

Chapter 7

The Old Testament Concept of Law

It was a hopeless case, but the lawyer didn't give up. He paced back and forth, seemingly oblivious to the muffled sounds of laughter in the gallery, trying to make a case that didn't make sense. I was in the gallery that day in support of a church member who was in the wrong place at the wrong time. As we waited in the gallery for his case to come up we got to observe this "drunk driving" case playing out in the courtroom.

The policeman's evidence against the defendant was carefully laid out. The policeman was called to the scene of the accident on a day when there was light snow on the ground. The accident had occurred at the edge of a small town by the bridge that took the road out of town over a stream. When the policeman arrived at the scene there was light snow on the ground and a car smashed into the abutment of the bridge. The front of the car was smashed in some 18 inches (half a meter) suggesting an impact speed of at least 30 miles (50 kilometers) per hour. The defendant was found pinned behind the wheel of the car and "drunk as a skunk." The policeman also observed tire tracks in the snow indicating that the car had been traveling along the sidewalk for at least 120 feet (40 meters) before impacting against the abutment of

the bridge.

The policeman concluded from the evidence that the defendant had been driving the vehicle at the time of the accident and that the accident had occurred on account of the inebriated condition of the driver. He recommended a large fine and a six month suspension of the defendant's drivers license on the ground of DUI, driving under the influence of alcohol. With some amusement I wondered what kind of case the defense attorney would try to make. It certainly looked like a "hopeless case" to me.

But the defense lawyer was undaunted. He immediately arose and began pacing back and forth before the judge, waving his arms and speaking in an animated voice. He argued that the defendant was not drunk at the time of the accident. He was driving through town and had swerved to avoid an oncoming vehicle, striking the bridge abutment instead. In pain and depressed on account of the accident, he had reached for the bottle of alcohol that he had been bringing home and drank some to soothe the pain!

The judge labored with some difficulty to keep a straight face. He pointed out that the tire tracks in the snow did not indicate any swerving, but had proceeded straight down the sidewalk for 120 feet, much more consistent with a drunken driver than with a sober one trying to avoid an accident! He commended the lawyer for his creativity, but said that he didn't buy this story for even one second!

Hardly deflated from his first attempt, the defense lawyer tried a totally new tack. He argued that the state had no proof that his client was in fact the driver of the car in question. He suggested that the actual driver of the car had left the scene of the accident after it

occurred. The defendant then wandered by “drunk as a skunk” and climbed into the driver’s seat of the car for shelter from the cold. His stomach then swelled up a bit from the alcohol and he became pinned behind the wheel!

By this time the gallery was beginning to get out of control with suppressed giggling. But the judge didn’t call for order, as he was having a hard time suppressing his own mirth. Finally he interrupted the lawyer’s pacing and gesturing:

“Mr. _____, I *do* not believe your story, any of your stories. But I have to confess, in my 20 years on this bench I have heard many things, and did not expect any surprises today. But you have taken your craft to new levels of creativity. Nevertheless, I find your two defenses completely incredible. The defendant is fined a total of 250 dollars (twenty-five years ago that was *real* money), and his license is suspended for six months.”

“I appeal this decision, Your Honor,” the defense lawyer brazenly blurted out.

“Then you are to appear before the appeals court within 14 days to show cause why an appeal should be heard,” said the judge. With that comment he rapped the gavel on his desk and turned his head quickly, covering his mouth so the audience couldn’t see his smile.

It’s no fun to take a hopeless case to court. No matter what you say or how well you argue the case, you end up facing bitter penalties. That is why many people fear the judgment seat of God. They are afraid that the evidence is stacked against them and that only a negative result can be possible. But that is not how the Hebrews thought about Judgment Day. For them it was something to look forward to. Let’s take a closer look at how the Old Testament deals with matters of law and judgment.

The fundamental purpose of law and covenant in the Bible, as we have seen, is to regulate and govern relationships. The Old Testament concept of law is grounded in the issue of relationship between people. It's not cold and heartless. Law is all about the joy of life with other people. It is about the joy of being in relationship with God. God's relationship with His people is grounded in legal safeguards.

