

Dr. Elaine Phillips, Old Testament Literature,

Lecture 12, Torah, Civil and Social

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Well, good morning. The peace of Christ be with you. I'm going to spare us the agony of singing. After all, it's Monday morning.

Isn't that disappointing? At any rate, we're going to start with a psalm, but we're not going to sing it this morning. This is a psalm that has everything to do with justice, and we're discussing social Torah today and issues of justice. So, if you'd like to turn to the psalm that I've noted up there, the passage Psalm 89.

And I know I'm lifting this out of a much larger and wonderful context, but let me read for you verses 14 and 15. Righteousness and justice are the foundation of your throne. Let me just do that again.

Righteousness and justice are the foundation of your throne. Love and faithfulness, that's hesed and emunah, are two important terms that you've probably run into both in terms of our lecture and in terms of reading Dr. Wilson. Love and faithfulness go before you.

And then, in verse 15, blessed are those who have learned to acclaim you, who walk in the light of your presence, O Lord.

Let's take some time to pray together as we start.

Gracious God, our heavenly Father, we do pray as we begin this week together that you would help us indeed to walk in the light of your presence, to worship you as creator of the universe, to be humble as we recognize how absolutely marvelous our salvation is through Christ and how undeserving we are.

Father, help us with joy to study, not just this hour, but the things that you've enabled us to learn. Father, we do pray for those who haven't been well, that you would restore their health. We pray for those who wrestle with deep issues, challenges, fears, and frustrations, that by your spirit you would empower them and draw them really close to you.

We pray for our families, and we ask for your care and protection. We pray for the leaders at every level of government in our country. Give them your wisdom, O Lord.

There are many challenging issues with which to deal, and they certainly do need your wisdom. And we ask for troubled spots around the world, that in your mercy and your grace you would quell the forces of hostility. Lord, we know this is a huge

order. We know that you are an omniscient, perfect, and magnificent God. And so, we do, as master of the universe, ask these things, and we ask them in Christ's name with thanksgiving. Amen.

Well, we're moving on today to social, civil Torah. And you'll notice, of course, there's that clever little subtle balance in the background, and I want you just to see that. That's befitting for our discussion of Torah, which has to do with social justice issues.

It is there. It's a little bit vague, but it is there. I've got a question to start with.

Review question. This is multiple choice. It could even be the kind of thing that you might see on a forthcoming exam.

You never know. So, for the purposes of civil and social Torah, again, remember that we have our three categories of Torah because they help us think about this stuff, not because they've got inflexible boundaries. All right.

So here we are. Review. Is it a social, civil Torah designed to set up moral guidelines to curb the excesses of the individual's will? Is it to structure social, societal, well, yes, societal conduct and provide for the proper administration of justice? Is it designed to indicate that all of life is lived in the presence of God, or is it to create an environment for our approach to a holy God? Which one is it? Anybody remember? Who's going with the first one? Second one.

It's getting some votes. Third one. There are a few votes there.

Fourth one. Okay. It's going to be primarily between two and three, isn't it? Here it is.

This is our exact phrase from last time. Civil social Torah. And again, this is the category that we've chosen to kind of set some boundaries around this to help us talk about it.

Civil social Torah. I can't even talk. It's to structure societal conduct.

In other words, give us ways in which we function in communities because that's where we're designed to live, and then provide for the proper administration of justice. The third and the fourth actually have to do more with ritual ceremonial Torah, which, Lord willing, we're going to talk about on Wednesday. So here we go.

One of the things that I'll say right from the get-go today is this. Well, how many of you have had a course in American government? Somewhere. Ninth-grade civics class or something of that sort.

Right. All right. Or maybe even here.

What I'd like to do today is think in contrasts, at least initially, between what you know about our government system and what you've read, as you've read, particularly those chapters in Exodus and Deuteronomy, the assigned chapters there. Because, in essence, what we're going to do for the next 50 minutes is talk about the Israelite government about 3,500 years ago. And I'd like us to think about that.

Most of what we're going to do, at least for the first 15, 20 minutes ago, this is a time warp, for the first 15 or 20 minutes or so, at least I got the right O ending there. Hopefully, we can carry on a good discussion in regard to this. I hope you'll draw on the things that you know, both in terms of your own experience with our particular governmental system. Then, we'll talk our way through the lecture outline.

I've given you lots of information in terms of categorizing some of this stuff. And so I'm not going to talk through what looks like a grocery list. It really does.

You can get that stuff from the material that's on Blackboard and from what we have up here. But I'd like to have, at least in the beginning, a fairly engaging discussion. This is not an easy issue necessarily to deal with.

And so, let's talk about it a little bit. First of all, there are some ancient Near Eastern parallels. And I said last time, I think it was last time, that one of the things we wanted to focus on was the Code of Hammurabi.

Now, in your Old Testament parallels, you have excerpts from this. What I've got in front of me is a monstrous book. It weighs about six pounds, I think.

And this has the entirety of the Code of Hammurabi in it. This, by the way, is in the reference section of the library. If you want to read the whole thing, here it is.

What I'm going to do, right from the get-go, is read for you some segments from the code and then some material from the Book of Exodus that you've already read for today. And let's just think in terms of comparisons and contrasts, all right? That's the first thing we want to do. So here we go.

