

SESSION 3

Justice and Justification

“Blessed is the man who walks not in the way of [rasa] wicked... but his delight is in the [torah] law of the Lord, and on His [torah] law he meditates day and night.” – Psalm 1:1-2

Let’s together meditate on this torah—the hoq and mishpat which are so tsaddiq.

The fifth word: Honor your father and mother. As the Apostle Paul points out, “this is the first commandment with a promise” (Ephesians 6:2). Here at the inflection point of the covenant, setting off the civil hoq that should govern the Vassal’s nation, the Suzerain Yahweh adds, “that your days may be long in the land.” As we pointed out in the previous session, this clause need not be restricted to this word alone, but rather, is a literary pattern that recalls the original order in Eden and the expulsion that resulted from disrupting that order.

The first question we must answer is: what does it mean to *honor*? Far from a requirement laid on children to obey, this word was given to adults whose relation to their parents had long past curfews and other childish restraints. As adults, with aging parents, God’s covenant requires that we honor them.

The word “honor” means to fix into position. It’s the same word used of Pharaoh’s heart being hardened. It connotes an idea of establishing one’s parents into a position of honor. And here is the beauty: God calls on the subordinate (the offspring) to bear the responsibility of fixing their superior (the parent) into that position—to honor them.

It’s easy to suppose that this is a culturally-contextualized issue of senior care, caring for aging relatives in a dignified way. And it is that. But if we leave the application of this law at the surface level of discussing retirement homes and how we treat the elderly, we miss the more poignant call to submit oneself, not in passive resignation, but by actively and affirmatively elevating another into their position.

And here we find an important truth about God’s created order for human flourishing: it is no egalitarian society. Calvin discusses this fifth word saying: “He has put forward as an example that kind of superiority which is by nature most amiable and least invidious, because he could thus more easily soften and bend our minds to the habit of submission. By that subjection which is easiest to tolerate, the Lord therefore gradually accustoms us to all lawful subjection, since the reason of all is the same.”⁴

⁴ Calvin’s Institutes, Book 2, Chapter 8, Section 35.

It's important to distinguish: This is not a defense of subjugation, but a call to submission. And the words that follow would all require it. To abstain from murder, adultery, theft, and false witness requires that one acknowledge the value of another and submit one's desires to the cause of seeking another's good. Only then can Israel live long in the land.

The sixth word: Do not murder. [Read Exodus 21:12-25] What can we learn from these mishpat?

1. As already mentioned in the previous session, there is consideration for premeditation and negligence.
2. The retribution is limited. God's wisdom in requiring an eye for an eye and a tooth for a tooth is simply a limitation of liability that constrains escalating cycles of revenge.

Of course, you might call to mind what Jesus said about "an eye for an eye." We will address Jesus' interaction with the second half of the ten words in a moment.

The seventh word. Do not commit adultery. First, marriage is a basic building block of a society that's aligned to God's order for human flourishing. Disrupting this is no small offense. It can destroy families and communities. But when we read the mishpat, there seems to be even more behind the surface.

[Read Exodus 22:16-20].

These seem like a string of non-sequiturs. But there are two key points:

1. Adultery is expanded. There has been a faulty position that adultery alone, which does not include premarital sex, is prohibited in the Bible. Verse 16 shows that is plainly false. But verse 19 expands even to further sexual misconduct. And Leviticus 18 will expand this even further. The principal is simple: sexual intimacy is designed for a marriage covenant.
2. And, The marriage covenant is repeatedly offered as a symbol or parallel to God's covenant with his people (Isaiah 54:5-6, Jeremiah 3:14, Ezekiel 16:8, Hosea 2:19-20, Ephesians 5:25-27, Revelation 19:7-9, Revelation 21:2, Revelation 21:9). That's why we find the mishpat regarding adultery interlaced here with topics of idolatry. A sorceress was likely not just a witch, but given the context it seems to refer to a woman who performs erotic rituals. Verse 20 links this to sacrifices with other gods. It is well documented that ancient peoples, including Canaanites, practiced temple prostitution and erotic acts in worship.⁵

⁵ For a simple summary, see https://en.wikipedia.org/wiki/Sacred_prostitution

3. If sex within a marriage covenant is aligned with God's good order, that means that violations of this order are not just "impurities" or "uncleanness"—like a bad behavior we ought to avoid—it is injustice. It is wonky to family, society, and God's creation to secure one's own sexual gratification without proffering a covenant that protects the partner. It's also wonky to behave as if your sexual activity, and the relationships that it entangles, are private and have no effect on society, your community, and your family.

The eighth word. Do not steal. This command is straightforward, but it also sets forth some truth about justice that some "orders" for human society have eschewed—namely, personal property and the right to defend it. The mishpat found in Exodus 21:22 – 22:15 will outline activities such as property damage due to accident, stiff restitution for outright theft (4x and 5x value), failures to protect your neighbor's property, and even killing in defense of one's property.

All of these are tsaddiq. If you are in a position to create or protect a just society, these judgments should not be forsaken. However, not many of us are. Keep that in mind as we get to Jesus' teaching about going an extra mile and giving one's tunic.

The ninth word. Do not bear false witness. This is a courtroom term. The related mishpat in 23:1-8 deal with bribery and courtroom testimony that favors the wealthy who can pay you back. If you've understood this to mean, "do not lie," then you have had issues with stories in the Bible where people clearly lie and are praised, such as the Hebrew women in Exodus 1.

The tenth word. Do not covet. A house is not just a single family dwelling, it's your neighbor's enterprise. And that's expounded upon in the restatement: his wife, his workforce, or his machinery (ox and donkey). This same desire is where disruption and disorder began when Eve saw "the tree was to be *desired* to make one wise" (Genesis 3:6).

JESUS' SERMON ON THE MOUNT.

