render finally a judgment in the legal proceeding, which is known as The People v. Cain, the trial that is just ending. The facts of this case are not in dispute. On a certain day – roughly fifteen to twenty years after the dawn of Creation – the defendant, Cain, did take his brother, Abel, out into the fields where he did willingly and knowingly cause the said Abel to become deceased. So you are not asked to determine who killed Abel. Cain killed Abel.

Instead, the defendant, Cain, asks you to find that he is not guilty by virtue of several extenuating circumstances. During the course of the trial you have heard from the social worker who interviewed the parents, Adam and Eve, many years ago when they sought some help with raising their sons.

*As children, they seemed almost not to have been parented themselves. And they reminisced constantly about the innocent, carefree times of the past when as children, they ran around the house naked. You have heard the social worker's conclusion that in a family where there are no proper boundaries and where no one finally takes responsibility for anything, there is no foundation for a moral life.*

The second circumstance claimed by the defendant, Cain, is that God favored his brother Abel over himself. Therefore God and Abel essentially made Cain take the drastic action that resulted in Abel's murder. And the third circumstance is that at this hour, which is only a short time after the creation of heaven and earth, morality hasn't officially been invented yet, and so the concept of guilt or innocence in this case is essentially meaningless.

As the facts in this case are not in dispute, the People have waved their opening argument. They will make a closing argument. Therefore you will hear first from the attorney for Mr. Cain.

### **THE CASE FOR THE DEFENSE**

Good morning, ladies and gentlemen. My name is Lester T. Foghorn, and I am the attorney for the defendant in this case. Ladies and gentlemen, my client stands before you as a man who was improperly prepared and poorly instructed for this life. He is a man whose act of passion was motivated by the understandable resentment he felt at God's heartless rejection of his offering. My client has been dragged before you as the victim of a harsh and unforgiving morality. Now, I know your time is valuable, so I will lead you point by point through our case.

As this trial has unfolded, you have heard from the caseworker that conducted an intake interview with the Adam and Eve family only a year before this tragedy occurred. You have heard that Adam and Eve had no preparation for their roles as parents. They seemed to think they were raised in a kind of paradise in which they never had any responsibilities. But something terrible happened – just what was not clear to the interviewer. Adam and Eve were ejected from paradise. Adam spent his subsequent days blaming Eve for what happened, claiming that she tempted him to do something wrong and that without her act of temptation he would not now have to work so hard to make a living.

Eve complained, in return, that because of her husband's total lack of backbone, she must endure both the pain of childbirth and the annoyance of raising his two little monster brats. You have heard that the defendant, Mr. Cain, was raised in an atmosphere of continual marital discord, and that the seeds for his act of passion were planted long ago by his parents, Adam and Eve. My client is the victim of a terribly inadequate preparation for life. Our second point, ladies and gentlemen, is that because the defendant, Cain, believed God had rejected him, he therefore had no choice but to attack Abel, whom he believed God favored.

As the story has unfolded you learned that Cain and Abel each made an offering to God. My client, Cain, who is a farmer, offered God some crops from his field, which he labored long and hard to bring into being. His brother, Abel, who was a herdsman, merely went out and slaughtered the best lamb in his flock. Nevertheless Abel's offering found greater favor in God's sight. Who knew God was a carnivore?

Incredibly, my client's offering of organically grown fresh vegetables was not found as favorable, for which God gave no understandable reason. Ladies and gentlemen, my client was humiliated, crushed and permanently damaged by this rejection --- this God-like judgment—from the Source and Author of all Creation.

Cain cannot be held responsible for his subsequent actions. Far from it. He is the victim in this instance of Divine disfavor. In fact, as soon as this trial is concluded, and my client has been found innocent of all charges, we intend to sue God and all of the heavenly messengers for pain and suffering.

Finally, I ask you to consider this as an act of passion committed by a good man, by a wronged man, by a God forsaken man with a badly damaged inner child. Who are we to judge this man and by what law? Acts of passion occur all the time – in some societies they are even encouraged.

Who are we to declare that this man has crossed over some sort of moral boundary? Who are we to make the rules that build the bars that frame the moral cage in which this man will be judged? Morality hasn't been invented yet, and I submit to you there is not now, nor can there ever be, one code of morality that could be written in stone and applied to the actions of every individual.

Ladies and gentlemen of the jury, I would like you to consider that we are really only fooling ourselves when we attempt to judge anyone. There are just too many exculpable reasons why an essentially good man like Cain could commit this terrible act of passion. I ask you not to render a harsh opinion over his tragic life and his tragic deeds. I ask that you find him, "Not guilty." I now yield to the attorney for the People

## THE CASE FOR THE PEOPLE

Members of the Jury, I want to thank you for your service in this particular trial. I know that your time is valuable, and I will try not to abuse it. My distinguished colleague at the defense table would have you believe that his client is not guilty by virtue of the allegations that he was let down by his parents, disappointed by God and because there is, as yet, no established common morality or any way for us to assess matters of guilt or innocence in a proper manner.

My colleague cites the defendant's family of origin, which was indeed troubled. The defendant's father, Adam, seems to have been obsessed with the thought that his wife, Eve, had been having a relationship with a snake. Incredibly, he blames this relationship for all of their later difficulties.