I happen to be starting with item number 195. There are 282 little declarations of law in here. I'm starting with 195.

And listen carefully to see what differs and what is similar. If a son has struck his father, they shall cut off his hand. If a citizen has destroyed the eye of a member of the aristocracy, they shall destroy his eye.

If he's broken another citizen's bone, they shall break his bone. If he's destroyed the eye of a commoner or broken the bone of a commoner, he shall pay one mina of

silver. If he's destroyed the eye of a citizen's slave or broken the bone of a citizen's slave, he shall pay one-half his value.

If a citizen has knocked out the tooth of a citizen of his own rank, they shall knock out his tooth. If he's knocked out a commoner's tooth, he shall pay one-third of a mina of silver. And it goes on with those kinds of things.

Let me skip just a little on down here. If a citizen struck another citizen's daughter and caused her to have a miscarriage, he shall pay 10 shekels of silver for the fetus. If that woman has died, they shall put the citizen's daughter to death.

If, by a blow, he's caused a commoner's daughter to have a miscarriage, he shall pay five shekels of silver. If that woman has died, he shall pay one-half a mina of silver. It goes on and talks about what happens in the case of a female slave as well.

And I think, well, one more thing we'll read here. If a builder constructed a house for a citizen but did not make his work strong, the house he built collapsed and caused the death of the owner of the house, and the builder was put to death. If it has caused the death of the son of the owner of the house, they shall put the son of that builder to death.

If it's caused the death of a slave, he shall give slave for slave to the owner of the house. If it has destroyed goods, he shall make good whatever it destroyed. Also, because he did not make the house strong, which he built, and it collapsed, he shall reconstruct the house, which collapsed at his own expense.

Well, that's about 10 examples from the Code of Hammurabi. I hope you're getting some things that are making your intellectual antennas wave a little bit. Let me read just some excerpts now from the book of Exodus.

Chapter 21, starting with verse 12. Anyone who strikes a man and kills him shall surely be put to death. If he didn't do it intentionally, but God lets it happen, he's to flee to a place I shall designate.

But if a man schemes and kills another person deliberately, take him away from my altar and put him to death. Anyone who strikes his father or his mother must be put to death. Anyone who kidnaps another and either sells him or still has him when he's caught must be put to death.

Anyone who curses his father or mother must be put to death. If men quarrel and one hits another with a stone or his fist does not die but is confined to bed, the one who struck the blow will not be held responsible if the other one gets up and walks around outside with his staff. However, he must pay the injured man for the loss of his time.

I'm going to skip down to verse 22. No, I'll read 20. If a man beats his male or female slave with a rod and the slave dies as a direct result, he must be punished.

But he's not to be punished if the slave gets up after a day or two since the slave is his property. If men who are fighting hit a pregnant woman and she gives birth prematurely but there's no serious injury, the offender must be fined whatever the woman's husband demands and the court allows. But if there's serious injury, you are to take life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, bruise for bruise.

And it goes on as you know. Okay, let's see if we can get at least a couple things that'll help us think conceptually about some of the differences in that cultural context because let me just remind you, the Code of Hammurabi is coming from the 17th, 18th century BC. His lifespan spanned those two centuries, 18th, 17th century, I should say.

And the Mosaic legislation, if we're going to go with the date of Moses, long about the 15th century, the 1400s. We've got some differences there. But what did you hear? Let's talk about similarities first.

Did you hear some themes that are the same? Mary? Yeah, the measure for measure punishment, the eye for eye, the tooth for tooth. Now, the scripture says it, you know, eye for eye, tooth for tooth, et cetera, et cetera, and kind of compresses it to indicate to us that this is supposed to be the principle, measure for measure. The Code of Hammurabi spells it out.

For each case, you've got that. Unless, of course, there are some other factors going on. Any other similarities? Nick? Yeah, there's a lot of similarity, isn't there, in terms of this striking a woman who's pregnant and there's some kind of premature birth.

And with regard to damage, and actually, Hammurabi spells it out, the fetus is supposed to be paid for. And then there are some life-for-life issues taking place as well. But did you notice a difference in that context, too, in terms of the punishment? Yeah, although the Exodus text is also a little bit ambiguous.

I was actually thinking of the other thing. Did you notice what happens in the Hammurabi text if the woman dies? Whose life is taken? Yeah, the daughter. The daughter of the offender, which is kind of an unusual balance there.

It isn't really life for life. It's a woman's life for a woman's life, which changes the equation just a little bit, doesn't it? Yeah. Is there anything else in terms of similarities? Becca? Yeah, the same basic crimes.

Now, of course, I've cheated a little bit, and I've excerpted things that are the same. But you do have the same kinds of sequencing going through. So, the issues that have to do with striking people, kidnapping people, and damage to property are going to all be there.

And so, we all have the same basic ideas of justice and what is an injustice when it's done to us. Did you notice as well? by the way, this is our segue to differences because this is an area where there are both similarities and differences. There are indications of social stratification in both texts, right? Social stratification, in other words, free persons as opposed to slaves, is what you're going to read, particularly in the Exodus text.

