

Universal Forms of Love, II

I would like to begin our session with the prayer of St. Benedict. His dates are AD 480-543, and yet the content of this prayer is for every age, and it is good for us in this day. Let us pray together.

O gracious and holy Father, give us wisdom to perceive Thee, intelligence to understand Thee, diligence to seek Thee, patience to wait for Thee, eyes to behold Thee, a heart to meditate upon Thee, and a life to proclaim Thee. Through the power of the Spirit of Jesus Christ our Lord, amen.

Last time we started an exposition of the universal norms of love, and I made a presentation of the Ten Commandments. The Ten Commandments were promulgated at Sinai. I think we need that word, “promulgated.” The Ten Commandments, the comprehensive summary of God’s law, were promulgated at Sinai. But the content of the Ten Commandments, the content of the moral law, quite obviously is assumed in the whole biblical narrative up to this point. So it is not the first time that people learn that it is wrong to murder. It was wrong for Satan to lie to Adam and Eve. He is a liar and a murderer from the beginning, because the consequence of his lie was that death entered into the world. It was wrong for Cain to murder Abel, wrong for the earth to be filled with violence at the time of the flood, wrong for Potiphar’s wife to attempt to seduce Joseph, and wrong for her to bear false witness against him when he refused. It was wrong for the Egyptians to enslave the Israelites. So the moral law is known apart from the Ten Commandments. But God’s moral law is promulgated, that is, given definitive form, at Sinai with the publication of the Ten Commandments, and we went into their distinctives in the last session.

What I want to talk about in this session I put under the heading of “the Mosaic Administration.” One reason I do this is that the word “law” is used both for the Ten Commandments and for the whole Mosaic administration in the New Testament. So sometimes “the Law” refers to the moral law, summarized in the Ten Commandments, which love puts into practice. But sometimes “the Law” refers to Mosaic administration. My language here is chosen because of the language of the Westminster Confession of Faith. In this section, I want to use that language to expand upon this point. In chapter 7 of the Confession of Faith, which is on the covenant, in paragraph 5, they express themselves this way: “The covenant of grace was differently administered in the time of the Law and in the time of the Gospel: under the Law it was administered by promises, prophecies, sacrifices, circumcision, the paschal lamb, and other types and ordinances delivered to the people of the Jews, all foreshadowing Christ to come.” The covenant with Israel is the Mosaic administration of the covenant of grace. We live in the Christian administration of the covenant of grace, that is, with Christ as the mediator. But God’s people from the time of Moses to the time of the coming of Christ lived under the law, that is, the Mosaic administration of the covenant of grace. And there are some differences between the new administration and the old administration.

I think that this term “administration” helps us keep two things in focus about the Mosaic administration. One is that it is an administration of the one covenant of grace, but it is a temporary administration. And as an administration, it gives way to the new administration—the new covenant, we could call it, the Christian administration of the covenant of grace. This is not to say that Christ is not present in the Old Testament. Obviously all those promises, prophecies, and typological ordinances pointed forward to Him. He is foreshadowed in the Old Testament; now that He has come, there are some important changes. Now, the Christian church, in keeping with a high view of inspiration, actually the view of inspiration held by Christ and His apostles, receives not only the Ten Commandments, but the whole Old Testament as the Word of God. Particularly relevant is Jesus’ own word of caution with respect to the abiding value of the Torah in Matthew 5:17. “Do not think that I came to destroy the Law

and the Prophets; I did not come to destroy, but to fulfill. And not a jot or a tittle will pass away until all have been fulfilled.” As always, we must compare Scripture with Scripture to avoid misinterpretation. And the change from the Mosaic to the Christian administration of the covenant of grace brought with it a change in the form of God’s people. Under the Mosaic administration, God’s people were in the form of a nation. Under the new administration, under the Christian administration, that form moves from nation to the community of the church. So the change from the Mosaic to the Christian administration of the covenant brought with it the change in the form of God’s people, from nation to church, and a change in the laws to which God’s people are subject. There is a change in the form of God’s people, and now there is a change in the laws to which we are subject.

There are two major changes. One is the abrogation of the ceremonial laws or precepts. Once again, I am using the language of the Westminster Confession of Faith, putting myself in the context of our Reformed tradition. The Confession of Faith, chapter 19, paragraph 3 says, “Besides this law,” the Ten Commandments, “commonly called moral, God was pleased to give to the people of Israel, as a church under age, ceremonial laws, containing several typical ordinances,”—and notice—“partly of worship, prefiguring Christ, His graces, actions, sufferings, and benefits; and partly, holding forth divers instructions of moral duties. All which ceremonial laws are now abrogated under the new covenant.” All the ceremonial laws, both those that had to do with worship and others that it was a moral duty to perform, such as the dietary laws, are now abrogated under the new covenant. Let us look at the scriptural basis for this. It is clear that Jesus brought an end to the Mosaic administration by fulfilling its redemptive shadows. The book of Hebrews throughout makes that clear. All of the sacrifices find their fulfillment in Christ; they are not to be offered again. The Sacrifice has been offered once and for all. All of the tabernacle furniture is completed in Him. Everything that had to do with those ordinances that pointed forward to Him are now fulfilled, and so now it is no longer a matter of our being held to do them. So He abrogated, by His fulfillment, the distinguishing legislation of the Mosaic administration.

