

# PRESCRIBING OLD TESTAMENT LAW: A PROPOSAL

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April 3, 2005

Central States Regional Meeting

Society of Biblical Literature

St. Louis, Missouri

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What are New Testament believers to do with the laws of the Old Testament or the Hebrew Scriptures? The title for this paper refers to one of the oldest and most significant questions of the relationship between these two sets of scriptures. This paper is not about bringing people under the Old Testament laws or what I will call the Pentateuchal laws. However, nearly everyone accepts *some* of the laws as valid and ignores or denies the rest. There are many books by great scholars on the relationship of the Pentateuchal law as a whole to the Christian, especially as understood from the teachings of the Apostle Paul. However, few deal with how New Testament believers are to relate to the *individual* laws as they read them as part of their Scriptures. Even rarer is exposition of how the Old Testament anticipated the New Testament approach to the laws. My purpose in this paper is to clarify how New Testament believers can and should read and apply the various Pentateuchal laws to their lives, *as suggested mainly by the Pentateuch, itself*. I will deal more thoroughly with the rest of the Old Testament as a future project.

I believe the New Testament is clear on this subject but the challenge is to show that Jesus and Paul, not to mention the other New Testament writers, were *true to the intent of the writers of the Pentateuch* (and the rest of the Old Testament) and that the latter would agree with the New Testament application of the laws to the lives of believers. I find it helpful to describe this as a *trajectory* in which the correct interpretation of the intent of the Pentateuchal texts is in line with or on a *trajectory* with the target which is the correct interpretation of the intent of the New Testament writers.

To begin, then, let me give my summation of the New Testament view of the law in relation to the Christian which I see as the target at the end of the trajectory begun in the Pentateuch. Then I will show why I believe the Pentateuch writers were on this trajectory. From this I will make my proposal for reading the laws.

I believe Jesus, Paul, and all the New Testament, saw Israel as the *missionary people of God*, called and established as *His covenantal nation, in the land*, to be *the birth place for Jesus the Messiah*, the Christ, the incarnation of God, to provide salvation for the world. According to Genesis 12 and Exodus 19 Israel was chosen and established as a nation to bring God's blessing of salvation to the rest of the world. They were saved by God's grace and then were given the laws to instruct them how to respond to His salvation and live in covenant relationship with Him, according to His values, as His nation. The laws were written by Moses, under God's direction, as Israel's *constitution* to enable them to function together as His nation, the one theocracy of the One True God. Paul used the metaphor of the Greco-Roman pedagogue in Galatians 3 to describe the function of the law to protect or *preserve* God's people Israel and to *prepare* them for the coming of Christ. The laws kept them from self-destructing and prepared them, as well as the world, for Christ by teaching and testifying who God is and how He wants people to receive His gift of salvation and relate to Him, and then how to relate to one another. C.J.H. Wright says Israel was to function as a "working model," of a redeemed community in a fallen world," and a "paradigm intended to have a relevance and application beyond the geographical, historical and cultural borders of Israel itself." (*Walking in the Ways of the Lord: The Ethical Authority of the Old Testament*, Downers Grove, IL: InterVarsity, 1995, 30 and 114).

The New Testament teaches that now that Christ has come and fulfilled the promise of salvation and established the New Covenant, the Messianic Age has begun, as predicted by the prophets. However, the old age continues in a time of overlap until Christ's Second Coming, which brings the end to history as we know it. Therefore, now, God's people, in the New Covenant, are *no longer a nation in a land, with the constitution of the Pentateuchal laws*. Christ, the One God promised to send, has come and now we look back on His incarnation and explore the significance of what He has done for the world and look forward to the final consummation. *No one need live under the Old Testament laws any longer in the specific applications of the Sinai covenant. But, everyone should live in harmony with the revelation of the One True God*, of which these laws are a significant part. Though