And gender differences in both texts. But let's now look at some of the places where there are contrasts between Hammurabi and the biblical text in terms of social stratification. What different classes of citizenry, I didn't say that right, what different classes of people did you hear as I was reading? Nick, go ahead.

And one more. Okay, aristocracy, citizens, which is kind of an odd word in this text, but that's probably the best translation for it. Commoners, there's also a commoner class there.

And then, finally, slaves as well. So, there are different levels and, of course, then measuring out different kinds of punishments depending on where somebody falls in that whole caste system, which in some ways is what it is. Now, I didn't read you a section that actually pushes it further than that.

There are ranks within some of these classes as well. And some of the particular legal stipulations indicate those. Are there any other differences that you heard? It's a little more, yeah, go ahead, Christina.

Okay, so the biblical text does say no punishment if the slave gets up and able to work again because he's property. Now, I'm going to address that a little bit later on in terms of its implications, or at least I'll try to address it. It's one of those things that's a little bit challenging.

Did you notice that Hammurabi spells out payments as well? Go ahead, Ginger. Yeah, stealing people, kidnapping, the death penalty. And it kind of right on down the line.

Striking your parents. Notice that Exodus included both striking your father and striking your mother. The mother is included right up there as, you know, if you strike her, you're culpable in that context.

But you're right. This is one of the places where we find infractions of the Ten Commandments do merit the death penalty. And it lists them right there.

Good, good. Yeah, Caelan. It did say to bring it to the judges, didn't it? And as a matter of fact, you probably read the rest of these chapters of Exodus.

There is clearly a system, witnesses, et cetera, et cetera. So, there's more of an evident court system. Now, I would suggest, in all fairness to the Code of Hammurabi, that that's presumed behind that, too.

Although it doesn't build it right into the statement of these particular laws. Well, let's keep going a little bit. See what else we can do with this.

I should have brought my... Yeah, the distinction between Torah and... Okay, we've done that. Let's go on a little further. We've done sort of a horizontal... Yeah, Katie.

No, no, go ahead. It's a good question, and I'll answer it now because I'll probably forget to answer it later, although we're going to come back to that measure-for-measure punishment thing in a moment. What this is designed to do, at least as I understand it and other people that are writing on this, is a court system.

God is setting up for his people how things are to operate in order to deal with problems in the community. And so, the court system is there. And basically, this is to indicate that the punishment is to be of the same measure as the crime.

Because what's our tendency otherwise? You hit me, I chop your head off. I mean, just look at interactions. If there's something that goes wrong, there's usually a reaction that's an overreaction.

And then there's another reaction, an overreaction, and you have this ongoing building feud that's a really ugly business. What's going on, both in the Code of Hammurabi, right, and also in the biblical text is, no, we're going to have balanced justice. The nature of the crime has got to be balanced.

It's not overdone in the punishment. What Jesus is doing when you start reading Matthew chapter 7 is saying, in personal interactions, okay, so there's a difference there. In your personal interactions, you don't react like that.

Instead, you reverse things incredibly. You do what is totally contrary to human nature, and that is you forgive, you turn the other cheek, et cetera, et cetera. So, he's not controverting in any way the judicial principle.

At least that's the way I kind of understand that. And, again, it's part of the Sermon on the Mount, which if you read the Sermon on the Mount, and, of course, you've all read it because you've been in New Testament with Dr. Green. The Sermon on the Mount is one reversal after another.

It's telling us, you know, you've got to live life entirely differently from what your natural inclinations are. Trevor? For a text that is so universal, what? Ah, great question. I'm going to get to that in a moment.

It's a great question. If I don't deal with it satisfactorily in about five or ten minutes, bring it back up again. Okay, it's a good question.

Because, you know, you talk about cultural boundaries, let's look at this particular question as well. Here we are talking, as I said, about a discussion of Israelite social justice. And we're in the 21st century, right? There are some differences.

Let's see if we can map out four or five things that are distinctly different between what you learned in your ninth-grade civics class and what you're getting out of reading Exodus Slash Deuteronomy. What are some of the differences? Don't think specifics now. Think sort of generally.

Chelsea? Okay, so we see a whole lot more implementation of the death penalty in the Torah. Now, interestingly enough, whereas in contrast to us, we go up and down on the death penalty. Sometimes it's there.

Sometimes it's not, which brings us to another whole difference, which is the prison system. But I'll get back to that in a moment. Yeah, we'll come back to that.

It's a good point. Mary? Of course, I suspect if you sat down and read things that lawyers have to read, we'd see a distressing amount of specificity, you know, hundreds and hundreds and hundreds of pages. But yeah, there are some specifics here.

That's quite true. It's quite true. Sarah? Okay, so we have a Constitution, and especially the Bill of Rights, that has a positive thrust to it.

I would say, by the way, that there's a fair amount of Torah that has a positive thrust to it, too. But you're right. The intention of the stuff that we're reading with regard to structuring societal conduct and dealing with infractions is going to have. Obviously, a here's the crime, here's the punishment tone to it.

Anything else? Let me ask it this way. As you read, particularly the second half of Exodus 21, about oxen and property, what kind of society is that describing? It's certainly not urban industrialized, is it? So, we're talking about two different kinds of social structures. That is an agrarian society, and a lot of things are presented in terms of the issues that unfold with regard to damages and property and infractions within the context of something that's rural.

