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## The Grace of God in the Law of Moses: A Second Look at Israel's Written Code

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THE GRACE OF GOD IN THE LAW OF MOSES: A SECOND LOOK AT ISRAEL'S  
WRITTEN CODE

By Jeffrey S. Krause

Since the time of the Reformation, it has been common for Christian educators and laymen alike to view the Mosaic Law (ML or MC “Mosaic Code”) as Israel’s written code; a code which was utilized as a prescriptive legislative tool. Like modern Western law codes, ML is thought to have been enforced “to the letter,” with little to no judicial leeway. In short, ML was of a purely prescriptive nature, offering the ancient Israelites concrete legislative standards that were unalterable. However, modern scholarship is challenging this notion, seeing ML not as a prescriptive legislative tool that was utilized in Israelite jurisprudence, but rather, as idyllic law that was utilized as a form of judicial wisdom. Moreover, this non-prescriptive understanding of ML comports with the Bible’s internal data, which points to ML not as a law code, but rather as a covenant contract where obedience to its stipulations was to be kept by faith in *YHWH*.

With this background in mind, this essay will address the following points. First, after a brief historical survey of the subject, this study will look at the descriptive nature of the Mosaic standards, highlighting that this “law” was in actuality gracious in nature. This section will also draw a correlation to other existing or predated ANE “law codes” in an effort to distinguish ML from modern/Grecian legislative law codes. Next, this study will turn to the issue of Hellenization and its influence on Jewish thought. Narrowly, this study will address the correlation of Greek Hellenized law codes and overall, the Grecian mindset and its influence on the Jews of the Hellenistic period and beyond. Finally, this essay will look at some NT examples of the Hellenistic understanding of the law in relation to the ministry of Jesus Christ, including His declarations of reformation of the then modern attitudes about the nature of faith and the law, with specific focus on Matt 5.

HISTORICAL INTRODUCTION

There are many views of the nature and interplay of the Mosaic stipulations in history and/or the law in general. Traditionally, Roman Catholicism posits a form of natural law<sup>1</sup> which, “According to St. Thomas, the natural law is ‘nothing else than the rational creature’s participation in the eternal law.’”<sup>2</sup> This was a prominent view of theologians up until the time of the Reformation. Protestant theologians, following their major tenant of *Sola scriptura*, did not deny the natural aspect of the law, but instead, correlated it and made the natural aspect of the law

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<sup>1</sup> While natural law theory is found at least dating back to Plato, Thomas Aquinas popularized this teaching in the west and in doing so, noted that natural law was by no means apart from the governing of God, but rather, intimately interconnected with *YHWH*’s superintendence, as noted by Dawson when he states, “Aquinas’ views of law, reason, and the common good may be considered apart from Aquinas’ theology. Aquinas believed that God is the universal cause, governor, and sustainer of all creation but that God governs and sustains creation through natural, not supernatural, means.” W. Penn Dawson, “What Can ‘The Blues Brothers’ Teach Us About the Common Good? A Primer On Thomas Aquinas’ Philosophy of Natural Law,” *Loyola Law Review* 60.2 (Summer 2014), 205.

<sup>2</sup> James Fox. “Natural Law.” *New Advent*. 2009. [www.newadvent.org/cathen/09076a.htm](http://www.newadvent.org/cathen/09076a.htm) (accessed 05 01, 2013).

subservient to that of ML. As an example, French theologian and reformer John Calvin appealed to the precepts of ML in order to punish heretical teachings, as Philip Schaff notes when he states, “Calvin’s plea for the right and duty of the Christian magistrate to punish heresy by death, stands or falls with his theocratic theory and the binding authority of the Mosaic code. His arguments are chiefly drawn from the Jewish laws against idolatry and blasphemy, and from the examples of the pious kings of Israel.”<sup>3</sup> Within this framework, Reformed theologians viewed ML as a series of precepts that governed everyday Israelite culture as a codified law code; a code which was enforced to the letter, much like the western law codes of modern culture.

From this understanding of ML, there developed a more thorough understanding of the “three uses” of the law of God, namely, the civil, the didactic and the pedagogical usages. Moreover, the law was seen as prescriptive in that it issued forth point-for-point legislation to both the people of Israel and to the reader today. John Owen elaborates on this point when he states, “As for the judicial law, which was an appendix to the second table, it was an ordinance containing precepts concerning the government of the people in things civil, and it served three purposes: it gave the people a rule of common and public equity, it distinguished them from other peoples, and it gave them a type of the government of Christ.”<sup>4</sup> While none of the reformers called for the application of ML that was based on the historical setting under which the law was issued, namely, the Exodus wanderings of the Mosaic era, there was nevertheless a call to extract the general equity from ML in an effort to apply the law code to the modern setting and culture. This was clearly the view of the Westminster standards and the *London Baptist Confession of Faith*, both of which called for the “general equity” of the law to be applied in the lives and experiences of modern culture (*WCF*, 19:4; *LBCF*, 19:4). In doing so, both confessions draw a separation between the civil/judicial laws of the Scriptures and the moral law of *YHWH*; seeing the moral law as eternal and ever binding, while noting that the judicial laws of Moses were abrogated with the cessation of the Israelite theocracy.

This “general equity” understanding persisted throughout the Reformation period and into modern times, with an even more pointed system of Mosaic application being introduced in the 1960’s through to the current era, with what has come to be known as the theological system of Theonomy. This teaching calls the Christian and modern society back to fidelity to ML, arguing that the “civil precepts of the Old Testament (standing judicial laws) are a model of perfect social justice for all cultures, even in the punishment of criminals.”<sup>5</sup> Moreover, this system views ML as a prescriptive law code that is applicable to all societies by virtue of its binding nature of judicial justice (Heb 2:2); arguing that any law or penal sanction that is apart from God’s revealed and prescriptive will is unjust. In addition, modern societies are to be, according to the Theonomic thesis, bound to the letter of the law whereby its law system is to pattern ML, extracting and applying the equity of the law in the modern setting. In short, the Theonomic thesis calls both the individual and the civil magistrate back to the special revelation of the Bible. For the former, the law of God is to be utilized as the holy and righteous standard which believers are to pattern their

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<sup>3</sup> Philip Schaff, *History of the Christian Church: Vol 6* (Grand Rapids, MI: Eerdmans Publishing, 1950), 792.

<sup>4</sup> Greg L. Bahnsen, “The Theonomic Thesis in Confessional and Historical Perspective,” (Covenant Media Foundation), no. PE144, (1980).