not under the law as a national constitution and certainly not as a legalistic religion, as some would mistakenly view the Pentateuchal faith, *we are still responsible to live by the principles underlying the law*, because they are based on the character of God which does not change. Paul affirmed this relationship in 1Cor. 9:20-21, "To those under the law I became like one under the law (though I myself am not under the law), so as to win those under the law. To those not having the law I became like one not having the law (though I am not free from God's law but am under Christ's law), so as to win those not having the law," NIV (all Scripture quotations will be from the NIV unless otherwise stated). In the same chapter back in verses 9-12, Paul asserted that Deut. 25:4, on not muzzling an ox while it is treading the grain, taught a principle that is applicable to the financial support of ministers of the gospel. Therefore, as demonstrated by Paul, New Testament believers, while not under the law, are to distinguish the *principles* from the ancient Near Eastern situation and then apply them to their own parallel situations in life. *The Mosaic laws were concrete examples of applications of God's principles of His character and the way He made people to function, given in ancient Israel's context.* Everyone can learn from these, when they understand the context.

The key questions this paper deals with may be summed up then, as, first and foremost, *when NT believers today read these laws how can they determine the principles for their lives?* Is it fair to the Pentateuch to read various sexual relationships as still wrong but most of the rules of clean and unclean not specifically in force? Would Moses have understood what the New Testament apostles did or what we do with the laws? Did the Pentateuch writers distinguish between: the *permanent and the temporary*; the general and the particular; *the universal and the temporal, cultural*; the moral, spiritual, heart principles and the external, physical, ceremonial, practices and the idea that the latter were used as teaching tools in those ancient times? Did Israel see that in the future, in the Messianic age, the literal, ancient, use of these laws would become obsolete?

Now, I will show specifically *how the Pentateuch contains a foundational understanding that would distinguish between laws such as the sexual laws and the external practices of clean and unclean* as well as answer the above questions. Many other important passages must be left for another time.

First, I believe from Genesis 12 and Exodus 19, besides other passages, Moses would have understood that Israel was a unique *theocracy* brought about by the One True God for His missionary purpose in the world. Furthermore, it is possible he would have understood that when the mission of facilitating the blessing of salvation to the whole world had been accomplished that *the role and form of its nationhood would change significantly.* Numbers 11:29 suggests this where Moses wished all the LORD's people would be prophets with the Spirit on them for ministry as the 70 elders experienced. Certainly the prophets later point to significant changes for Israel in the future, such as in Is. 2 or Mic. 4, Zech. 8, 13-14; and Ezek. 40-44.

A very important foundational truth, which Moses expressed in various ways and is found throughout the Pentateuch, is that the LORD wanted *a personal relationship* between him and the nation, and intends the same for all people, as first taught in Gen 1:26-28. There, He says He made people in His image and thereby established a very intimate, personal, relationship with them, in which He communicated privilege and responsibility to them. In Ex. 20:2, before listing the 10 Commandments, the foundation is stated as the LORD's salvation of Israel from Egypt. God called Israel His collective "son" in Ex. 4: 22-23. The essence of their relationship was love and devotion to one another, as stated in various passages, such as Deut.6:4-6; 7: 8-9; 10:12-13, not impersonal, legalism. This did still involve obedience to the laws because He gave them to Israel "for their good" (Deut. 10:13) as parents give to their children. The parent-child relationship is a very helpful image for understanding God's personal relationship with Israel throughout the Scriptures. Furthermore, Israel's testimony with the watching nations was to be, "'Surely, this great nation is a wise and understanding people.' What other nation is so great as to have their gods near them the way the LORD our God is near us whenever we pray to him" (Deut. 4:6-7)? This suggests that their most significant distinctive qualities were their righteous standards and their *nearness* to God as He was present among them.

With the above emphasis on a personal relationship between God and His people, the subject most frequently addressed, throughout the whole of the Hebrew Scriptures is faithfulness to God versus idolatry, often using the metaphor of the husband-wife relationship. (Lev. 17:7; 20:5; Hosea). Many of the laws are about avoiding the unfaithfulness of physical idolatrous practices but Moses and Israel would have understood that behind those prohibitions were the principles of unfaithfulness in their personal relationship with God.