We'd call it rural. Whereas most of our population lives in cities, they're urban, and we have an industrialized economy base. Anything else? Who's the authority in that social structure? You've read a chapter in Youngblood on it.

It's God. Yeah, it's a theocracy, isn't it? It's a theocracy, which means that God is the ultimate ruler. Yes, under the rulership of God, we have the king, the prophet, the priest, and those offices.

But God is our ruler. What's ours? Presumably, it's a democracy, which, by the way, if you want a definition of democracy, it means ruled by the mob. It's ruled by the people.

I'm taking that straight. That's not my own. That's a woman who's written a very interesting book called Epic of Eden, and she's talking about the distinctions between democracy and theocracy.

And she says, when you talk about democracy, it is rule of the mob. So, you can take or leave that. Anything else that's different? Sarah.

Right. There are different ways of dealing with punishment, most notably our extensive prison system, which may or may not be good. All you need to do is read some sociological issues with regard to what's going on in prisons, and one has to wonder how really helpful they are.

But at any rate, in the Torah, is there any parallel to prison? You know, most of it was immediate punishment. You find out the person's guilty, and you fine them four or five, two, whatever, if they've stolen something. Or there's a penalty that's a death penalty.

But is there any parallel to prison? Kate. Yeah, it's the city of refuge, right? City of refuge, which is for what? Trevor. Yeah, an unpremeditated killing, which, you know, basically, the city of refuge is exactly that.

It's designed to protect that person, because otherwise, who's going to come along, the avenger of blood? And again, we're going to have the escalation that I talked about earlier in terms of taking blood vengeance for some person's death. Well, are there any other differences that we need to mention? There's one that you women ought to have your antennas waving on. There are some gender differences, aren't there? Presumably, we have a culture, and of course, this isn't ideally true all the time, but presumably, we have a culture where women have equal rights along with men.

Why is it so different back then? Because it is. Does anybody want to venture into this tiny little minefield? Here's the thing. If a woman was not under the protection of her father, her brother, or her husband, she was destined to starve.

You didn't have independently living women in those contexts. Therefore, with that particular kind of a social structure in this larger family structure, we call it the Beit Ab, the extended family, women had, simply to survive, to be under the protection of father, brother, or husband. That creates some differences as well.

Now, we're going to come back to that whole issue of gender stuff when we start talking about the whole nasty issue of political marriages farther on down the pike. But for now, let's leave it at that. Well, we need to move on a little bit.

Just a suggestion in terms of some cross-cultural principles that we want to keep in mind as we're reading this stuff. In other words, we've noted a bunch of differences now. Let's just think of the things that have some particular similarities.

The Torah is adamant. Justice has to be balanced. In fact, that measure-for-measure principle comes up three times.

Exodus 21, Leviticus 24, and Deuteronomy 19, all in response to a different kind of circumstance. So, we're supposed to get the idea, hey, you know, this idea of balanced justice, which is so contrary to our vengeful human nature. Remember Lamech back in Genesis? The text emphasizes it here.

So, it's got to be balanced, properly applied, not perverted, either in favor of one class or another. You know, it says don't favor the rich, but it also says don't favor the poor. There's got to be equal application here.

Interestingly enough, two or more witnesses are required to impose a punishment, particularly the death penalty. Two or more witnesses were absolutely necessary, or they couldn't, and those witnesses had to agree.

By the time we get to the first century, and of course, our parade example is the trial of Jesus, where they can't get the witnesses to agree. But by that time, the rabbis had constructed a very intricate system of making sure, making absolutely certain, that witnesses agreed on word for word or they would not affect the death penalty. So, there was not a whole lot actually in the rabbinic court system of actual bringing about death penalties, because they were so careful.

And in fact, the rabbinic movement worked really hard to try and think of ways to avoid bringing about the death penalty and do something else instead, like a fine. Well, care for the disadvantaged. The three paradigm words, and you see them over and over and over again.

Widows, aliens, orphans. Those who are destitute, vulnerable, and have no means of support for themselves. Again, it's that social structure.

Someone who is a widow has no means of support. And so, the state, if you will, was supposed to care for them. And a real concern for that.

And not only that, aliens. Why such a concern for aliens? What does the text say in terms of a reason? Oh dear, a name, help me out. Carrie, go ahead.

Yeah, that's exactly it. The principle is that you all were aliens in Egypt. You know what it's like.

You need to treat people who are aliens in your midst in a way that is gracious to them and supportive of them, not enslave them. Great. And then, finally, a concern for human dignity.

For example, if they were punishing somebody, not punishing them to the point where they became subhuman. And so, there are strictures on that. You know, not more than 40 lashes and things like this, so that human dignity is maintained.

Okay, are we ready to go on? I think there's a question here. Yes, what are some of the challenging issues? Well, we've mentioned a few of them. Any others you can think of? As you read this, what makes you say, oh man, I don't think I really like this? Now, Trevor, we're going to get back to your question in a minute.

Chelsea. Right. The whole issue of slavery's existence for the one thing, and then how a slave seems to be treated as a lesser quality person than somebody who's free, and particularly a free Israelite.