<sup>5</sup> Greg L. Bahnsen, *By This Standard: The Authority of God’s Law Today* (Powder Springs, GA: American Vision Press, 2008), 347.

lives after. Regarding the latter, civil governments are bound to the objective testimony of Scripture in formulating codes of law and will be judged according to their fidelity to the Scriptures (Rom 13:1-9). In addition, while there is a separation of church and state in this system, it is rightfully said that both institutions are bound by God's revealed word.<sup>6</sup>

Finally, there is the teaching of "Two Kingdom" (2K) theology, which sees a distinction between the secular and the holy, the religious and the non-religious. This system, which is heavily influenced by Lutheranism (and Westminster Seminary, CA.), proclaims that ML, and the Mosaic covenant in general, were to be kept as pure law, which was enacted/obeyed not in the confines of a gracious covenant, but rather via obedience in an expansion of the covenant of works,<sup>7</sup> as Michael Horton notes, proclaiming, "the Sinai covenant is itself a covenant of works, where Israel promises to do everything it says on pain of death."<sup>8</sup> Hence, the 2K and Lutheran view of the law detaches grace from the Decalogue and the Mosaic case-laws, placing an antithesis between the law/grace systems.

### MOSES AS LEGISLATION

One of the common features of the above-cited systems is their understanding of the Mosaic stipulations as a prescriptive law code. In this sense, these various views understand ML as a legislative tool that was operative in Israelite society much like American law code. For example, the prohibition against adultery is cited in the Decalogue in Ex 20:14. Its case-law parallel is found in Deut 22:22, and reads as follows; "If a man is found lying with the wife of another man, both of them shall die, the man who lay with the woman, and the woman. So you shall purge the evil from Israel" (Deut 22:22 [ESV]). The narrow understanding of this verse posits a prescription against extramarital sexual relations by those who are joined in marital covenant, with the penal sanction for such action as death. Those who take only a general equity view may call for the civil magistrate to enforce such a law in secular society, while those who take a Theonomic view would call for the enforcement of such precepts, and the enforcement of the related penal sanction. Hence, ML is viewed as word for word legislation. But, the question must be asked, was Moses utilized in such a fashion? Put another way, was ML utilized as a system of law within the Israelite culture, or rather, did this code have a much broader purpose? It is the author's contention that it is the latter of these propositions that is most consistent with the Biblical narrative and historical context. And while there is a general equity to extract for modern application, in its historical setting, ML was not utilized as a law code, but rather, as a covenant contract that was given in a descriptive manner and as a form of judicial wisdom.

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<sup>6</sup> As Bahnsen notes, "Civil magistrates in all ages and places are obligated to conduct their offices as ministers of God, avenging divine wrath against criminals and giving an account on the Final Day of their service before the King of kings, their Creator and Judge." Ibid.

<sup>7</sup> Those who adhere to 2K theology extend the original covenant of works, made with Adam, unto the Mosaic covenant. This is opposed to the WCF and the Westminster standards in general, which call all of God's various administrations after the Covenant of Works/Life made with Adam, administrations of the Covenant of Grace.

<sup>8</sup> Michael Horton, "Law and Gospel," Ligonier. 10 01, 2006. [www.ligonier.org/learn/articles/law-and-gospel/](http://www.ligonier.org/learn/articles/law-and-gospel/) (accessed 07 12, 2016).

### Moses as a Descriptive Covenant Contract

Whatever one makes of ML and its various uses, it seems certain that it was not utilized as a legislative law code at its initial giving, as would be common in modern, western societies. Instead, ML, like other ANE law codes of its day, relayed something about the lawgiver Himself and in this sense it is more descriptive in nature. There are two reasons for such a statement. First, the Mosaic covenant is similar to other ANE covenants structurally. As John Oswalt notes, “the form of the covenant between God and the Israelites seems to have been adapted from the form of certain political treaties in the ancient Near East.”<sup>9</sup> This covenant structure, which is known as a “suzerain treaty,” is mainly seen in the Decalogue where, according to the *LBD*, “the Ten Commandments share similarities with other ancient Near Eastern covenants and treaties.”<sup>10</sup>

Next, Grecian law codes, not ANE, were legislative in nature, where eventually the written word took precedent over earlier tradition and custom. According to Michael Gagarin, these laws which the “Greeks began to write laws around 650,”<sup>11</sup> were later “inscribed, mostly on stone . . . and were displayed prominently in public areas, often in or near a temple or sanctuary. This location may have conveyed the sense that the laws had divine authority but they were not ‘religious’ laws such as, say, the collections of laws in the Old Testament . . . Unlike many Near Eastern law codes, Greek legislation was meant to be used in actual litigation.”<sup>12</sup> In this sense, the Greeks were the pioneers of legislative law where, unlike their ANE counterparts, they appealed to the written, legislative word in cases of litigation; a concept that was unheard of at the time of the establishment of ML.

### Internal Evidence

The Biblical argument, which points to a non-legislative system of law is as follows. First, ML, and the Mosaic covenant in general are not legalistic in any sense. This point is vital because it has been argued by some (see Horton above) that ML itself was a works oriented system that brought blessings by “pure” obedience. On this point, there is little doubt that obedience brought about covenant blessings, but to prescribe obedience apart from faith in bringing about these blessings would be roundly wrong. Instead, the obedience that the Mosaic covenant has in mind is covenant faithfulness<sup>13</sup> and in this sense, it is the individual’s faith and the faith of the corporate people of Israel that brought about *YHWH*’s blessings (Habk 2:4). Thus, the OT narrative is

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<sup>9</sup> John N. Oswalt, *The Bible Among the Myths: Unique Revelation or Just Ancient Literature?* (Grand Rapids, MI: Zondervan, 2009), 1286-1287 Kindle.

<sup>10</sup> M. S Beal, *Lexham Bible Dictionary* (Edited by J. D. Barry & L. Wentz. Bellingham, WA: Logos Bible Software, 2012), np.

<sup>11</sup> Michael Gagarin, David Cohen, *The Cambridge Companion to Ancient Greek Law* (Cambridge University Press, 2005), 91.

<sup>12</sup> *Ibid.*, 91-92.