A very basic distinction, then, which is clearly understood in the Pentateuch, is between the heart attitudes and motives and the external, physical, acts. The condemnation of the wickedness of the world when God decided to send the Flood and start over with Noah is stated as, "every inclination of the thoughts of his heart was only evil all

the time” (Gen. 6:5). In the laws, the penalties differ with intent of the heart (Ex. 21:13; Num. 15:22-31; 35:20-25). Pentateuchal religion is not just rote ritual. It is a *personal relationship from the heart*. A clear understanding of the difference is exemplified by the two references in Deuteronomy to *circumcision of the heart* as the priority with God (10:16 and 30:6). A further study of heart in the Hebrew Scriptures shows that God’s people understood the difference between principles which deal with the inner workings of the heart versus mere external, ritual acts (1 Sam. 16:7, “Man looks at the outward appearance, but the LORD looks at the heart”; Ps. 51:16-17; Hos. 6:6 “I desire mercy not sacrifice”; Joel 2:13 “Rend your heart and not your garments”; Mic. 6:8). External, physical acts just express aspects of those attitudes. Love goes beyond the literal observance of the letter of the law, as Prov. 10:12 suggests.

Therefore, it is not surprising that Moses would have a concept of *universal principles* based on the character of God and the way He made people to function and involving the heart of a person versus temporal, cultural, external, practices. The Ten Commandments clearly are presented as the foundational principles of the covenant of which all the rest of the laws are *elaboration and application*. The laws of Deuteronomy 12-26 have been shown to follow the topics of the Decalogue (see Kaiser, Walter C., Jr. *Toward Ethics*, Grand Rapids: Zondervan, 1983, chapter 8, where he shows this based on a key article by Stephen Kaufman in *MAARAV* (1978-79). The sins that are found in the narratives of the Pentateuch, as well as the rest of the Hebrew Scriptures, are very rarely any thing to do with external, ritual matters but are violations of one of the Ten Commandments. A fascinating passage outside the Pentateuch, but considered by many to contain material dating from the patriarchal period, is Job 31. There, Job defends his innocence by describing his moral behavior in terms that rival the Sermon on the Mount. Nothing external or ceremonial is listed. Even gloating over the misfortunes of his enemies is denied. Christ’s summary of God’s expectations is to love God wholly and love others as oneself (Matt. 22:37-40), the latter of which is from Lev. 19:18. In that chapter Moses elaborates on what it means to be holy as the LORD is holy, punctuating the laws with the statement, “I am the LORD your God.” This clearly bases these laws on who God is and the importance of reflecting His character in their daily lives. In another example, Israel is told to treat people well because God has treated Israel well (Deut. 15:12-15).

The Scriptures consistently treat sexual sin, as universally sin against God and against the other person. Such behavior violates His created intent for humanity. In Lev. 18:23 bestiality is called a confusion—a mixing of things that was unnatural and contrary to the way God made life to function. Homosexual behavior is called an abomination, in the previous verse, Lev. 18:22, which refers to something detested and abhorred by God, as opposed to what He stands for. Sexual intercourse is not just external and physical. It is the act of greatest intimacy between two people, referred to in Gen. 4:1 with the verb “to know.” It is also the act which potentially produces life, in one’s own image, according to Gen. 5:3, and in obedience to God’s plan, Gen. 1:28. It is therefore, to be taken very seriously. When it is entered into apart from God’s intent for male-female relationships it is rebellion against God and *devalues* what is very important to God—the *family and procreation based on the husband-wife relationship*.

The physical acts in Leviticus which New Testament believers no longer practice or are no longer prohibited from doing are not given the penalties that the sexual and other Ten Commandment violations are. The severity of the consequences God prescribed shows how He valued various prohibited acts, at least in relation to the well-being of Israel. In this regard, it should be noted that the underlying principle for the death penalty in ancient Israel, I have concluded, is *behavior which is a direct threat to the life of a person, the family, or the covenant community either physically or for their relationship with God, and thus involving defiant rejection of the LORD*. Sexual immorality is such a threat. Various external practices of clean and unclean are not necessarily.