Anything else besides slavery? Katie. The death penalty is mentioned so many times. Good, good.

It doesn't sit well with us, does it? Now, again, I'm not going to go way down this path, but I would suggest to you that it may be that the reality of our prison system is as inhumane. Just a suggestion, but I realize it's a long, long, long debate. Susannah.

Yeah, now that is the Code of Hammurabi, so we don't have to worry quite so much about that one. When she said a man's daughter dies for his infraction, that's not the Torah. But again, I mean, there are some interesting gender issues here that come up, aren't there? We have already mentioned those.

Well, let's carry on and see what we can do with some of these things. This is a chart that I want to take a moment to explain, which kind of responds, Trevor, to the kind of thing you're saying. A guy named William Webb, I've given you the date here.

I think it's called. I can't remember the title of the book, but you can look him up. We've got it in the library, I know that. I think it's Slaves, Women, and Homosexuality.

I'm sure that's the three elements of the title, but how they all work, I'm not entirely sure. But at any rate, here you go. He's proposing what he calls a redemptive movement hermeneutic.

Okay, let's get the idea. Redemptive movement hermeneutic. In other words, the things that we read in the Torah are not static reflections of an all-time principle.

Let's see how this works. Over here, original culture. In other words, I've read you Hammurabi's stuff, which is reflective of the wider ancient Near Eastern culture in the second millennium.

Now, I know broadly speaking, broadly speaking, because we've got 400 years difference, but our original culture has certain things that we pointed out, certain things that made us a little uneasy. Into that culture, farther along towards the ideal out here, because we're going to see our arrow going from X all the way to Z, and Z is the ultimate ethic, the ideal, the way things should be, the thing toward which the spirit of the law is pointing. Somewhere along that continuum, we have Y. These are the words that are articulated in the particular culture of the Israelites.

If we're going to take the Mosaic law, the stuff in Torah, the stuff said at Sinai, that is then going to be dated at that particular time. Frozen in time. They're frozen in time because that's when the words were said, and they're reflecting something of the bigger cultural picture.

Am I making sense of that? This, by the way, makes a splendid essay question. If you don't understand it, ask me to come back and reiterate what I'm talking about. This is farther along from the bigger cultural picture.

Let's take the idea of slavery. Interestingly enough, it's only in the biblical text. Yes, slavery still exists.

It's part of the whole cultural picture. It's part of the economic system, but it's only in the text of Torah, interestingly, where masters need to be concerned. They are obligated to be concerned with their slaves' welfare.

Yes, they're still called property. We're not out here yet, but the master needs to be concerned for that slave's welfare, and there's a system for letting them go free, and when they go free, how do they go free? They go free with possessions. They go free provisioned if you will.

So, it's a little farther along the way. Now, Webb suggests that we get right about here, and somewhere in here, by the way, depending on whether we're Old Testament or New Testament, the New Testament's going to move the slavery issue along a little bit. You've got Paul, who doesn't say with regard to Philemon, release him, but he certainly suggests it, doesn't he? And the things he says to Onesimus are kind of strong in that direction, right? We get to this point where he suggests that by and large, by and large, we are a little closer to the ideal because we've had time to practice some of these things.

Now, the reason he says, by and large, is this. There are some cases where our particular social structures and our government, et cetera, do not necessarily reflect a better ethic in our laws and the things that are part of our legal system than the biblical text. A classic example might be the whole issue of abortion.

There's not much of a concern for life in that. That would be a retroversion somewhere back over in here, probably. And you can think of other issues as well, where you might say, well, you know, where we are right now isn't necessarily here between Y and Z. It might be somewhere back there.

So, this is an important caveat, if it reflects a better ethic than Y. The point is that all of this, all of this is aiming towards that ideal. Do you remember what I read to you last time? In one of the purposes of the Torah, it's to point to the better things to come. Hebrews 10, verse 1, the law is a shadow of the better things that are coming.

And that's exactly what this redemptive hermeneutic is pointing out. It directs us to think of what that ideal perfect set of circumstances is going to be when everything is restored the way it's supposed to be restored. Now, does that make sense? Mary, question.

Yeah, sure. Hebrews, by the way, the book of Hebrews, as you know from your study of it, is a fascinating book with lots of interesting things built into it from its own wider culture. But it uses the term shadow.

The Torah is a shadow of the good things to come, indicating that what we have in Torah is giving us the basic blueprint. Here's how things ought to be, but it's what ought to be in our own circumstances, our own fallen living in a fallen world. But it is pointing ahead to what the ideal is going to be.

And therefore, there's a time when everything is going to be set right. The whole idea of shalom, which I'll say a little bit more about in a moment, means much more than peace. We translate it peace.

It's nice, but that's not the best word in the world. It means everything is set right. And it comes from a word which means to pay and to make sure that all the payment has been made fully.

So, all sorts of interesting things there, Trevor. How can you differentiate between what's culturally relevant and what's universally applicable? I'm going to say kind of a flippant answer to start with, and then we'll discuss it for a couple of minutes. There's a book that I use in my Introduction to Biblical Studies class, *How to Read the Bible for All Its Worth*.