<sup>13</sup> As noted by Daniel Block when, in addressing the nature of the Decalogue itself, he notes, “The surrounding narrative (cf. Exod 19:4-6), the form of the Decalogue, and the nature of the ten terms themselves demonstrate that this document is to be interpreted, not as a legal code, but as a statement of covenantal policy.” Daniel Block, “‘You Shall Not Covet Your Neighbor’s Wife’: A Study In Deuteronomistic Domestic Ideology,” *Journal of the Evangelical Theological Society* 53.3 (Sep 2010): 454.

relaying the same message that later NT authors impart to their readers, as noted in James chapter two where the author highlights the necessity of faith working its way out in acts of righteousness. It is in this sense that ML should be viewed, with the main purpose of ML speaking not to a point-for-point legislative system of rules, but rather, as a description of *YHWH*'s holy and righteous character that was meant to change the individual from the inside out, therefore changing their heart and as a result, changing their appetites and desires. This inward change of the heart would then be demonstrated in the outward actions of the individual and would be consistent with both tables of the Decalogue. The result of this would be spiritual fidelity to *YHWH* in reference to Commandments 1-4, and covenant fidelity towards one's neighbor concerning Commandments 5-10.

This heart change (or lack of) is noted in many places in the Biblical text. For instance, Lev 19:17 states that no Israelite was to hate his brother in his heart. Next, Lev 26:41 speaks to one humbling his "uncircumcised heart" and Deut 4:29 exhorts the Israelites to search after *YHWH* with all of their heart and soul.

Perhaps nowhere is the issue of the heart more prevalent than in the verses *Shema* of Deut 6:4. The immediate context of this text finds Moses identifying the covenant God who rescued the Israelites from their bondage (v. 4). He is *YHWH*, and His identification corresponds with the preface of the Decalogue in Ex 20:2, where *YHWH* identifies Himself before issuing forth the Commandments. Next, descriptors are placed into the text in verse 5, indicating that Israelite obedience was not to be merely external, as would be the case of a prescriptive law code, but rather, covenant faithfulness is inward, as noted by Moses' reference to the "heart," "soul" and "might," where the latter indicates that faithfulness is an act of the will. The "heart" is again highlighted in verse 7, acting as a type of parallelism via its repetition. Finally, verses 8-9 describe the corresponding actions of a truly changed heart, with each of these clauses speaking to the external working out of the internal change.

Further internal OT evidence for the necessity of internal change and its correspondence to covenant faithfulness is seen in the turmoil during the time of the Judges, an era where "Everyone did what was right in his own eyes" (Judg 17:6 [ESV]); a text that describes the antinomianism of that era. Psalm 10:11 speaks to the wicked renouncing God in their "hearts," with Prov 6:21 telling the reader to keep parental commandments "in their hearts." Both Ps 14:1 and 53:1 read of those who denounce God, "The fool says in his heart," with the prophet Isaiah relaying that rebellious Israel's "heart" was faint. As punishment, the prophet is to preach to the people of Israel, as commanded by *YHWH*, to "Make the heart of this people dull, and their ears heavy, and blind their eyes; lest they see with their eyes, and hear with their ears, and understand with their hearts, and turn and be healed" (Isa 6:10 [ESV]). In Jer 4, *YHWH* proclaims through the prophet, "Circumcise yourselves to the LORD; remove the foreskin of your hearts, O men of Judah and inhabitants of Jerusalem" (Jer 4:4 [ESV]). And finally, in Joel 2:12-13, *YHWH* proclaims to apostate Israel, "'Yet even now,' declares the LORD, 'return to me with all your heart, with fasting, with weeping, and with mourning; and rend your hearts and not your garments'" (Joel 2:12-13 [ESV]).

As noted above, the essence and full intent of the working of the law of God is not simply to bring one into conformity with a written set of rules or precepts, as with western legislation where one can "obey" legislation without any thought to the inward self, but rather, one is to be conformed to the character of *YHWH* via ML. This covenantal understanding is on full display when the preceding context of the Decalogue is considered. In Ex 19:4, *YHWH* states to Moses the following, "You yourselves have seen what I did to the Egyptians, and how I bore you on eagles' wings and brought you to myself" (Ex 19:4 [ESV]). The words and actions of the Lord in this

verse is a statement of grace, with *YHWH*, (1) demonstrating His power before the Israelites and (2), indicating the sole covenant authority that He held by virtue of His covenant faithfulness and leadership. It was *YHWH* who remembered His covenant with Abraham and the Israelite forefathers (Ex 2:24) and here, it is *YHWH* granting the people mercy, freedom and life.

Verses 5-6 go further in describing the grace of *YHWH* with these words, “Now therefore, if you will indeed obey my voice and keep my covenant, you shall be my treasured possession among all peoples, for all the earth is mine; and you shall be to me a kingdom of priests and a holy nation. These are the words that you shall speak to the people of Israel” (Ex 19:5-6 [ESV]).<sup>14</sup> These verses are quite revealing in that they point towards the goal of God’s work in the midst of His people. *YHWH*’s intent: to transform a people unto conformity to Himself, a new, covenant people who were established through Abraham; a covenant people to push back the curse of Adam and mend the brokenness of humanity by repairing that which was lost/separated in the garden. Hence the graciousness of the covenant contract that *YHWH* entered into with the people of Israel is a covenant contract which is still effectual in/with His people today, the church, whose members are the children of Abraham (Gal 3:29) and the spiritual offspring of Israel (Jer 31:31-33; c.f. Rom 2:28, 9:5, Eph 2:11-22).

With this understanding in mind, the Mosaic standards can hardly be seen as purely legislative in nature. Moreover, Ex 19 relays the intent of the giving of the law in Ex 20, with both chapters relaying the grace of God in reconfirming His covenant with Israel. It is for this reason Philip Ryken states that, “the Ten Commandments do not begin with the law, but with the gospel.”<sup>15</sup> It is this same understanding of the graciousness of God’s law that leads Chaya Halberstam to proclaim, “If we look back at the law of the Old Testament, or Hebrew Bible, we find not a compendium of law that has been stripped of all gestures toward meaning or spirit like our contemporary codes, but rather a form of law that is thoroughly steeped in faith.”<sup>16</sup> Hence, when viewed from this perspective, the law is gospel in nature and with its internal intent considered, it is noted that the law seeks to transform one into the image of God (which is the image of Christ as later revealed in the NT, Rom 8:29). This view of the law/gospel leads directly to communion with *YHWH*. Put another way, the giving of law in this manner is the giving of grace, where *YHWH* is leading His people back to Himself in a manner that is gentle and covenantally connected.