Furthermore, the external physical observances, often called the ceremonial law, can be understood as *object lessons* to train God’s people as a parent or teacher uses to train a child. The daily choices in eating and touching would keep reminding Israel of the seriousness of God’s holiness affecting every area of their lives and the seriousness of the sin condition of humanity. The prescription for cleansing taught them the awesomeness of God’s grace in dealing with the sin problem for humanity, offering forgiveness and restoration to His presence at great personal cost. Deuteronomy 8:3 and other places state that God gave His people physical experiences which would teach them about their relationship with Him. Deuteronomy 14:23 says that God gave them laws to teach them to fear the LORD. The external observances also would act as visible testimonies to the other nations of the nature of God and the way He wants people to relate to Him, as Deuteronomy 4 said. A major result of their clean/unclean requirements was to establish a distinctiveness of Israel in contrast to the other nations, stressing the significance of their covenantal relationship with the holy LORD. (Lev. 18, 20)

Coveting in the Decalogue is a classic example of distinguishing the universal principle from the temporal application. The principle is the heart problem of coveting but the commandment actually applies it specifically, in the ancient Near Eastern cultural setting, to objects which do not have the same significance for all other cultures. Further evidence that Moses understood the difference between an eternal, divine, truth or principle and the earthly application or representation is that he was given the instructions for the Tabernacle as following a *pattern* he was shown by God on the mountain (Ex. 25:40; Hebrews 8 ). Thus, the earthly was only a shadow of the heavenly, was based on its principles, and was only temporary. Another interesting later reference is Zech. 3:8 where Zechariah was shown men of his day and told they were “symbolic of things to come.”

Further evidence of the distinction between universal principle and temporal application is the modifications which were allowed within the Pentateuch itself because of changed situations. The wording of the Ten Commandments, themselves, varies some between Exodus 20 and Deuteronomy 5. In Leviticus 10 Aaron did not obey the letter of the law because he saw an overriding principle of attitude in the specific situation of extenuating circumstances and Moses accepted his explanation. The Leviticus 17 instruction, while in the wilderness, to bring all animals for slaughter to the Tabernacle was changed in the land, according to Deuteronomy 12, to let the people slaughter back in their own towns. Zelophehad’s daughters asked for a change in the custom of inheritance through the sons and God told Moses to make a new law (Num. 27:1-11). David and his men on the run were allowed to eat the sacred bread meant for the priests (1 Sam. 21:4-6). Jesus referred to this in making the point that such rules like those of the Sabbath were made to benefit people not that people were made to serve the rules (Mark 2:23-28). Numbers 11:26-29 clearly shows that Moses understood that God has priorities. People and their relationship to God are the point not rule-keeping. Moses understood that God’s goal was healthy hearts and healthy relationships.

It should be noted that when certain external, physical acts are *assigned* important *symbolic value*, a person with that knowledge rarely can go against the act with a clear conscience. Ezekiel struggled with cooking over the uncleanness of human dung even when God said it was all right (Ezek. 4:12-15). This is especially true for observance of the Sabbath and not eating blood but showing respectful treatment of it. The Sabbath is declared to be a sign of the covenant, in Ex. 31:13, 16, 17, and the blood is declared to be the means of atonement established by God, representing the life of the victim, in Lev. 17:11. There were no automatic or magical acts associated with either of these, *but* their symbolism could not be violated without serious guilt, much like the effect of mistreatment of one’s wedding ring. Such disrespect would say to God that one’s relationship with Him was not important.