The legal side of God's relationship to His people is expressed in three basic ways in the Old Testament. The English equivalents are the words covenant, righteousness, and judgment. There are other legal terms in the Old Testament that we could look at, but for the purposes of a short book these three will help us sum up the big picture. When we understand how these three words function within the purposes of God, a whole lot of what is going on in the Bible comes into clearer focus.

1) Covenant

We have already discussed this term briefly in the previous chapter, but now we need to see how it is used in the text of the Old Testament itself. We will start with a number of texts from Deuteronomy, as that book provides the basic constitution undergirding a legal understanding of the Old Testament. The legal language of the rest of the Old Testament (and even of the New) is grounded on the concepts introduced in Deuteronomy. Deut 4:7-8: *"What other nation is so great as to have their gods near them the way the Lord our God is near to us whenever we pray to Him? And what other nation is so great as to have such righteous decrees and laws as this body of laws I am setting before you today?"*

If you know anything about pagan gods, you realize that the pagan world was and is a very insecure world. These gods lurked behind every tree trying to torment you. If you have ever gone on the Norwegian boat ride at Walt Disney World you have experienced a glimpse of what I am talking about. That ride features the terrors of the pagan world of ancient Norway, with its weird, misshapen creatures lurking in the forest. In our post-modern world we often romanticize the pagan gods, but paganism produced a fearful and insecure world. And that world still exists in the minds of people, in places like New Guinea and rural Africa. It is a very frightening and insecure way to live.

This background helps us understand the boasting in Deuteronomy, chapter 4. What other nation has a God like this? What other nation has a God as consistent and dependable as the God of Israel? The law and order side of Yahweh was one of the best things about Him. You could depend on Him. Yahweh was willing to be bound by the same rules and regulations that He asked Israel to follow. Because God's actions were consistent and because He followed His own laws, Israel knew what He was going to do. And that provided security for them.

The laws of God are an intimate part of His covenant. Deut 4:13: *"He declared to you his covenant, the ten commandments, which he commanded you to follow and then wrote them on two stone tablets."* The basis for the legal language of the Old Testament, including the Ten Commandments, is the covenant. The covenant is expressed in terms of what God is willing to do and what He wants His people to do. It lays out the good life. It describes how God responds to various situations and how His people are to respond to Him. The covenant is not arbitrary and it is not abusive.

The nice thing about it is that Israel's relationship with God did not depend on Israel's performance. Whenever relationships are dependant on the other party's behavior, the relationship is inherently unstable. But God did not leave them dangling in an ongoing effort to keep Him around by good behavior. Notice what Deuteronomy 7:7-9 says: *"The Lord did not set his affection on you and choose you because you were more numerous than other peoples, for you were the fewest of all peoples. But it was because the Lord loved you and kept the oath He swore to your forefathers that he brought you out with a mighty hand and redeemed you from the land of slavery, from the power of Pharaoh king of Egypt. Know therefore that the Lord your God is God; he is the faithful God, keeping his covenant of love to a thousand generations of those who love Him and keep his commands."*

Wow! God did not commit Himself to Israel because they were powerful and numerous, or because they were better than other peoples. No, He committed Himself to them because He was keeping His covenant. Did Israel deserve it? Not particularly. In fact, they were pretty messed up. Look at their behavior after God rescued them from Egypt. After every good thing imaginable happened to them, they were still a major pain to deal with. The basis for God's kindness to them was not their performance, but His promises to Abraham. What security! God is faithful to His covenant. The covenant is the basis of God's actions.

Israel's security in its relationship with God was grounded in the fact that God told them ahead of time how He was going to behave and then He did exactly that. He submitted Himself to the same laws that He laid out for them. It is as if God were saying, "I will be exactly what I lay out to you. When I give you my laws, I will follow them first. I am not asking you to do

anything I am not willing to do.” We may be uncomfortable with some of the penalties laid out for disobedience in the Old Testament, but God held Himself accountable to the same rules of behavior. They were not arbitrary. They were clearly spelled out.

In His covenant with Israel, God showed them who He is. He is consistent. We can follow what He says or we can follow His actions, it doesn’t matter, they are both the same. God is always faithful to His covenant. He submitted Himself to His own laws for Israel’s sake. This is an amazing thing. And it provided tremendous security in a world that was so insecure. The good news is that an understanding of the legal side of the Bible can provide similar security in the insecure world of today.