It also gives some interesting principles because he has a whole chapter devoted to the Torah. Right? The best way to think about this, I think, is to say that in all of this material, we have principles. And so, what you do is read whatever Torah you're reading, whatever chapter of the Bible you're in, and you say, okay, we may not be building parapets around our houses anymore, but we need to be building fences around our swimming pools.

And it's the same principle, the preservation of life. So, you look at it all very carefully and say, is this something that's applicable? If it is, great. If it's a matter of not wearing clothing that has a mixture of linen and flax, that might be a reflection of the Egyptian culture from which they've come.

Now, it may say something to us on a very symbolic level about not mixing things, but I wouldn't push it too far, actually. It's a matter, I would suggest, in terms of how you determine which things are applicable, seeing which laws and regulations have a pattern of reappearing throughout the Bible, right? To take a classic but very hot-button and uncomfortable issue, the biblical text is uniformly, uniformly, right from Genesis, right on through into the New Testament, Corinthians, Jude, it's uniformly condemning homosexual behavior. And so, you would say, all right, that's something that then is still part and parcel of our application.

It needs to be. Now, it's a huge issue in terms of how we think about it and deal with it. Yeah, Chelsea.

Yeah, there is a lot of stuff there in terms of how, in that culture, the mixing works and what the mixing implies. All I'm going to say with regard to that is because I don't know that much about it, to be honest with you, in terms of the biology of some of this stuff. What's going on here, I think, is a strong emphasis on purity because God's people were to be clean and pure.

And I think the symbolism behind that is what's going on with that. And so therefore, you know, we take that particular principle and theme and we apply it the way we would apply it in this day today. That's the safest way, I think, for me to deal with that.

Well, should we move on from our redemptive movement, hermeneutic? Kind of get a handle on this, think it through, and use it as you read some of these particular laws. As I said, we can do this pretty quickly. I'll land on some things with a little more force, but by and large, we'll work through it pretty quickly.

Measure for measure, I've already intimated that this is indeed designed so as to prevent over-excessive vengeance. As I said earlier, these three passages all deal with different original situations, but each one comes to the conclusion that there is no place for excessive vengeance. Punishment and justice always have to be balanced.

Then we also have in the text a very clear setup of system. Deuteronomy 16, as I note for you here, you can read it on your own, establishes judges in every town. That makes sense, right? And so, it's a very practical thing.

You have judges established in every town. However, if, as Deuteronomy 17 goes on to point out for us, if you have a case that's a little bit too difficult, you take it to the judges, and they've only had their JD for about two years and they're not really sure about how the intricacies of this case work out. There was the equivalent of a Supreme Court.

Now, how did that work? They took it to the place where the priests were. The priests were in the presence of the Ark of the Covenant, the tabernacle, and later the temple. Why is it that the priests had a special ability to answer these questions? Think back.

Think ahead. Think ahead. We don't know this yet.

Sorry. Does anybody know the answer to this one? Yeah, my apologies. Actually, we'll get to it later this week.

But the high priest wore in his garment, a special garment that he wore when he was ministering before the Lord, in the breast piece that was on the ephod, which he put over the robe, in the breast piece were two things called the Urim and the trim, lights, and perfections. I don't really know how they worked, but Exodus 28 tells us that they were used for making decisions before the Lord. And so, this is a theocracy, remember? And if we're going to take seriously what's involved in a theocracy, then the priest who's the mediator between humans and God could bring these difficult

cases into God's presence, and in some way that we don't understand, would get an answer.

Now, hang on to that, because we'll come back and do urim and thummim. I believe it's Friday of this week. Factors affecting the administration of justice.

If I can do this fast, because I think I've done all of them already, a little more fleshed out stuff here. Intentional versus unintentional, particularly with regard to killing somebody. You know, if you planned to do it, then it's murder, and the death penalty is in effect.

If it's accidental, you know, you hit the person too hard, and goodness gracious, they collapse. Then, there was the city of refuge. Gender.

I've said some of this already, but just to flesh it out a little bit more, there's a whole difference, as you read Exodus 21, between freeing female slaves and freeing male slaves. Male slaves went free. Females, not so easily.

Why not? Although Deuteronomy does have a provision for that, why not? If they didn't have the protection of the household, that put them in a vulnerable position, and that's important to keep in mind.

Now, also reading that text in Exodus 21 fairly carefully, you see that oftentimes, this young woman was sold into slavery, and usually, it's because the economic circumstances of her father's family were really precarious. And so, she's being sold into slavery not as a nasty thing, but actually oftentimes to enter into marriage with the receiving household. So, in some ways it's a move up for her, and that might also affect this difference in terms of whether or not she goes free.

If she's married to the son of the owner, that gets to be a little bit of a problem in automatically freeing a slave. That brings us to slaves. Again, this is something that we don't like to see, and it is difficult, but remember our redemptive hermeneutic model here.

Slaves were paid for. It's almost like making a contract with a worker. You make a contract for a year.

I've signed a contract with Gordon College. I need to work for Gordon College at least until next August, unless, of course, there are extenuating circumstances. And so, slaves were those people under contract, if you want to think of it that way.

Now, of course, it's not quite so benign as that. There are other issues as well. But the second point is one I want to make, too, and that is something I've mentioned already.