## THE NATURE OF TORAH

It is easy for the modern reader to forget that the Bible was written in a specific historical context that is relevant and understandable to its original readers. Moreover, when one considers

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<sup>14</sup> This point is beautifully summarized by S.R. Driver when he proclaims that it was *YHWH*’s intention to transform all of the people of Israel into “a kingdom whose citizens are all priests, living wholly in God’s service, and ever enjoying the right of access to Him.” S. R. Driver, *The Book of Exodus in the Revised Version with Introduction and Notes, The Cambridge Bible for Schools and Colleges* (Cambridge: Cambridge University Press, 1911), 171.

<sup>15</sup> Philip Ryken, *Written in Stone: The Ten Commandments and Today’s Moral Crisis* (Wheaton, IL: Crossway Books, 2003), 27.

<sup>16</sup> Chaya Halberstam, “Wisdom, Torah, Nomos: The Discursive Contours of Biblical Law,” *Law, Culture and the Humanities* 9.1 (Feb 2013): 51.

the interpretative gymnastics that some go through to make the Biblical message pertinent to modern contexts, it is essential to see that proper hermeneutical methodology must be utilized in any interpretative scheme. With this in mind, this essay now turns to the historical understanding of MC and its ANE roots, roots that would have been understandable to its hearers and readers.

When one compares MC with other ANE “law codes,” amazing similarities exist. Perhaps the most well-known legislative code outside of MC is known as the *Code of Hammurabi* (CH). This Babylonian code, “Containing . . . laws which were enacted by a king of Babylonia in the third millennium B.C.,”<sup>17</sup> was not a legislative code in and of itself, but rather, a document that contained “judicial decisions of past ages.”<sup>18</sup> One can also see a parallel between MC, CH and the “law code” of *Tukulti-Ninurta I* (1244-1208 B.C.), which, like the Biblical account, claims “specific divine instruction for legal and administrative purposes.”<sup>19</sup> One could name countless ANE parallel codes which held a similar structure and purpose, mainly because Torah was a document of its era<sup>20</sup> which utilized “legal forms long current in the ancient Near East as vehicles of God’s special revelation.”<sup>21</sup> But does this make these stipulations “law codes,” by which the text provided was utilized as point-for-point legislation? Modern scholars such as Raymond Westbrook and John Walton do not believe so, as noted by Westbrook when he proclaims, “Although modern scholars call these law codes, I subscribe to the view that these documents are not legislation in the modern sense, but rather academic treatises on law expressed in casuistic form.”<sup>22</sup> Next, in addressing the issue of ANE law code structure, John Walton states;

In Exodus 24:3 it is the words (*de-barim*) and the judgments (*mishpatim*) that Moses conveys to the people from the Lord (same terms used earlier to describe, respectively, the Decalogue and the Book of the Covenant). That the text portrays God as giving decrees, commands, and so on is unquestioned, but again we must continue to ask how these differ from the abstraction of “Law.” These commands of *Yahweh* were obligatory, as were the stipulations of the covenant, but that does not make them the legislation of a

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<sup>17</sup> C.H.W. Johns, *Babylonian Laws: The Oldest Code of Laws in the World* (New York, NY: T&T Clark, 2008), 13.

<sup>18</sup> *Ibid.*, 19.

<sup>19</sup> Jeffrey J. Niehaus, *Ancient Near Eastern Themes in Biblical Theology* (Grand Rapids, MI: Kregel, 2008), 532-532 Kindle.

<sup>20</sup> As Bruce Wells notes when he proclaims of *Torah*, “At the outset, it must be recognized that, in the final form of the biblical text, the pentateuchal codes seem to have a religious purpose as they relate to issues of covenant, community, and purity. Scholars have articulated this purpose in various ways, but most agree that biblical law, as it is presented in the Pentateuch, functions to promote a religious agenda rather than to establish a full-fledged legal system” Bruce Wells, “What Is Biblical Law? A Look at Pentateuchal Rules and Near Eastern Practice,” *The Catholic Biblical Quarterly* 70.2 (Apr 2008): 225-226.

<sup>21</sup> *Ibid.*, 213-214.

<sup>22</sup> Raymond Westbrook, “Slave and Master in Ancient Near Eastern Law.” *Chicago-Kent Law Review* 70.4 (1994-1995): 1633.



legal system. Legislation probably worked in Israel similarly to how it worked in the ancient Near East.<sup>23</sup>

Bruce Wells comes to a similar conclusion when, in speaking about ANE law “codes” or collections, he notes;

The term “code” is really a misnomer, since neither these codes nor the ones in the Bible fit the definition of a modern law code. First, all are far from comprehensive in scope and omit a number of expected topics. Second, their content sounds much more like case law than legislation. Most of the provisions in the codes present possible cases— usually beginning with “if”— and then give a ruling for that case. Third, scholarship on the codes is now generally agreed that the purpose of these written collections was not to establish law in their respective societies.<sup>24</sup>

But how did legislation work in the ANE? Michael LeFebvre helps to clarify this issue when he states, “The law as practiced in those societies often differed from, even contradicted, the laws as stated in the collections . . . Whatever their purposes were, they do not appear to have dictated actual legal practices. Instead, scholars (with minority exceptions) have come to regard these law collections as academic or monumental collections, *but not sources of law.*”<sup>25</sup> If LeFebvre and modern scholarship is accurate, Hebrew law was in actually, idyllic law in that it described the law giver, ideal covenant faithfulness, wise and consistent interpersonal relations between covenant members and finally, “judicial wisdom”<sup>26</sup> which judge, king or magistrate could consult to extract just rulings. This is noted when LeFebvre goes on to state, “it has become increasingly common to view the law writings in the Pentateuch as literary works, and not legal codes. Such writings may offer idyllic commentary on descriptions of Hebrew law, but these texts were not themselves the source of actual law practice in Israel.”<sup>27</sup> This comports with Walton who states that, “Historically, the various collections have commonly been referred to as ‘codes’ (e.g., the Code of Hammurabi).” J. Bottero, joining many other voices, explains that this is a misnomer. Codes are (1) comprehensive, and (2) prescriptive. Ancient collections are neither, but represent anthologies.<sup>28</sup>

In closing this section, it could be rightfully asked if the written code did not function as the source of actual legislative practice, then how did Israel determine just punishment and rulings in their everyday life? The answer to this lies in, (1) the use of the law as judicial wisdom, (2) the

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<sup>23</sup> John H Walton, *Ancient Near Eastern Thought and the Old Testament: Introducing the Conceptual World of the Hebrew Bible* (Grand Rapids, MI: Baker Academic, 2006), 297.