Deuteronomy 30:15-16: *“See, I set before you today life and prosperity, death and destruction. For I command you today to love the Lord your God, to walk in his ways, and to keep his commands, decrees and laws; then you will live and increase, and the Lord your God will bless you in the land you are entering to possess.”* Is God simply saying, “I am arbitrary here, I am going to lay out all these rules and you had better obey them or else?” No. He is saying, “Walk in my ways.” God has already obeyed. God is doing what He is asking us to do. He is not an Adolf Hitler in jeans. The covenant is ultimately an expression of who God is, His call to obedience is a call to be like Him. To be faithful as He is faithful. To be reliable and dependable. And this covenant was at the root of Israel’s relationship with God.

2) Righteousness

The next key word we need to look at is the word “righteousness.” What is

righteousness? Well first of all, righteousness is simply whatever God does. Psalm 71:16, 24: *"I will come and proclaim Your mighty acts, O, sovereign Lord. I will proclaim Your righteousness, Yours alone. . . . My tongue will tell of Your righteous acts all day long, for those who have wanted to harm me have been put to shame and confusion."*

What is righteousness? According to this text the mighty acts of God define what righteousness is. Righteousness is what God does. But how do we know that God's actions are righteous? Because they are in harmony with the covenant. God's actions are righteous because He does exactly what He said He would do. He is acting according to His commitments. Righteous acts are defined in relation to the covenant between God and Israel.

Deut 24:10-13: *"When you make a loan of any kind to your neighbor, do not go into his house to get what he is offering as a pledge. Stay outside and let the man to whom you are making the loan bring the pledge out to you. If the man is poor, do not go to sleep with his pledge in your possession. Return his cloak to him by sunset so that he may sleep in it. Then he will thank you and it will be regarded as a righteous act in the sight of the Lord your God."*

What is a righteous act? It is an act that is in harmony with the covenant. If you do what the covenant says, you are a righteous person. You are doing the right thing.

The ultimate reason we are looking at these text is that the New Testament writers use the language of the Old Testament, they use words like covenant and righteousness. If you don't understand the Old Testament definition of these terms, you will misunderstand what Paul and other NT writers are saying. And there has been a whole lot of misunderstanding in relation to the Bible. Working through the Bible the way we are doing here takes hard work,

but the resulting clarity and security is well worth it. For the Old Testament, righteousness is action in harmony with the covenant. It is modeling one's life on God's righteousness, on God's character.

Isaiah 56:1: *"This is what the Lord says, 'Maintain justice and do what is right, for my salvation is close at hand and my righteousness will soon be revealed.'"* In this text God says, "Do what is right." Why? Because God is about to do what is right and you want to be on His side when He does that. So the Old Testament concept of righteousness can be expressed in two ways. One is action in harmony with the covenant, and the other is action modeled on God's actions. But in practice the two definitions of righteousness are the same because God is always faithful to His covenant. When we do what the covenant says we are righteous, and when we do what God does we are righteous. Both of those are true.

3) Judgment

Anyone who has ever faced charges in a courtroom knows the fear that the word "judgment" can instill in people. But if earthly courts instill fear, how much worse would it be to stand before God's judgment seat? Nevertheless, the Old Testament is clear that God is a God of judgment. And God's judgment is based on righteousness. The purpose of God's judgment is to assess whether or not righteousness has taken place. Has the behavior under scrutiny been in harmony with the covenant or not? That is what judgment is all about. It is an assessment of whether or not righteousness has been done.

We catch the flavor of this kind of judgment in the history books of the Old Testament.

They covered the vast sweep of history and assessed the behavior of both king and people. The “good kings” were so defined because they observed the laws of Deuteronomy and encouraged the people to do the same. The “evil kings” were so defined because they ignored the laws of Deuteronomy and sometimes even led the people to worship other gods. In the prophetic books kings also came under judgment (see Jeremiah for example), but the prophets tended to take on the behavior of Israelite society as a whole. They were assessing the behavior of the whole people in the light of the covenant. Did Israel behave in harmony with the covenant or not? And what was the prophets’ usual answer? Not!