There's no other ancient Near Eastern code. That's what A-N-E stands for. There's no other Ancient Near Eastern code that is very, very concerned to protect slaves against what owners might do to them, concerned for the slave's well-being and for the master's obligation also to be concerned for the well-being of the slave.

So, it is a move forward on our move towards the ideal. And then you may have noticed as well, I haven't mentioned this yet, but there are some differences between Israelites and foreigners. And they show up, among other things, in the whole area of debts.

Can you charge interest on debts? And they were not allowed to charge Israelites interest because, of course, as interest accrues, why were people enslaved anyway, and why were they in debt? Because they didn't have money. If interest continues to accrue, what happens? You just get deeper and deeper and deeper in debt. And so therefore, it was inadmissible to charge interest to fellow Israelites in that kind of context.

Well, then why can you charge interest to foreigners? The suggestion is a socioeconomic one. The foreigners are the ones who are the merchant class. They're on the move.

They're traveling through Israel. Do you remember where Israel is? It's the land between. You've got major international commercial routes going through there, and foreigners going through all the time.

You loan a foreigner some money, you may never see him again if they're traveling way off up to Mesopotamia and way on down to Egypt. So, the interest is allowed in those circumstances. First of all, if it's a merchant class, he's probably making lots of money anyway.

But secondly, it's kind of an insurance policy. It's kind of an insurance policy. So it's not just you can't charge foreigners because they're foreigners.

It probably has, at least to a degree, something to do with this whole business of the kinds of foreigners that would be, indeed, borrowing money. Now, that doesn't solve all the problems, but at least it gives us maybe a little bit more of a perspective on some of these issues that do, indeed, affect the administration of justice. So far, so good? All right.

Here's another one. It's kind of difficult to think about—the death penalty.

And yes, it does show up more than we do in our 21st Western cultural context. But one of the things I think we need to notice is that perhaps, and I say this very

carefully, and again, it merits much more discussion, but in some ways, the death penalty may be more merciful than some of the things that we have devised as punishment. I just suggest that, again, a further discussion.

One of the things they were very careful to do was to affect the death penalty as quickly as possible. Stoning was a fast way of doing it. That doesn't mean throwing little stones at people.

It means great big rocks, and it's over and done with. The body was hung on a tree. This has a very interesting theological implication.

Deuteronomy chapter 21, verse 23 says that someone whose body has been hung on a tree is under God's curse. I think I alluded to that when we talked about Genesis 22 and the adumbration that we see with that ram caught in a thicket. We're going to see that all the way through.

It's a kind of little thread that works through our historical texts in the Old Testament. We're going to see it all the way through to what Paul says in Galatians 3.13 as he's talking about Jesus and the crucifixion. Cursed is everyone who is hung on a tree.

Flogging or other physical punishment could not be overdone. As I said, fewer than 40 lashes so that the person would not be completely degraded or completely torn apart, basically. Other means of physical punishment.

There is a very interesting passage. I think it's Deuteronomy 25. I'm pretty sure that if a woman steps in to kind of break up a fight between two men, and she hits a man's testicles with her hand, what happens to her hand? It's cut off.

Probably because she has possibly endangered his very source of life and progeny. Of course, that has all sorts of implications in that culture, more so than we have in ours. So that's the possible suggestion.

And, of course, for her, if she's done that, you can't do a measure-for-measure punishment, right? You do get the point, don't you? Restitution. If you steal something, the term that shows up over and over and over again, it's a Hebrew pair of words, verbs. Shalem y'shalem.

He will surely pay. The person who's guilty. He will surely pay.

Again, built into that is setting things right, i.e. achieving a state of shalom by making this payment, this absolutely necessary imperative payment. Depending on what's been stolen, they set right by means of a double or perhaps four or five times. The

bigger the number—obviously those are four, especially the five times—is for beasts of burden.

You know, animals that were doing major work. They were economic investments. That gets stolen.

You've really lost big time there if you've lost a cow or an ox or something of that sort. That's why the payback is so big once the thing is restored. All right.

We've already mentioned the cities of refuge, which we'll talk more about when we talk about the tribal inheritances and where these cities get placed and why. Kind of interesting geographical issues there. Okay.

Let's carry on. I'm going to run through this really fast. Right? These types of cases.

It basically summarizes the stuff that you've read in these chapters that you've read for today. So, there's a category on interpersonal injuries. Sorry.

Let's try that again. Interpersonal relationships, the first one being injury. And that goes everything from striking people to causing death.

Also in this category are all the issues with marriage and divorce. By the way, the discussion in Deuteronomy 24 about divorce and reasons for divorce provides the basis for the Pharisees when they come to question Jesus. You may remember this in Matthew 19.

Under what reasons or for what reasons can a man appropriately divorce his wife? That's reflecting an ongoing Pharisaical discussion on Deuteronomy 24 because there's a word in there that's a little hard to interpret. The Hebrew word is *erva*. What does it mean? Does it mean sexually improper conduct, adultery, etc.? Or does it simply mean displeasing? That's the whole issue that's being discussed when those folks come to Jesus and ask that question.

