## Law

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The opening five books in the First Testament are often called ‘The Law’, so in considering Law, we will begin with those books, and in particular with the ones that have the great blocks of law, Deuteronomy, Exodus, and Leviticus. We will then look at the relationship between the law in these three books, at ‘The Law’ as a whole, and at ‘Law’ outside ‘The Law’ in the Prophets and Proverbs. The Jewish title for the first five books is ‘Torah’, which denotes something rather broader than ‘law’, and we will also consider the meaning of ‘Torah’.

## Deuteronomy.

A dictionary defines law as system of rules which a country or community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties. That definition compares especially with what Deuteronomy is for Israel, so we will begin with Deuteronomy, the classic ‘book of the law’ (Deut 31:26). It presents itself as a summary of God’s expectations of Israel for the life it is to live as a people in the land of Canaan, the land that the people is about to enter. In Deuteronomy, Moses challenges Israel to recognize this system of rules as a book that should regulate its life, and draws attention to consequences that will follow if it ignores these rules.

Moses generally speaks in the name of ‘Yahweh’ rather than simply ‘God’. Yahweh is the special name of God that God gave Israel. When Moses sets this distinctive set of expectations before Israel, then, he does so in the name of the God who got involved with Israel in a special way. (Most translations replace the name Yahweh by a word for LORD, in all capital letters, but readers can thus tell from the use of capital letters that Moses is using the name Yahweh.)

What are the characteristics of this system of rules? First, it is not generated by the people or by its representatives in a democratic way, but formulated and promulgated by Moses. He is not a king, but he has king-like authority in ‘laying down the law’, as the expression goes. He lays down the law as ‘Yahweh’s servant’. It is Yahweh who is Israel’s king, and Moses lays down his law. In theory, the people could decline to recognize it, but they don’t exactly have an open choice. When God tells you what he expects, via someone you know is his servant, you are wise to agree to it.

Second, First Testament law thus assumes that human life is one whole and that God is an integral part of that whole. It would be impossible to think of law without God being part of it, though the way God is part of it can vary. In Deuteronomy, God is the one who has delivered the Israelites from servitude to Egypt, with the result that they now become his servants. Deuteronomy details some of the obligations that are binding on Israel because God says so.

Third, given that the law is given by God, it fits that the law covers Israel’s relationship with Yahweh as well as relationships within Israel. The Ten Commandments encapsulate the point (we call them the Ten Commandments, but Deuteronomy calls them the Ten Words). Roughly the first half of the ten cover some basics about relationships with Yahweh: how you think of him, how you commit yourself to him, how you honour him, how you recognize his lordship over your life. The second half then covers some basics about relationships in the community, such as attitudes to one’s spouse, to one’s parents, to other people’s lives, and to other people’s property. Some Jews later suggested that you could sum up the law in two commands, to love God and love your neighbour, and Jesus accepted that idea.

Fourth, Deuteronomy covers both attitudes and practices. Roughly speaking, the first third of Deuteronomy covers attitudes. Right attitudes include staying mindful of how Yahweh got Israel to where it is, trusting Yahweh (in light of that), honouring Yahweh, and committing oneself to Yahweh. All those attitudes have some exclusiveness about them. They mean one does not trust in, honour, or commit oneself to other deities or other people, as one does to Yahweh.

The remaining two-thirds of Deuteronomy then cover practices that give expression to these attitudes. Deuteronomy 12, for instance, begins the working out of implications by laying down some rules about worship. If this should seem an odd thing to do (why would anyone need rules about worship?), part of the explanation is that in Canaan, Israel lived its life among people who worshiped in ways that Israel needed to avoid, ways that suggested misunderstandings of who God is. The most notorious that Deuteronomy mentions and prohibits was sacrificing a child to God. Such a practice shows in a sharp way that people cannot be simply expected to work out the nature of proper worship. They need some rules to govern it.

Fifth, the rules in Deuteronomy thus allow for human waywardness. Jesus, again, notes this, in Matthew 19:3 – 12. Deuteronomy assumes that marriages will break down, that prophets will try to get people to serve other gods, that people will get into economic trouble and take out loans that they cannot repay, that teenagers will be tempted to have sex before marriage, that the people will not want to do without the strong leadership provided by a king. So Deuteronomy both lays down ideals for how life with God and life with one another should work, and also provides rules for dealing with the situation when people do not live that way and get into a mess.

## Exodus

Deuteronomy, then, is the most systematic collection of rules in the First Testament. But it is not the first, which is Exodus 19 – 24. This collection of rules follows the story in Exodus 1 – 18 of Yahweh’s making Israel his special people and bringing them out of Egypt. Exodus 19 – 24 comprises just six chapters, so it is much shorter than Deuteronomy, but the chapters’ shape and basic concerns are parallel.