I believe that Pentateuchal believers like Moses looked forward to the fulfillment of God’s plan to bring the Savior and God’s Kingdom into the world and therefore they could have anticipated changes in how people would serve Him, such as expressed in Num. 11:29, where he wished all the LORD’s people would be prophets with the Spirit on them. Jeremiah’s New Covenant and Ezekiel’s visions, I believe, show that the Israelites could have had a sense of the significant changes New Testament believers would experience, including no longer keeping the 4<sup>th</sup> Commandment—the Sabbath—as a sign of the covenant. It is *not* the sign of the *New Covenant*. Throughout the Pentateuch the laws are clearly associated with the *life of Israel, as a nation, in the land* (Lev. 20:22-24; chap. 26; Deut. 4:13; 6:2, 20; Ezek 37:24-28). When the purpose of being a nation in the land would be fulfilled in the coming of Christ the law would be expected to change. Hebrews 7:12 says “For when there is a change of the priesthood there must also be a change of the law.” Moses understood preparation for a spiritual goal and a new phase in God’s plan because he experienced the 40 years in the wilderness in preparation for entering the Promised Land. He could have understood that all of Israel’s history was like the wilderness and when Christ came the people of God entered the Promised Land of the Kingdom of God in the Spirit. Also they could understand that object lessons teaching about and preparing for Christ would not necessarily need to continue to be observed after He had come.

All the above aspects of the understanding of the OT laws are continued on their trajectories to their target in the New Testament by Jesus and Paul, as well as the other writers. Their fulfillment in Christ was seen in the Pentateuch as a distant shadow.

Part of my proposal for understanding how Christians are to relate to the Pentateuchal laws is to picture the *overall relationship* between the believers of the two testaments in terms of: 1) *discontinuity of situation*; 2) *continuity of message*; and *the two major biblical images or metaphors of God’s relationship to Israel* which are still valid for believers today.

The key *discontinuity* between living in the Old Covenant and living in the New is that, because Christ has come and fulfilled God’s salvation purpose, believers are *not a nation, in a land, with a constitution, preparing for the Messiah*, as Israel was. We are *now in the New Covenant*, looking back on Christ’s first coming, looking forward

to His return, functioning as His *spiritual Body, a worshipping assembly and community, a sojourning people*, away from home, *on God's mission*. We are taught and led by the Spirit using the principles of the Scriptures. We are not under the Pentateuchal laws because they were Israel's *constitution* as a nation, in that day. But those laws may be used to show *what godly living looked like in that culture* and so used to provide principles which *may be applied in parallel situations* in our own lives, in our own culture.

I believe the primary truth and principle of *continuity* behind all the laws is the message that God wants a *relationship with people* and offers it by His grace through faith. This relationship like any, in order to continue, contains *expectations* for the parties. This is what the laws were about as stated in Leviticus 18:5, "Keep my decrees and laws, for the man who obeys them *will live* (emphasis mine) by them. I am the LORD," (see Kaiser, Walter C. Jr., "Leviticus 18:5 and Paul: Do This and You Shall Live (Eternally?)" *Journal of the Evangelical Theological Society* 14 (1971):19-28.). It is all about *life*, which, in this context, according to its use in the Hebrew Scriptures, may be understood as: living God's intended, *abundant life* and not dying due to one's sin or sin in the world; living in harmony and fellowship with God; *enjoying a healthy, personal, relationship between them and God*, which continues on forever. The focus of the Pentateuchal law, like all the Hebrew Scriptures, is on *healthy relationship* with God and with others, which is *from the heart*, versus the impersonal legalism of mere external conformity, which people without a healthy, faith relationship, misconstrue the law to be.

There are *two major images* or metaphors used in the Pentateuch as well as throughout the Hebrew Scriptures for the relationship between God and His people which help one understand how God used the laws with Israel:

a *parent training a child*, giving various instructions for various purposes, especially teaching the parent's (God's) values (Ex. 4:22-23; Deut. 8:5; Prov. 3:11-12; Hos. 11:1).

a *husband and wife* communicating their expectations for one another in an intimate, totally committed, relationship for life. The laws instruct in the *expected responses* from the other spouse (here, God), as specific applications of their values, in the culture of that day (Lev. 17:7; 20:5; Deut. 10:20, note "hold fast" or "cleave to" God; Isa. 54:5; Jer. 31:31).

Now, I believe I have established how people may relate to the laws in general under the New Covenant, and that we *can make distinctions* among them that are true to their purposes in the Pentateuch. I conclude that the Pentateuchal laws in passages like Leviticus 18-20 mixed universal and temporary laws in the same way that a parent of a young child mixes rules of varying seriousness when reviewing a summary list for the child. Now, I want to propose *how* I believe we *can distinguish*, as I believe Moses would have, and as Jesus and Paul clearly did, *the culturally expressed, external, applications from the universal principles*, to be applied to our situations, today, as we read any given law.