A book that I would recommend on this topic is *The Shadow of Christ in the Law of Moses* by Vern Poythress. That is the most comprehensive analysis of Christ’s fulfillment of the Law of Moses that I know, and it is excellent in every way. It includes how the civil laws pointed forward to Christ. It is a very thorough and useful book to have. It goes into great detail in terms of how we can learn from the Old Testament without being subjected to it as far as our obedience.

So Jesus abrogated the distinctive legislation. That is in the whole book of Hebrews. Then there is the half verse in Mark 9:17 that counts for more than all the book of Leviticus, as far as dietary rules are concerned. Mark 9:17 b says, “In saying this, Jesus declared all foods clean.” That is it. There is no more distinction between clean and unclean, no more restriction on pork or shrimp. The whole dietary legislation is abrogated under the new covenant. Now, we ought to more fully appreciate the significance of this. In Galatians, Paul is adamant that the Gentiles do not have to conform to Mosaic administration. Actually that question has already been addressed in Acts 15. Acts 15:5 is the key verse, I think: “Then some of the believers who belonged to the party of the Pharisees...” Notice it says, “Then some of the believers.” These are Christians who belong to the party of the Pharisees. They were Pharisees who had become Christians. “Then some of the believers who belonged to the party of the Pharisees stood up and said, ‘The Gentiles must be circumcised and required to obey the law of Moses.’” If we are going to incorporate the Gentiles into the people of God, they have to be circumcised and keep the Law of Moses. The apostolic council decided that that was not the case. You do not have to become a Jew to become a Christian. If you are a Christian from outside the Jewish community, you do not have to keep the Law of Moses or be circumcised. The only rules that they presented to the Gentiles’ churches were for the sake of not giving unnecessary offense to the Jews. So, avoid meat strangled; avoid blood. Out of concern for not offending them, they were required to do this. But that was a

temporary regulation for the sake of the Jews and for the sake of the progress of the Gospel. And Paul's treatment of those things, as you know, is very different when it comes to Romans and 1 Corinthians. But there was a temporary measure to show the significance for the Jews, but the Gentiles did not have to become circumcised and keep the Law of Moses. In fact, when Paul addresses the assembly, he says in verse 10, "Why do you try to test God by putting on the necks of the disciples"—that is, the Gentiles—"a yoke neither we nor our fathers have been able to bear?" The Mosaic administration, while it had its purpose to lead us to Christ, was a guardian. It did keep the people of God in, in certain ways. In Galatians, Paul calls it a *pedagogos*, which is not quite represented by the English word "pedagogue." We think of a pedagogue as a teacher of children; this was more the servant that kept children in line so that they would get an education. And the goal of that guardianship of the law was to bring us to Christ. As Romans 10:4 says, "The goal of the law is Christ. Now that the goal has arrived, it brings with it the full status of sonship for both Jew and Gentile." That is Paul's point in Galatians 4:1-3. It is also his point in Ephesians 2:14-18. The middle wall of partition, the thing that divided you from Gentiles, has been done away. What was it? Well, it was the Mosaic administration that put Gentiles in an inferior position. They did not have all the privileges of the Jews. It was aggravated by the assumptions of superiority that went with it on the part of the Jews. Not that they are unique in that at all, but that is a typical response to a position of privilege. Paul says in Ephesians that has been done away with. That middle wall of partition has been broken down. And he also makes that point in Colossians 2:16-17.

It is quite important that we recognize that this is not a side issue. There is something fundamental about not being bound to the ceremonial law of the old administration. In Galatians especially, Paul is strong on the point that Gentiles do not have to conform to those old boundaries. If we look briefly at chapter 2, what set Paul off on this was Peter's action. It is recorded in Galatians 2:11. "When Peter came to Antioch, I opposed him to his face, because he was clearly in the wrong. Before certain men came from James, he used to eat with the Gentiles. But when they arrived, he went back and separated himself from the Gentiles because he was afraid of those that belonged to the circumcision group. Other Jews joined in their hypocrisy, so that by their hypocrisy even Barnabas was led astray." There is to be no segregation within the Christian church. Everyone comes into the Christian family of God as an heir of the faith of Abraham and united to Christ Jesus. That is Paul's point in chapter 3. Verse 26 says, "You are all sons of God through faith in Christ Jesus. For all of you who were baptized in Christ have clothed yourselves with Christ. There is no Jew or Greek."