<sup>24</sup> Bruce Wells, Roy Gane, Dennis R. Cole and Eugene Carpenter, *Exodus: Zondervan Illustrated Bible Backgrounds Commentary* (Grand Rapids, MI: Zondervan, 2009), 2841-2845, Kindle.

<sup>25</sup> Michael LeFebvre, *Collections, Codes and Torah: The Re-Characterization of Israel’s Written Law* (New York, NY: T&T Clark, 2006), 1, emphasis his.

<sup>26</sup> Walton, *ANE Thought*, 289.

<sup>27</sup> LeFebvre, *Collections*, 2.

<sup>28</sup> Walton, *ANE Thought*, 287-288.

use of local magistrates and customary rulings and (3) cultic intercession. First, as previously noted, the non-legislative use of MC does not preclude its being utilized as judicial wisdom in everyday practice. Hence, the ruler was urged to study the law daily (Deut 17:18) and could turn to MC for advice, guidance or even practical application.

Second, local magistrates would be bound to enforce justice within society. Simple matters were handled by lower judicial rulers; rulers who in Moses' day were instructed by him personally (Ex 18:13-27) and by *YHWH* supernaturally (Ex 19:16-20:17). Although these officials had the responsibility for forming judgments via customs and traditions, it must also be noted that these rulers were accountable before *YHWH* in upholding justice (Deut 16:19-20). In addition, according to LeFebvre, these judgments were not apart from divine oracle.<sup>29</sup>

Lastly, for more difficult or vital matters, cultic intervention or divine oracle (divine issuing) was utilized to formulate just rulings. Just one example of this is found in Lev 24:10-23, where in verse 11, it is noted that an individual of both Egyptian and Israelite decent blasphemed "the Name" of *YHWH*. The result of this attack on the name of *YHWH* led the people, spearheaded by Moses to inquire of the Lord, as noted in verse 12 which reads, "And they put him in custody, till the will of the LORD should be clear to them" (Lev 24:12 [ESV]). On a similar point, LeFebvre states, "In the three Pentateuchal court etiologies, cultic inquiry is the (ultimate) source of law. Although many cases (the 'easy' ones) would be handled by custom, it was the possibility of divine inquiry for the 'hard' cases that validated the system . . . Not only can it be discerned that written law was not the source of jurisprudence for ancient Israel's courts, something else can be demonstrated to have filled that place – namely oracles."<sup>30</sup>

#### THE SWITCH TO PRESCRIPTIVE CODE

While it has been argued thus far that MC was given as a covenant contract, which relays idyllic justice and the character of *YHWH*, it must likewise be noted that by the time of the ministry of Jesus, the law was indeed being utilized as a point-for-point, narrow legislative code. A glimpse of this narrow understanding is seen in the Pharisaical understanding and interpretation of the Sabbath regulations, where the leaders of Israel prohibited even acts of mercy and healing on God's most holy of days. An excellent example of this false understanding comes via Matt 12:9-10. While Jesus is teaching amongst the people of Israel, the Jewish leaders inquire of Him, "Is it lawful to heal on the Sabbath?" — so that they might accuse him" (Matt 12:9-10 [ESV]). This question, which was according to the letter of the law, lacked the basic foundation previously discussed concerning God's written code, namely, that the law of God is to be utilized to influence one's heart. This heart application is demonstrated by Jesus' response, when "He said to them, 'Which one of you who has a sheep, if it falls into a pit on the Sabbath, will not take hold of it and lift it out? Of how much more value is a man than a sheep! So it is lawful to do good on the Sabbath'" (Matt 12:11-12 [ESV]; c.f. 12:1-8). Hence, Jesus' correction of His counterparts prescriptive misunderstanding and mishandling of MC.

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<sup>29</sup> On this point, LeFebvre argues that these customs and traditions were not apart from the oracle which was appealed to "when 'the law' needed to be consulted." LeFebvre, *Collections*, 45.

<sup>30</sup> *Ibid.*, 45.

### The Persian Era

In noting that the leaders of Jesus' day utilized the MC as a legislative tool, and having already indicated that this is inconsistent with ANE law codes, the question will now be addressed as to when this shift in thought took place among the leaders and people of Israel. Some of scholarship ascribes the shift from idyllic to prescriptive around the time of Ezra/Nehemiah, where the narrative at face value seemingly promotes such an understanding and utilization of the law. For instance, in 7:10, it is stated "Ezra had set his heart to study the Law of the LORD, and to do it and to teach his statutes and rules in Israel" (Ez 7:10 [ESV]). Moreover, there is Ezra 7:26 which records Artaxerxes the king's discourse with Ezra where he states, "Whoever will not obey the law of your God and the law of the king, let judgment be strictly executed on him, whether for death or for banishment or for confiscation of his goods or for imprisonment" (Ez 7:26 [ESV]).

As LeFebvre notes, "many scholars look to the Persian era (and the Ezra-Nehemiah narrative) as a fertile moment for the reconceptualization of Torah."<sup>31</sup> However, LeFebvre finds internal inconsistencies with such a conclusion, citing for instance Ezra 6:16-18 and its alleged discrepancy between priestly and Levitical orders; with the latter not being indicated via Moses, but rather, David. While some scholarship sees error or even redaction in the text, LeFebvre concludes, "The law book of Moses is not being cited as a source book of stipulations. There is no need for each detail of the ceremony to find a stipulation in the Mosaic book in order for the whole to qualify as 'according to the writings of Moses.'" LeFebvre's point: there is no discrepancy or polar shift via Ezra at this point and accordingly, there is no conceptual shift in Israel's use of the law during this period. This is just one of many examples where the alleged legislative shift of the Ezra/Nehemiah era to prescriptive code is inconsistent.<sup>32</sup>

### Hellenistic Influence

Rather than a conceptual shift in MC from an idyllic code to prescriptions in the Persian era, the time of Greek Hellenization seems to present a more plausible solution. It was in this era where Jewish presuppositions and worldview were being challenged, from that of a covenantal mindset to one of the spirit of individualism. And it was also in this era where the Jews would have been introduced to systems of law which were legislative and narrow in nature; a system which was nonexistent during the time of the issuing of MC. Hence, the era of shift would not be during the time of the prophets of the OT, but instead, during the Intertestamental Period under Greek rule and influence.<sup>33</sup> An example in this shift of worldview under Hellenized culture came via the reign of Ptolemy II Philadelphus (285-246 B.C.), who continued the Jewish interaction of his

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<sup>31</sup> LeFebvre, *Collections*, 7.