He comes down on the side of adultery. Sexual misbehavior. At any rate, family abuse, property damage, loss, and all those kinds of things are part and parcel of a culture that is based on rural agrarian concerns.

Theft we've mentioned already in terms of the payment or repayment. The distinction being, of course, between thieving, stealing persons, on the one hand, kidnapping, which is punishable by death, as we've said earlier, and then simply stealing property. Notice that the text is fairly concerned for some pretty basic economic issues.

Wages. They've got to be fair. They've got to be paid.

Debt, slavery, lending money, all that's there, and then the inheritance rights, too, where we learn something we already know from the stories in Genesis that the inheritance rights go to the firstborn, and you have a double portion given to that firstborn. Well, I need to spend at least a couple of minutes here on matters of national interest. Whoops, let's do the obligations of the king first.

And here I'll actually drag out the text and read it, because I want you to be thinking about this. Maybe you already have as you read it for today. In Deuteronomy chapter 17, right after the section on the quote, unquote, Supreme Court, we have the following.

When you enter the land the Lord your God is giving you, and you've taken possession of it, settle in, you say, let us set a king over us like all the nations round about us. Now we're going to see that happen. And of course, it's not the best design, but it's what goes on.

And it says, OK, appoint the king well and good. Verse 16, he must not acquire great numbers of horses. Verse 17, he must not take many wives.

Are you thinking a minute about this? Or his heart will be led astray. He must not accumulate large amounts of silver or gold. Those must not remind us of Solomon.

And we'll talk about Solomon. Solomon was indeed led astray by his wives, and he built some things to worship foreign gods in response to these wives. We'll have much more to say about that.

Interestingly, he also amasses huge amounts of silver and gold. Well, let's look at the positive side. He's to write for himself a scroll of a copy of this law.

It's to be with him. He's to read it all the days of his life so that he may learn to revere the Lord his God and follow carefully all the words of this Torah and not consider himself better than his brothers. Now, unfortunately, one of the things that happens as we read through the history, and we're going to be doing that shortly, is that the Torah gets lost for decades at a time.

And so, of course, the king is not following this as he should have. There are also stipulations in terms of going to war that are rather interesting. Deuteronomy 20.

Let me read them just a little bit. The king is not the major figure as the people go to war. Did you notice that? When you are about to go into battle, the priest shall come forward and address the army, and he shall say, Hear, O Israel, you're going into battle against your enemies.

Don't be faint-hearted or afraid. Don't be terrified. The Lord is the one who goes with you.

But then the officers come along, and what do they say? There is a status probably equivalent to our conscientious objector. If someone is just married, if he's just bought something, he can go back home. He's not going to be drafted automatically.

And even beyond that, if he's afraid. The text even provides for someone who is just plain afraid to go into battle. Turn around, go home.

So, these provisions for going to war have a good deal of humanitarianism built right into them. When you march up to attack a city, make first an offer of peace. If they don't accept it, then you carry through with the war issues.

Now, there's more to that, but in the interest of time, I'll let you read it on your own. Those are the key things I want you to notice as we start Chapter 20. Again, there's more to Chapter 20.

This is extremely important, because in this particular piece, or these pieces of social Torah, we see some things that I think are very helpful, principles perhaps that we can take from ancient Israelite society. First of all, the Israelites were always to be giving tithes. One-tenth, that was part of the principle.

Some of it was indeed to support the worship structure, the priests, et cetera. But notice this particular stipulation. At the end of every three years, bring the tithes of that year's produce and store it in your towns, so that the Levites, the aliens, the orphans, and the widows may come and eat and be satisfied.

The people who are disenfranchised were provided for, among other things, by the tithe. So, there was a stash of material that, if you want to put it, the theocratic government had, and they were to dole that out to care for people who were disenfranchised. Secondly, you have gleaning.

We see this, of course, coming to its example when Ruth, the narrative of Ruth unfolds. But gleaning was an important thing, too. No matter what they grew, whether it was wheat, whether it was olives, who cares? Grapes, they were not to go over a second time.

You didn't pick up everything. You left what was there for people to go out and glean in the fields, glean in the grape orchards, the grape fields, and the olive orchards—basically, workfare.

They got their sustenance by working for it. And then, of course, very quickly, we have seventh-year procedures as well. And I'll let you look up that Deuteronomy 15 material on your own.

But the whole point is that every seventh year, debts were canceled, and slaves went free. That kept a permanent underclass from forming, which is extremely significant.

Well, one more thing, I think. Yeah, cities of refuge. Let's just look at this as well.

This is where I want to draw together our thinking. Remember, I said at the beginning and last time as well that the three categories of Torah are not hard and fast boundaries between them. Clearly, as you've looked through what we've seen today, there is an inextricable, you can't separate it, the relationship between moral Torah issues of life, issues of well-being, all those kinds of things, the relationship between that and what goes on in the civil Torah realm.

We've seen it in every point we've made today as we've talked our way through this stuff. Next time, we'll also see that the civil Torah is related to the ritual Torah. We've already seen it a little bit, the tithing.

As I said, tithing is a ritual practice used to support the temple tabernacle. But it's also significant in terms of civil Torah. We'll see that develop a little bit more regarding Sabbath issues.

Okay, it's time to quit. Have a good day. Good GE day.