In the early part of Jesus' sermon on the mount, He offers His own meditations on this second table of the Law—specifically, the sixth, seventh, ninth, and (I would argue) tenth words—in Matthew 5:20-48. As He does, is He expanding these laws to be more strict? Does he negate the original mishpat of “eye for eye?” And, what implications do His teachings have on how we understand tsaddiq, justice?

1. Contrary to many teachings on this section, Jesus was not expanding the scope of the sixth and seventh words. The tenth word, which warned against harboring desires for things that God has not given you, conveys the same ideas Jesus' teaches. He's simply making that connection explicit for His hearers, that hateful thoughts and lustful thoughts are—as they had been from Sinai—still to be avoided. Similarly, as Jesus comments on His contemporaries' practice of oath-making, He applies the ninth word—do not bear false witness—plainly as it should have been understood.
2. The historical context of Jesus' ministry was different from Sinai. The covenant people had failed to uphold the Sinai covenant, were expelled from the land (reminiscent of Eden expulsion) some 600 years prior, and had returned as Vassals to other Suzers. Jesus' new teaching on the mishpat of equal retaliation, “turn the other cheek” and “go the extra mile,” offer a much needed correction to the zealous belief that it was tsaddiq and, therefore, required by the Torah for a Jew to resist and retaliate against their oppressive Suzerain, Rome. On the contrary, for a subjugated person to be tsaddiq may require extra measures of submission
3. In the centuries leading up to Jesus' incarnation, Jewish religious leaders had elevated the importance of the ceremonial laws—such as diet, purification, as well as a strict sabbath observance—that would set them apart and create distinction for their ethnic and religious identity. But they had neglected the importance of these laws we've discussed here, and the tsaddiq that they conveyed. “You tithe mint and dill and cumin, and have neglected the weightier matters of the law: justice and mercy and faithfulness” (Matthew 23:23). So, Jesus sets off His exposition of these 4 commandments with “unless your righteousness exceeds that of the scribes and Pharisees, you will never enter the kingdom of heaven” (Matthew 5:20).

What implication, if any, does Jesus' exposition of these laws have for our understanding of God's covenant with His people? Will the "kingdom of heaven" that Jesus speaks of be different from the Sinai covenant? Yes and no. As it became clearer throughout His ministry, the kingdom Jesus ushered in would not—as Moses had done in Exodus—shed the bonds of an earthly Suzerain and establish the Kingdom of Heaven as an earthly geo-political force. (At least not yet. And that's a topic for a different day).

Nevertheless, aligning to God's standard for human flourishing had not changed. The ways that God's people could do that, and bring that about for the flourishing of all, would be different when His people were not reigning as vassals of the one, true, just and holy God-King on earth. When we do not possess the authority—as Moses had been imbued—to right the wonkiness of others by rules and judgments, the only way to restore our community to tsaddiq will cost us dearly—maybe everything.

JUSTIFICATION... TO TSADDIQ-IFY

When we first looked at the fourth word, remembering the sabbath, we looked at its corollary text from Exodus 34 where the once-weekly rest was expanded to a threefold annual rest. In fact, the sabbath topic is revisited again in Leviticus 25 and in Deuteronomy 15, and each time new layers of rest are added. And each new layer costs God's people more and more.

To rest a single day costs. At its simplest, one seventh of productivity is lost. Even the laborers, whether foreign or native born, rest. But the three annual festivals, which were week-long feasts of celebration, cost at a level that most Americans rarely consider. Add up the cost of a typical Thanksgiving dinner. Not just for your nuclear family, but invite all your relatives. Then, do that every day for seven days. And lastly, those who could never afford to throw such a lavish feast themselves, invite them, too. In today's dollars, you might spend thousands or tens of thousands of dollars. Do that three times each year.

Is that "fair" to the landowners, the business owners, the productive of society? No. But it is just. It is tsaddiq.

When an individual sins, relationships get wonky. The law has provision to smooth out that wonkiness and restore relationship with God (those ceremonial laws we have not discussed here) as well as with one another (an eye for an eye, for example). But sin affected all creation in ways—those "thorns and thistle" kinds of ways—that can make things wonky without any direct personal culpability. One drought can ruin a crop. A disease can thin a herd. An injury can render an able-bodied Israelite unable to work.

How is one to survive in a society without welfare, social security, unemployment insurance, food stamps, and the like? In the short term, you could borrow. If the deficit is too great, you could sell your ancestral land. But no matter how bad things get, you always get one day off work out of every seven, and you can eat like a king three weeks out of the a year.

Then, once every seven years, your debts are erased. “At the end of every seven years you shall grant a release. And this is the manner of the release: every creditor shall release what he has lent to his neighbor. He shall not exact it of his neighbor, his brother, because the Lord’s release has been proclaimed” (Deut. 15:1-3). And, if your grandfather sold the ancestral land 49 years ago. Your father grew up a laborer, not a landowner. You grew up a laborer, never having even seen the land your grandfather once owned. “You shall consecrate the fiftieth year, and proclaim liberty throughout the land to all its inhabitants. It shall be a jubilee for you, when each of you shall return to his property and each of you shall return to his clan” (Leviticus 25:10).

Now, change roles. Instead, imagine being that landowner. You were probably pretty good at business. Your investments had done well. You took risks, buying up new lands. You even made loans that should return interest. Now, you give the land back and cancel the loans. Is that “fair?” No, but it is tsaddiq.

CONCLUSION OF SESSION 3

This is the point: restoring tsaddiq, and doing mishpat, always requires someone to willingly pay the price, to absorb the wonkiness, and restore community to alignment with human flourishing. That is righteousness.

Tomorrow, we’ll look anew at Jesus’ fulfillment of this law and the Jubilee that He inaugurated.