* In Exodus 19, Yahweh challenges Israel to make a commitment to him and to his law (before he tells them what this law will be!).
* In Exodus 20, he lays down the basics of the relationship, in the Ten Commandments.
* In Exodus 21 – 23, he gives some concrete examples of the life he expects of Israel in its relationship with him and with one another.
* In Exodus 24 he draws the Israelites into a formal covenant ceremony in which they agree to live by this law.

The collection of laws on whose basis Yahweh and Israel make their commitment is ‘the book of the covenant’ (Exodus 24:7). The word ‘covenant’ is important in connection with law in the First Testament, though ‘covenant’ is a tricky term. The English word has a number of different meanings, and the equivalent Hebrew word (*berit*)also has a number of different meanings, a different range of meanings from the English one. But the basic idea is that a covenant is a commitment that someone makes that is publicly formalized and therefore solemnly binding. The commitment may be more one-sided or it may be two-sided.

In the covenant between Yahweh and Israel, there can be differences in emphasis.

* Reference to a covenant may focus on God’s commitment. This is the case with God’s covenant to humanity after the flood (Genesis 9), which doesn’t require humanity to do anything to make the covenant work. It is also the case with God’s covenant to Abraham (Genesis 15).
* Reference to a covenant may focus on Israel’s commitment to Yahweh, as is the case when King Josiah leads the people of Judah in a covenant commitment (2 Kings 23).
* Reference to a covenant may stress the two-sided nature of this commitment, which is the case with Exodus and with Deuteronomy. Yahweh’s has made his commitment in bringing Israel out of Egypt; now Israel is to make its commitment in response.

The detailed covenant code in Exodus begins with some rules concerning worship: about not making gold or silver gods and about building an altar. It thus begins in a similar way to the body of specific rules in Deuteronomy 12. It then goes on to some rules about relationships between servants and masters, which also compares with Deuteronomy 15. Since the Second World War, translations of the Scriptures have used the word ‘slave’ in such passages, whereas they used to use the word ‘servant’ or ‘bondservant’. Actually, in the Middle East there was very little of the kind of slavery that there has been in many centuries in Europe and then in the Americas, where someone owned another human being like any other piece of property, could buy and sell them, and could do as they liked with them. When Exodus lays down its rules about masters and servants, the background is a situation such as the following. A family has got into economic difficulty (for instance, its harvest has failed), the head of the family has taken out a loan in order for the family to be able to keep going, he has not been able to repay the loan, and some members of the family become servants to the family that made the loan and they pay off the loan in this practical way. The arrangement would be open to abuse, and so the law about masters and servants lays down a framework for how it should work—for instance, a person cannot be kept in this debt servitude for more than six years.

The law about masters and servants illustrates several other things about law.

* We noted in connection with Deuteronomy that law presupposes that things go wrong in human relationships and societies, and one aim of law is to set limits to the effects when things go wrong.
* Law may involve compromise between different interested parties. Societies need people to be willing to make loans to other people who get into economic trouble (which may be their own fault!), but they will be more willing to do so if their own interests are protected.
* The laws that Israel has are a local version of laws that other Middle Eastern peoples had. These other peoples had similar rules about masters and servants and loans. Israel’s were sometimes more humanitarian and compassionate, but they were commonly quite similar.
* So how did these other people know what sort of laws to have? Their laws were an expression of ‘natural law’. God created humanity with some inbuilt awareness of right and wrong, which they can ignore but can go along with. Israel’s law is often their version of the God-given ‘natural law’.

That insight helps with another question. Is the law binding nowadays on people who do not believe in Jesus and are not filled by the Spirit? The First Testament law gives expression to the way God created the world and humanity, and thus its basic concerns were wired into humanity from the beginning. People did not need to be told to look after their children and their parents or not to kill people. They were created with that awareness. So we can appeal to people’s inbuilt awareness when we urge them to ‘do the right thing’. It will not always work, but it may often work.

That similarity with other Middle Eastern peoples’ laws also illustrates another point. The First Testament has many laws about capital punishment, and about a wide range of offences that should lead to execution. These include adultery, incest, striking one’s parents, and kidnapping. Yet the First Testament hardly ever relates how capital punishment being applied to anyone for any reason. The same is true of other Middle Eastern peoples’ laws. It seems that laws about capital punishment were not saying what should actually be done but making declarations about matters that are seriously wrong, as when we might say ‘he should be put in jail for that’ but we don’t mean it literally. Law is not simply law but a framework for ethical and community life.