<sup>32</sup> LeFebvre also cites Neh 8:13-18 and the Feast of Booths as another prime example where supposed shift takes place; shift which is later reconciled via internal evidence.

<sup>33</sup> This view keeps in mind that a transition from Jewish presuppositions to a Hellenistic mindset would not have been instant, but instead, there was a gradual development over time, as argued by Louis H. Feldman when he states, "Indeed, Morton Smith, after contending that Greek influence had commenced long before Alexander and that it was already deep-seated through repeated military conquests and economic and administrative penetration, is forced to admit that the forces which produced the changes called 'Hellenization' were not universally, or even primarily, Greek, but rather Persian." Louis H. Feldman, "How Much Hellenism in Jewish Palestine?" *Hebrew Union College Annual* 57 (1986), 27.

predecessor Ptolemy I, who “settled many Jews in Alexandria,”<sup>34</sup> with the formation of the Greek translation of the OT Scriptures commonly referred to as the *Septuagint*. J.I. Packer explains, “An outstanding literary accomplishment under the Ptolemies was the translation of the Hebrew Scriptures into the koine Greek dialect. This translation was called the Septuagint . . . The translation project is said to have been sponsored by Ptolemy II Philadelphus around the third century b.c.”<sup>35</sup> This Hellenistic Ptomelic rule, which was initiated in the mid 300’s B.C. and lasted until 30 B.C., was one of great Greek influence, where “Hellenistic culture was widespread in the Jewish countryside outside Jerusalem.”<sup>36</sup> This system of thought was the continuation of Alexander the Great’s quest, who according to Andreas Kostenberger, held lofty goals of “Hellenistic ideals.”<sup>37</sup>

One of the most influential shifts which took place in this time period is noted in how the Jews viewed literature and it is this Hellenistic shift which helped to shape the prescriptive interpretation of Torah. In short, it was in this era when the words of the Biblical text were viewed out of their original idyllic intent, with Israelite ANE thought and worldviews being replaced by Greek influence where MC was viewed as a legal contract. LeFebvre explains this conceptual shift in reference to another Hellenistic document, the Mishnah<sup>38</sup> and its interpretation of MC when he states, “It is this tendency to read the descriptive statements of Scripture (a) as though they were legal contracts (b) – where the very words of the text are binding – that makes clear the Mishnah’s prescriptive use of written law.”<sup>39</sup> With this in mind, it was through this lens that MC was adopted into the Hellenistic mindset, where the polemic “introduced by the Greeks was adopted by the Jews . . . as ‘the right’ indicators of social superiority,”<sup>40</sup> whereby the Jewish Torah was to be vindicated by “Greek legal philosophy.”<sup>41</sup> It was also in this era where traditional Jewish

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<sup>34</sup> J. Julius Scott, Jr., and Julius J Scott. *Jewish Backgrounds of the New Testament* (Grand Rapids, MI: Baker Book Group, 1995), 1163, Kindle.

<sup>35</sup> J. Packer; Tenney, M. C., & White, W., Jr., *Nelson’s Illustrated Manners and Customs of the Bible* (Nashville, TN: Thomas Nelson, 1997), 159.

<sup>36</sup> *Ibid.*, 1168.

<sup>37</sup> Andreas, L Köstenberger, Scott Kellum, and Charles L. Quarles. *The Cradle, the Cross, and the Crown: An Introduction to the New Testament* (Nashville, TN: Broadman & Holman, 2009), 2501. As Westbrook notes on this issue, “the intellectual revolution that had begun with the Greek philosophers and had spread throughout the Near East after Alexander’s conquest infused the thinking of the Tannaitic jurists and of philosophers like Philo. Their rationalistic interpretation cast a veil over the original meaning of many of the individual biblical laws.” Raymond Westbrook. *Everyday Law in Biblical Israel: An Introduction* (Louisville, KY: Westminster John Knox Press, 2009), 374-376, Kindle.

<sup>38</sup> The Mishnah is vitally pertinent to this discussion due to its claim that “The Mishna (‘learning’ or ‘second law’) was, according to Jewish tradition, delivered to Moses on Mount Sinai.” Hence, the Mishnah along with its prescriptive readings are claimed to be the sole tradition of MC. Thus, a misreading and interpretation of the Mishnah points to the mishandling of MC during the same time period and hence, a correlation can be found in Hellenistic Jewish thought from this era. Joseph Barclay, *The Talmud*. (Kindle Books, 1887), 130.

<sup>39</sup> LeFebvre, *Collections*, 248.

<sup>40</sup> *Ibid.*, 239.

<sup>41</sup> *Ibid.*

presuppositions were replaced by progressive, individualistic mindset, where “Greek thought provided a means of logically organizing the observations about reality found in the biblical narratives.”<sup>42</sup>

### JESUS’ CORRECTION OF THE MISHANDLING OF MC

As noted in previous sections, one of the main purposes for the issuing of the MC falls into the area of covenant faithfulness, where the “code” itself was/is to work as a means and standard of inward change in the covenant member. But, as indicated, by the time of the ministry of the incarnate Word (Jn 1:14), MC had been transformed into a system of external obedience and not inward, heartfelt adherence due to the law’s reflection of the nature of the divine law-giver. This narrow understanding of the law is noted in Matt 23, where Jesus rebukes the leaders of His day for unfaithfulness to the divine issuing. For instance, Matt 23:23-24 reads, “Woe to you, scribes and Pharisees, hypocrites! For you tithe mint and dill and cumin, and have neglected the weightier matters of the law: justice and mercy and faithfulness. These you ought to have done, without neglecting the others. You blind guides, straining out a gnat and swallowing a camel!” (Matt 23:23-24 [ESV]). Here Jesus addresses the inadequate heart condition of the Jewish leaders, appealing to the law in doing so: justice (Ex 23:2, 6), mercy (Deut 28:50, c.f. v. 47 “gladness of heart”), and faithful(ness) (Deut 28:1). Hence, there is no antithesis between MC and Jesus’ words on this issue; which is to be expected if the thesis of this work is correct.