Eve, on the other hand, insists that if Adam hadn't been such a total wimp, if he hadn't insisted on their wearing fig leaves when God came walking through the garden, God would never have known about the relationship she had with the snake or about their bite from the forbidden apple. This futile debate between mother and father raged on and on throughout the life of the defendant.

What is remarkable is, as the caseworker seemed to suggest, that no one in this family ever took responsibility for anything. No one ever said, "This is where I stop and where you begin." This statement is the essence of morality. As long as I can say, "You made me do it," I am including you as a part of me. I am no longer an independent thinking, choosing person, because I have included you in me as one of the causes of my behavior.

As long as we pass responsibility off on each other, then no one is really responsible. And the number of people who cause hurt because of what other people did to them could extend infinitely back into time so that no one is ever really responsible for anything.

Taking responsibility means saying that regardless of what others have said and done to me, I, alone, make this choice to act in this way. I may react privately, but I think about what I will actually do. If there is to be any living with one another thoughtfully, independently, and not reactively each of us must acknowledge that we do choose and we take responsibility for our choices.

But the defendant has stacked the decks against us by claiming that not only did his parents abuse him, but God also abused him. I guess we all feel that way in some respects. I should have been born incredibly wealthy, handsome and talented, but I was not. And, as a religious person, I should have been properly instructed and guided on how to live so that I would not hurt other people. I try very hard to do the right thing and not hurt other people, but I know sometimes I do hurt other people.

Even at this early stage of civilization it is hard to know what God wants. Perhaps – in fact I think it likely – we will never know what God wants completely. Sometimes, we have to make our best guess as to what's right and then take the responsibility for what we decided.

My distinguished colleague at the defense table neglected to inform you of the dialogue his client, Cain, had with God. Cain told God he was very upset that God

had not looked favorably upon his offering of organically grown vegetables. Cain told God that his Divine rejection had triggered all sorts of memories and tapes and voices from childhood, which were making him feel inadequate all over again.

According to pre-trial testimony God responded to Cain in this way. "Why are you upset? Why has your face fallen? Is it not thus: if you intend good bear it aloft, but if you do not intend good, your demons are waiting for you, and their lust is toward you. But you can rule over them."

We can't know for sure if Cain actually had this conversation with God or if he just imagined it. The words do make sense. We have been given a life of power and beauty, a life full of richness, fascination and challenge far beyond our ability to imagine or create it ourselves. With this amazing gift we also confront the mystery of how we fit into the picture.

It seems we have more than a passive role to play in the presence of such a gift. Our job is to choose what we can do to enhance the life we have been given and to choose what we can do that will enhance life for others as well.

We can choose what to make of our lives and our chances. That is all we can do, but it's a lot. Choosing and taking responsibility for our choices is all we can know for sure, but it has to be enough. The defendant in this case, Mr. Cain, did choose, but he wishes not to take any responsibility for his choices. He took his brother's life and then denied he had any connection to this brother. Now he claims that God made him do it or that his parents never taught him differently or that he is only a victim of unfortunate circumstances.

The defense also argues there is actually no law against what he did, and even if there were such a law, it would be only the law of a particular culture, a custom, a local practice, a taboo, perhaps a superstition but not legally binding on everyone. Well the defense has made a rather technical legal point here. Perhaps someday, we will be given – oh, a bunch of commandments – but now only twenty years after the dawn of creation, we have nothing specific written down. Is moral thinking really as shaky as all of that?

Finally, it seems we must ask you, members of the jury, to make the law in this particular instance. Perhaps this question will help. What is it that we owe one another as part of our unspoken agreement for living out this life on earth together? Each of us could come up with many possible answers, but there is one answer I am sure would satisfy everyone.

We must not cause avoidable pain to another human being. This is the great rule of life. It is written in our hearts if not yet onto our books. What is hateful to you do not do to another person. It is not an easy rule to observe, because there are so many ways in which we slip up. Reacting to some cause or provocation that we only partially remember or understand, we lash out at others and then we do cause pain.

When we cause pain we needn't and shouldn't have caused, we feel guilt because we know we have done something that was not worthy of the gifts we have been given and not worthy of our best selves. Yes, I know most people could spend the better part of an hour listing the things they feel guilty about needlessly. Real guilt, however, is when we make choices that cause avoidable pain to others.

Perhaps, some day, a religious tradition will evolve an annual Day of Atonement. On that day, worshippers will celebrate that among their many gifts is the gift of choice. They have tried to use that gift well, but despite their efforts sometimes they have used it poorly, and they have hurt others. Perhaps, on this Day of Atonement, they will acknowledge their poor choices and ask to be forgiven. And whether or not specific individuals forgive them will not be the point of the day. Taking responsibility for their own lives – their mistakes as well as their successes – will be the point of the day.

In conclusion, let me tell you what concerns me most about Mr. Cain. As long as he refuses to accept responsibility for the pain he has caused, he will never grow up. He will never have the life he should have. He will never be able to make the best use of the gifts he has been given. And so, I ask you, for Cain's own sake, to find him both "Responsible" and "Guilty."