There are two types of judgment in the Bible, investigative and executive. Investigative judgment asks the question, has righteousness been done or not? Investigative judgment is about researching the situation, it is about finding the facts. It gathers evidence regarding what actually took place and then compares that behavior with the standards set in the covenant. So investigative judgment seeks to determine whether or not the covenant has been kept. And you can’t really make a full and final determination until all the facts are in. That’s why the process of investigation is important.

Executive judgment, on the other hand, is about setting things right. It is about ensuring fairness. In the ancient situation the king was to get the facts and then set matters straight. So executive judgment is both positive and negative. It rewards righteousness and it punishes unrighteousness. In Old Testament terms, executive judgment was often described in terms of blessings and the curses. If righteousness has been done, blessings are the reward. If righteousness has not been done curses are the reward. Righteousness has to do with actions

that are in harmony with the covenant. Judgment has to do with assessing whether or not actions are in harmony with the covenant and then applying the appropriate consequences.

Let's see these ideas at work in some actual texts. Let's start with a judgment psalm, Psalm 72. I pointed out earlier that the king of Israel represented Yahweh to the people and the people to Yahweh. So the king's behavior often became the key to how the nation was treated by God. Notice the job of the king in Psalm 72:1-4: *"Endow the king with your justice, O God, the royal son with your righteousness. He will judge your people in righteousness, your afflicted ones with justice. The mountains will bring prosperity to the people, the hills the fruit of righteousness. He will defend the afflicted among the people and save the children of the needy; he will crush the oppressor."*

When the Psalmist is saying, "Endow the king with your justice and righteousness," he is saying, "Endow the king with faithfulness to the covenant." The king is to act the way God acts. In the next verse it is clear that the king is the judge of the people. Back then they didn't have a separate judicial and executive branch of government. The two branches were one. The king was the president and also the chief justice of the Supreme Court. The king's job in Israel was to judge according to the covenant. He was to judge righteously. He was to defend the afflicted, nourish the needy and crush the oppressor.

A similar theme is sounded in Isa 3:13-15, but this time God takes the place of the king in setting the wrongs right. *"The Lord takes his place in court; he rises to judge the people. The Lord enters into judgment against the elders and leaders of his people: 'It is you who have ruined my vineyard; the plunder from the poor is in your houses. What do you mean by crushing*

my people and grinding the faces of the poor?’ declares the Lord, the Lord Almighty.” Here the rulers and the bureaucrats are abusing the people, so God steps in to do what the king should have done, and that is to bring justice to those who have been exploited. So Israelites came to rejoice in the judgment of God, because in that judgment the inequities of life would be set right, the poor and the oppressed would be delivered and the oppressors would receive their own reward.

What is the role of a righteous government according to this text? A government is considered righteous when it protects the weak, when it protects the oppressed. A righteous government stops actions that are out of harmony with the covenant. A righteous government is one that will take aggressive action to protect the weak from abuse and deal with the abusers. We learned in the runup to World War II that diplomacy without teeth behind it is inadequate to deal with an oppressor like Hitler. God’s ideal government is not run by a wimp. It actively enforces the covenant so that the poor and the weak can live in peace and achieve the kind of life that God has in mind for everyone. That was what the king was supposed to do in ancient Israel.

Let me summarize this quick review of the legal language of the Old Testament. First of all, covenant regulates relationships. It is the basis on which we relate to one another and to God. As such, the covenant provides security for those relationships. Secondly, Righteousness is not an abstract concept. It’s very practical and concrete. Righteousness is about action that is in harmony with the covenant. Did you do it or didn’t you do it? That is what righteousness is all about in relationship to the covenant. Judgment, finally, assesses the matter, decides

whether the covenant is being obeyed or not, and rewards accordingly.

Someone might say that none of this sounds very loving at first glance. But that is a misunderstanding of the Hebrew approach to life. The Hebrew approach that we see in the Bible is valuable because it is very practical. Hebrews were never content to simply say, “Love everybody.” Instead they said, “Do this, and this, and this and you will be loving.” We need to understand the practical Hebraic concept of righteousness before we can understand the incredible joy of the gospel that is expressed in the New Testament.