Perhaps the best example of Jesus’ *reformation* of Jewish thought and His call back to MC fidelity is found in Matt 5. As a NT parallel to Ps 119 (Matt 5:3-4, c.f. Ps 119:1-2), the Sermon on the Mount begins with a recitation of one’s heart condition in reflection to God’s law. This understanding matches Jesus’ later comments about MC in vs. 17-19, where in v. 17, He proclaims that He did not come to “abrogate” or “destroy” (καταλύω > *kataluo*) the law or prophets, but rather, to “fulfill” them (πληρῶσαι > *plerosai*).<sup>43</sup> Verse 18 speaks to the abiding nature of MC (which is issued to covenant members in this context), while v. 19 speaks to the nature of the law in that it addresses the obligatory nature of its covenant statutes, where covenant fidelity was due to faithfulness.

While these verses at first glance could cause one to conclude that ML was prescriptive, it must also be noted that Jesus’ discourse does not end at v. 19. Rather, the Lord goes on to speak to the true fulfillment of ML, debunking the Pharisaical narrow understanding of the law in favor of the faithful heart response. This refutation of Jewish prescription comes via a series of proclamations patterned as, “You have heard it said of old . . . but I say.” For instance, in v. 21, the Lord proclaims “You have heard that it was said to those of old, ‘You shall not murder; and whoever murders will be liable to judgment’” (Matt 5:21 [ESV]), thus representing the narrow and prescriptive understanding that the Pharisees took regarding the Sixth Commandment. In rebuke and correction, the Lord offers to His listeners the heart intent of the Commandment, citing unrighteous anger as a violation of Ex 20:13. Hence, the descriptive nature of MC, which was to

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<sup>42</sup> Oswalt, *Bible Among the Myths*, 209 -210.

<sup>43</sup> It is the author’s belief that “fulfill” in this context means conformation. For a detailed discussion on this issue, see: Greg L. Bahnsen, “The Exegesis of Matthew 5:17-19,” PB055 Covenant Media Foundation, (1983).

work internally in the life of the covenant member so that it would later produce outward righteous behavior that reflects *YHWH's* character.<sup>44</sup>

The same is true of the Jewish leaders' understanding of the Seventh Commandment concerning adultery, where the teachers of Jesus' day were limiting this violation to the physical, outward act (v. 27). Jesus corrects this attitude by speaking once again to issues of the heart, proclaiming that every lustful glance is a violation of ML (v. 28). This pattern of narrow prescriptive correction continues throughout the discourse, with the Lord speaking to the many issues of covenant "heart" fidelity by His citation of; (1) divorce (Matt 5:31-32; c.f. Lev 21: 7, 14; Deut 24:1), (2) oaths (Matt 5:33-37; c.f. Ex 22:11, Numb 30:2), (3) retaliation (Matt 5:38-42; c.f. Lev 19:18) and the treatment of one's enemies (Matt 5:43-48; c.f. Ex 23:5). In noting this, it becomes increasingly apparent that Jesus' view of the law was vastly different than that of his counterparts, proclaiming not a narrow prescriptive understanding of MC, but rather, a broad, descriptive recognition of the Mosaic stipulations (and the prophets as noted on p. 8-9) where a response in faith to "those laws was to act righteously, because such obedience maintained the covenant relationship between God and His people."<sup>45</sup> Hence, Jesus was by no means an innovator, but rather, He was a reformer.

#### REFLECTIONS ON GOD'S GRACIOUS LAW

In considering the implications of the present study, multiple lines of thought come to mind as to how this "Descriptive" use of the law should be utilized and understood in the life of the Christian. First, this understanding of MC should cause professing Christians to pause and evaluate their own presuppositions regarding the law of God in their own life. For example, the questions could be asked, "Does my understanding of the law correlate with the heart response required from Scripture? Or rather, "Do I understand the law as a list of precepts which are to be followed outwardly?" Questions such as these ultimately strike at the heart of the present study, especially for those in western culture who have for their entire lives viewed issues of law through a prescriptive lens.

Asked another way, does the believer understand the law of God as a method of emulating the very lifestyle of their sinless Savior, whereby the law of God is utilized as a means of understanding the very nature of God Himself; and accordingly, demonstrate their "love of God" by maintaining the commandments of the Lord in a non-burdensome manner? It is this attitude that is reflected in the pages of holy writ, as demonstrated in John's first epistle when he proclaims six times in five chapters that the marks of true knowledge and love of God is obedience to His law/commandments (1 Jn 2:3-4, 3:22, 24, 5:2-3). This desire for holiness and Christ-like emulation is the driving force behind law for believers of old, which is why the sweet psalmist of Israel,

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<sup>44</sup> This very concept of "heart change" and the insufficiency of outward obedience to the law is likewise relayed to the reader in Jesus' conversation with the "rich young ruler," as found in Matt 19, Lk 18 and Mk 10. In Mark's version, the young ruler leaves Jesus "disheartened" because he was not willing to forsake his wealth for the Kingdom. On this point, Larry W. Hurtado notes, "The story is not just a criticism of wealth; it also teaches that not even obedience to the OT law and great social and economic standing will substitute for answering the call of Jesus. The question put to the man is whether he will follow Jesus if it means that he must give up his possessions. His possessions are a snare and hindrance, making it hard to enter the kingdom of God (v. 23) precisely because they distract him from answering Jesus' invitation to follow him." Larry W. Hurtado, *Mark: Understanding the Bible Commentary Series*, (Grand Rapids, MI: Baker Books, 1989), Mk 10.17-31.

<sup>45</sup> Packer, *Manners and Customs*, np.

David, could proclaim of *YHWH's* statutes, “How sweet are your words to my taste, sweeter than honey to my mouth!” (Ps 119:103 [ESV]).

### Modern Antinomianism

The presented topic is relevant to the church in many ways. First, in the current environment, there is often an antinomian understanding among many faithful believers in Christ's church; an antinomianism which is often driven from an out of context understanding of Rom 6:14 which reads, “For sin will have no dominion over you, since you are not under law but under grace” (Rom 6:14 [ESV]). Paul in essence answers this misunderstanding in the following verse where he proclaims, “What then? Are we to sin because we are not under law but under grace? By no means!” (Rom 6:15 [ESV]). Paul's prohibition against sinning in this section highlights the ongoing validity of the law in the new era of redemptive history, as noted once again by the beloved apostle when he proclaims in chapter 3 of his first epistle that “sin is lawlessness” (1 Jn 3:4 [ESV]), or, ἀνομία (*anomia*). This Greek term carries with it an understanding of “to behave with complete disregard for the laws or regulations of a society”<sup>46</sup> according to *Louw and Nida*, which is a view shared by John Anderson when he proclaims of this verse that “Sin is anything against God's law.”<sup>47</sup>

This same teaching is relayed to the reader via the words of the Lord Jesus Christ in Matt 7, where in verse 23, he proclaims of the false professions of faith from his “so called” followers, “And then will I declare to them, 'I never knew you; depart from me, you workers of lawlessness'” (Matt 7:23 [ESV]). This attitude of ἀνομία or “lawlessness” is clarified by Turner and Bock when they state, “Jesus came to fulfill the law (5:20), so antinomians, those who disregard the law, are not genuine disciples no matter how many spectacular deeds they perform.”<sup>48</sup> Despite the bold proclamation of these “followers” of Christ in Matt 7, Christ notes that the inward disposition of their heart was not one which wished to emulate the holy standard of God's law, thus proving that they were in reality, unregenerate. Thus, the perceived antinomianism of Rom 6:14 is thus refuted via Matt 7, 1 Jn 3 and the like, whereby the scriptures teach that there is indeed an ongoing validity to the law which helps to mark out Jesus' true disciples.