Traditionally, people have distinguished what they see as moral and ethical laws from civil and ceremonial laws, but I think that is ultimately artificial and arbitrary in the Pentateuchal context unless one uses the functional definitions I am proposing. Otherwise, it can result in missing some important principles. Some say whatever is not changed in the New Testament we are to keep. Others say whatever is repeated in the New Testament we are to keep. While containing some validity, I do not think these are adequate.

*I propose* that New Testament believers *should ask* the following *four major questions* about a Pentateuchal law's *function and significance* for Israel, about why the law was given, and what result it was to have, which will point in the direction of the principles for believers today, with the changed situation under the New Covenant.

1. *Was the law given to directly express a truth or principle about God's character or living the way He made people to function, and about relating to Him or to others from our hearts?* These truths and principles are *universal*. The primary examples are the Ten Commandments. A helpful question which can clarify universality is: Was it *contrary to the culture* outside Israel, at that time, so that it was a choice against what the world expected in that situation? Not every Hebrew law was contrary but those that were, I believe, are more likely to be universal.

2. *Was it a concrete demonstration or application of a universal truth* intended to teach and so *prepare*, either God's people or the world, *for His coming salvation through Christ?* These applications were often physical *object lessons to train Israel in spiritual heart principles and are no longer for us because their goal, Christ, has come*. Now, we appreciate the general principles behind them but *make fresh applications to our relationship with Christ in our culture today*, guided by New Testament applications and by the Spirit. These are mainly the ceremonial laws: the tabernacle/temple, priesthood, sacrifices, Sabbath, circumcision, and rules of holiness and clean and unclean. Three

clarifying questions are: Can the prohibited act ever be done with a godly heart attitude and so not be sin? Is it a public testimony issue which does not exist if done in private? Is it a certain testimony in the ancient culture of the biblical context but not in all cultures and other contexts?

3. *Did it enable God's chosen people Israel to be a nation in the world at that time, His theocracy, through which Christ could be born?* The purposes of these practices also have been *fulfilled in Christ's coming but the principles behind them are still applicable* to human relationships and to functioning as the people of God in the world, though believers today are not a nation but a spiritual community. Major examples are the land, the punishments, especially the death penalty, and holy war. The reasons for these in the Old Testament are not the same for God's people in their situation today though they express God's values and purpose.

4. *Was it simply a description of God's accommodation and application of principles of healthy relationships or godly living to a situation in that day, not required by being a theocracy preparing for Christ.* Some examples are various practices of their culture such as styles of clothing, finance and commerce, expressions of emotion as in mourning, or means and style of expressing worship.

*Summary:*

How did it function in context for Israel?

1. to teach about God and the way He made us
2. to prepare for Christ through teaching and training about His salvation
3. to enable the nation of Israel to exist in order to be the birth place of the Savior
4. as just a description of practices of that day in healthy living

*I conclude that a person reading the Pentateuch and especially, for example, the context of Leviticus 18 and 20, could be expected to make the distinction that sexual relations outside of a life-long committed relationship between a man and a woman has always been and will always be wrong for humans but that external prohibitions, such as not wearing clothing woven of two kinds of material, are not for people, today, though the underlying principles are true.*

I do *not* believe the Pentateuchal laws are to be *prescribed*, as they were written in the Pentateuch, for the New Testament believer. For the latter the law is finished in its purpose of preparing for Christ through teaching and enabling the nation of Israel. However, I do believe the Pentateuchal laws do *teach* important truths about God, how He relates to us, and how we are to relate to one another, *through illustration* from the life of Israel. They contain *good examples* for us of how God applies His character and values in this world. *We are to distinguish the principles by asking the four questions above and then live them.* As Paul said in 1 Tim. 1:8, "Now we know that the law is good, if one uses it lawfully." ESV.

#### RECOMMENDED WORKS

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