## Leviticus

Between Exodus 20 – 24 and Deuteronomy is another block of law, more or less coterminous with Leviticus. Leviticus, too, holds together the nature of God and the nature of the laws it lays down, and it, too, combines laws about how worship is to be organized and managed with laws about the conduct of everyday life. It puts great stress on holiness, but as with “covenant,” one needs to be careful about the meaning of the word “holiness.” In Christian parlance, holiness means living a life that matches who God is, with a correspondence between the way we think and the way we live. Positively, holiness means living in love and generosity, while negatively, it means holding back from wrongdoing. The First Testament believes in all those things, but they aren’t what it means by holiness. In the First Testament, and particularly in Leviticus, being holy means being different from the everyday and ordinary. To say that God is holy is to say that God is different from human beings, not so much in a moral way but in the kind of being he is. He lives in a different realm and he has scope for doing things that human beings don’t have. One can make the point vividly by noting that the deities that are served by other nations count as ‘holy’, but they can fight, kill, steal, and commit adultery. That doesn’t stop them being holy. Holiness is not a moral category.

In Leviticus, then, God is faithful, merciful, loving, and tough with wrongdoing, but that isn’t what makes him holy. What makes him holy is that he is creator rather than created, living forever rather than ever dying, heavenly rather than earthly, intangible rather than bodily, and full of energy and power, like electricity or fire. The laws in Leviticus are concerned to maintain or safeguard the difference between this God and humanity. While this does involve questions about sin, Leviticus is aware of the need to safeguard that difference even apart from questions about sin.

A key way in which the laws in Leviticus do this is by means of a recognition of sacred time, sacred space, sacred acts, and sacred people.

* The Sabbath is the first sacred time (it goes back to creation). One day each week belongs to God in a distinctive way, and human beings have to keep off it. The rest of the week is ordinary time, not holy time. So there are laws to safeguard the Sabbath. Leviticus also includes rules for annual festivals that celebrate God’s acts when he delivered his people, and also seek his cleansing.
* The portable sanctuary in the wilderness is the special sacred place in Leviticus (later this sanctuary is replaced by the temple). While people can meet with God anywhere, the sanctuary is the place where he has committed himself to being present, and people can know they are in his presence there. It is a little heaven on earth. So there are laws to safeguard this space.
* The opening chapters of Leviticus focus on sacred acts, whereby people make offerings to God. Offerings, too, do not focus on sacrifice for sin—people make offerings to God as expressions of devotion, accompaniments to prayer, and expressions of gratitude when God answers prayer. They often make such an offering in the company of family and friends, and everyone shares with God in partaking of the offering. They burn some of it so that it goes up to God, and they eat some of it together.
* While there is a sense in which all Israel is sacred, and laws in Leviticus seek to safeguard that sacredness, Leviticus also emphasizes the importance of sacred people, priests and Levites, who manage the practicalities of sacred time, place, and acts and ensure that they stay sacred.

Leviticus does assume that the holiness of the God of Israel includes his being faithful, merciful, and where necessary tough, and it therefore associates qualities such as these with his expectations of Israel. ‘You are to be holy, because I, Yahweh your God, am holy’ is its watchword (e.g., Leviticus 19:2). It means being a people that is separate and distinctive in keeping Sabbath and in keeping distinctive laws about matters such as what one can eat. It also means being Godlike in being faithful, merciful, and if necessary, tough.

## Exodus, Leviticus, and Deuteronomy

The First Testament’s three main blocks of law, in Exodus, Leviticus, and Deuteronomy, all cover many of the same topics, such as observing the Sabbath, caring for people who get into economic trouble, honouring parents, and celebrating the great festivals. So why are there three blocks of law covering many of the same topics?

A clue pointing towards the answer is Exodus’s don’t mentioning cities, temple, sanctuary, priests, Levites, kings, or prophets, whereas Leviticus and Deuteronomy include regulations for these areas of life. The clue offered by this difference is that the Exodus law had its origin in a time when Israel didn’t need laws about such matters, whereas Leviticus and Deuteronomy came from a time when Israel needed such laws. So Exodus had its origin in the time between Moses and Joshua on one hand, and David and Solomon on the other (roughly, the 1200s and the 900s). Leviticus and Deuteronomy came from the time between David and Solomon on one hand, and Ezra and Nehemiah on the other (roughly, the 900s and the 400s). God used Moses to start the process of making laws, and used Ezra to bring it to completion—he brought the Torah from Babylon to Jerusalem (Ezra 7). So Exodus concerns itself more with the village-based life of a farming community, while Leviticus and Deuteronomy deal with topics such as the difference between a true prophet of Yahweh and a prophet who is not really a servant of Yahweh, how to go about appointing and being a king, and how to deal with the situation when your house has a disfigurement that looks like leprosy.