### Modern Legalism

This Descriptive use of the law likewise combats teachings of “legalism” within the local assembly. This destructive teaching, which is a highly nuanced term, is defined by Kent Yinger as “the belief that salvation is obtained by human obedience.”<sup>49</sup> In short, this understanding of law obedience posits that one can gain favor with God, or even justification, through a strict adherence

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<sup>46</sup> Johannes P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament: Based on Semantic Domains*, (New York: United Bible Societies, 1996), 757.

<sup>47</sup> John Anderson, *An Exegetical Summary of 1, 2, and 3 John*, 2nd ed. (Dallas, TX: SIL International, 2008), 103.

<sup>48</sup> David Turner and Darrell L. Bock, *Cornerstone Biblical Commentary, Vol 11: Matthew and Mark*, (Carol Stream, IL: Tyndale House Publishers, 2005), 117.

<sup>49</sup> Kent Yinger, “Defining Legalism,” *Andrews University Seminary Studies* 46.1 (2008): 101.

to the precepts and statutes of *YHWH*. In contrast, the Descriptive view of the law and the graciousness attached to such teachings helps to inform the careful reader that true adherence to the law is in reality, achieved by faith. Hence, the keeping of God's statutes outwardly, while ignoring the inward obligation of the law on one's heart, is a telltale sign that one's heart condition is flawed before the thrice holy God. Moreover, recognizing that the law of God is in reality, reflective of His character, should cause Christians to recognize more fully the nature of their own sin, and, the graciousness of God in relieving one's sin debt in light of His holiness.

### Christian Education and Comparative Study

Finally, this purposed understanding of MC and its interconnection with the surrounding ANE cultures underscores the necessity of interpreting the scriptures of both the Old and New Testaments in their original context and historical setting. If modern scholarship is correct, the church has for centuries, misunderstood the very nature and application of the law as both prescriptive and legislative, rather than a non-legislative, idyllic collection that is undergirded by grace. In recognition of this point, comparison studies should be utilized to further understand the continuity and discontinuity between Israel, her law code and those codes of her surrounding neighbors. This point is highlighted by Jeremy Kisch when he notes that "Continuities in laws, ideas, and institutions existed between Sumerian civilization and those found in Biblical times. Similar motifs also existed in ancient Egypt. Among the similarities was a wisdom literature that consisted of riddles, proverbs, and stories about human suffering."<sup>50</sup> Christians need not shy away from the study of other ANE societies in the effort to gain a better understanding of the text before them. And, while this task can seem overwhelming to both scholar and layman alike, it is likewise recognized that these studies continue to bear much fruit in scriptural interpretation.

This aspect of the current study is perhaps the most difficult hurdle to overcome in understanding the Descriptive nature of MC, or, God's law in general, because the average Christian in the pew, more often than not has little to no experience with ANE cultures, customs or law collections. Hence, education is needed in the local assemblies on this topic, which likewise requires careful study and attention to these issues from church leadership. Moreover, Christians must be willing to challenge their own presuppositions on this issue, and in this sense, they must be willing to forsake traditional understandings or interpretations of key verses, for the sake of truth and clarity of theology.

### CONCLUSION

As demonstrated, Mosaic stipulation was by no means a system of pure law, which was utilized as a system of legislation. Rather, ML was by all accounts and purposes, a covenant contract between *YHWH* and His people to transform them into the treasured possession of Ex 19:5. In this sense, God's law spoke, and continues to speak to the heart of the individual, enticing inward change through the effectual working of the Holy Spirit in the believer's life. And while this covenant contract is unique in many ways (i.e. the monotheism of Judaic thought), it is also similar to other ANE systems in its structure and understanding of non-prescriptive statutes which were idyllic in nature and non-legislative, with rulings coming via cultic intervention. It has also been argued that a prescriptive shift did in fact take place in Jewish jurisprudence, not during the time of Ezra-Nehemiah, but rather, due to the heavy influence of Hellenistic thought which in

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<sup>50</sup> Jeremy Kisch, "Job's Friends: Psychotherapeutic Precursors," *Psychotherapy* 27.1 (Spring 1990): 46.



essence, changed the manner in which Jewish leaders and interpreters of the law viewed the statutes issued in ML. Also, Jesus took a descriptive view of the law, correcting the mishandling of His Jewish counterparts on many occasions, calling them back to covenant fidelity. It is because of this descriptive reason that David could proclaim of MC, “Oh how I love your law! It is my meditation all the day” (Ps 119:97 [ESV]).

Finally, the practical applications of such an understanding of the law are significant. First, this system speaks to the modern believer’s covenant faithfulness before *YHWH* and their heart condition, calling for covenant fidelity in both an inward and outward manner. In this sense, the individual Christian and even the visible church must reconsider their understanding of the law and their heart condition towards God according to His self-revelation. Next, as noted previously, modern systems of legislation must be in conformity to God’s standards and rulers are accountable for any breach of these standards. In this regard, the civil magistrate is called to be God’s servant “who carries out God’s wrath on the wrongdoer” (Rom 13:4 [ESV]). Hence, the general equity of the law is vital to justice, even in the secular sphere, for how could the civil magistrate bare the sword, “not in vain” (Rom 13:4 [ESV]) if they are not enacting God’s standard of righteousness? Lastly, although it has been argued that ML was not issued as a prescriptive code, nothing precludes a society from adopting such a code as prescriptive legislation, so long as one does not neglect the internal purpose of ML, because, as the apostle Paul proclaims, “whatever does not proceed from faith is sin” (Rom 14:23 [ESV]).

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