Then a clue to the difference between Leviticus and Deuteronomy is that Leviticus talks more about the work of priests, about matters such as how to offer sacrifices and how to distinguish between things that are clean or pure and things that are impure or defiling. Leviticus is law for priests to know about and administer. Deuteronomy deals more with issues that arise in everyday life. One should not exaggerate the difference—Leviticus is concerned with everyday life and Deuteronomy is concerned with relationships between people and God. But they have a different focus or slant. Leviticus can be called priestly law. Deuteronomy is more law that might have its background in the life experience and teaching of ordinary wise people.

Over the centuries, then, the Holy Spirit was guiding Israel in different ways so that they could see how his truth needed to be articulated in different contexts for different sorts of people. And the three sets of laws are the results of that process. It would be nice to be able to be more precise about how and when different parts of the Law came to be formulated, and over the past two centuries biblical scholars have put huge amounts of energy into trying to work that out, but this study has issued in no consensus about the answer. In terms of reasonable certainty, we can only say that Exodus contains the earlier law for a simpler society, Leviticus contains later priestly law, and Deuteronomy contains later teaching to which God had led other wise people.

## The Torah

Saint Paul emphasized to the church in Rome that ‘you are not under law but under grace’ (Romans 6:14). There might be more than one sense in which people think they are under law. One is that they think that there are certain things, such as be circumcised or be baptized or take Holy Communion or speak in tongues, that are so seriously obligatory that otherwise they are cut off from God. Another is that obeying every law in the First Testament is the way one attains a relationship with God. On this understanding, the New Testament differs in that it promises a relationship that is not based on law.

But neither of these ideas of being ‘under law’ corresponds to the way the First Testament itself sees the relationship between God and his people. Obeying the laws in the First Testament was not the way people got into a relationship with God. The laws were given to people who were already in a relationship with God. They were given to people who had been in servitude to Egypt, and whom God in his graciousness had delivered from that servitude so that they could be his servants instead. They were given as the terms on whose basis that service would now work. This is reflected in the fact that the laws in Exodus, Leviticus, and Deuteronomy do not stand on their own. They are set in the context of the story of God creating the world, making promises to Abraham and Sarah, and delivering the Israelites from servitude in Egypt. The laws tell Israel how to live in light of what God has done for them.

That fact links with another feature of the individual ‘laws’. While some laws simply lay the law down, saying ‘You must do this’ and not giving any reason other than you will get punished if you don’t, other laws follow up their command with a reason for your doing (or not doing) what the law says. It is a sign that the laws are not random imperatives but requirements that relate to the way God created the world and the way God delivered Israel from Egypt, to the nature of who God is and the nature of who people are.

It is the five books of Genesis, Exodus, Leviticus, Numbers, and Deuteronomy that are called ‘the Torah’, ‘the Law’, and the Torah thus tells a story. The actual word ‘torah’ means something more like ‘teaching’ or ‘instruction’ than ‘law’. One indication of that is that prophets can also teach people ‘torah’, and parents and teachers in Proverbs teach ‘torah’ to their children and students (one can see from many of the themes of this teaching that both the children and the students are grown-up people, not children). Prophets, teachers, and parents ‘lay the law down’ authoritatively, but their teaching is not actually ‘law’.

So being under grace and not under law doesn’t mean being freed from obligation to do what God says. We are freed from other servitudes in order to serve God. It doesn’t mean seeking to obey the First Testament law as if it was directly binding on us. But the First Testament law will be useful to us as a revelation of the requirements God laid on Israel. Living by the Spirit, we will then fulfil the law’s own aims (Romans 8:4). So what sort of priorities does the law suggest? To begin with, among the concerns expressed by Exodus are these.

* Constrain forms of worship so that they reflect who Yahweh is rather than how the culture feels led to worship.
* Constrain people who are economically viable so that they don’t take advantage of people who are not economically viable.
* Protect servants from attack by their masters
* Protect people from deliberate manslaughter
* Protect people from redress for accidental manslaughter
* Protect senior people from abuse
* Protect people from human trafficking
* Require people who harm others to make compensation to the person they harmed
* Limit redress for wrongdoing to something equivalent to the wrong (an eye for an eye)
* Require people who cause economic loss to someone to make compensation to them

In reading the Torah, it is worthwhile to keep asking, what is the concern expressed in this law?