The three primary markers that distinguished Gentiles from Jews were circumcision—Paul spends a lot of time on that—but also the food laws and the keeping of special days. Those three markers are in Galatians and also in Colossians, and it is clear that those divisive things that separated people have been abrogated. It is very interesting to us that although Paul, up to this point at Galatians 3:28, has been talking about the divisions of Jew and Gentile as a consequence of the Mosaic administration, he goes on to include, "There is neither Jew nor Greek, slave nor free." Slave and free participate in the body of Christ on equal footing, and he also says, "There is no male or female." The things that separated table fellowship and co-laborers under the old covenant have now been done away with. And we still are working out the implications of what that means. But it is clear that things that were in the Mosaic Law that separate people, primarily Jew and Gentile, have been done away in Christ. They have been abrogated. The goal has arrived, and it brings with it the full status of sonship for Jew and Gentile, bond and free, male and female.

Obviously the Law of Moses contained some permanent universal moral norms. I think Leviticus 19:18 is the best example. "You shall love your neighbor as yourself." That is not abrogated! It is what is distinctive to the Mosaic administration that is abrogated, but not to love your neighbor as yourself. The moral law summarized in the Ten Commandments and fulfilled in the double commandment to love

God and your neighbor as yourself are the permanent commands that continue into the present age. And Jesus puts “You shall love your neighbor as yourself” alongside precepts from the second table of the Decalogue in Matthew 19:16-22.

As we saw last time, the Decalogue continues to be used in the New Testament as a summary of the covenant way of life. James calls “you shall love your neighbor as yourself” the royal law of Scripture. This is James 2:8-11, and he argues that when Christians discriminate against the poor in favor of the rich, they go against the standard that love fulfills. In James 2:8-11, James begins with the royal law, love your neighbor as yourself, and his context is that they are discriminating against the poor in favor of the rich, and he says you are not fulfilling the law of love. If you continue in this kind of discrimination and favoritism, you are a lawbreaker, “because the one who said, ‘Do not commit adultery’ also said, ‘Do not murder.’ And although you may not commit adultery, you still commit murder and are convicted by the law as lawbreakers.” In other words, when it comes down to it, their attitude toward the poor was taking away their life. It was not really murder, but under the principle of equal regard we are to have for human life, they are not fulfilling the royal law of Scripture by their discrimination, and it showed that they are lawbreakers. So they are held to the standard of the moral law, although it is important to understand the abrogation of the moral precepts.

Augustine distinguished clearly the universal and permanent from the particular and temporary. His terms for it were “moral” and “symbolical” and that designation is very helpful. He gives examples of both kinds. The command to be circumcised is symbolical; the command not to covet is moral. So the Church has always made this distinction. The moral precepts of the law are observed by Christians. The symbolical precepts were observed during the time that the things now revealed were prefigured. In other words, all Scripture is inspired by God and is profitable, but some of it is profitable for our learning, not for our obedience. And the dietary laws and other ceremonial laws, although symbols, are profitable for our learning.

Now there is a second category of laws under the Mosaic administration. Using again the language of the Westminster Confession, we refer to these as the expiration of the judicial precepts, or expiration of the judicial laws. The Confession of Faith, chapter 19 paragraph 4, says, “To them also”—that is, to God’s people under the law, as a church under age—“He gave sundry judicial laws, which expired together with the state of that people; not obliging under any other now, further than the general equity thereof may require.” So what we have in the Westminster Confession is a threefold analysis of the Mosaic administration. There are the universal and moral principles, the Ten Commandments and their exposition; there is the ceremonial law, which is abrogated; and there are the judicial laws which expired along with the state of that people.

For those three classes of laws, which Augustine had as twofold, moral and symbolical, to Thomas Aquinas we owe the idea of a threefold classification. He refined Augustine, and noticed that there is something a little different about Israel’s state laws, the civic laws of Israel as a nation-state. So you have moral, ceremonial precepts, and judicial. I think that the analysis of Thomas Aquinas is good. He understands the moral law as the universal principles, and he calls the ceremonial and the judicial applications of moral principles in the area of worship. Now, there is a little more than worship. As the Westminster Confession notes, there are some moral duties in that. And the judicial are matters of justice. They were applications for Israel as God’s special people, as a covenanted nation, of the moral principles that are embodied in the Ten Commandments. So there are moral universal temporary applications, in terms of worship and in terms of justice. The hermeneutical key to distinguishing the applications from the universal is the place of Israel in the history of redemption.

Now Calvin followed Aquinas on that. He does not footnote him, but that would not have been the politic thing to do. But he is relying on what, by this time, 300 years, has become the standard way of looking at Mosaic administration. And the other Reformers also, such as Melancthon and Ursinus, and all the Reformed confessions embody this threefold distinction. Here is Calvin's way of doing this. He understood the moral law to be the Ten Commandments and their exposition. It is not just the bare Ten Commandments, because inferences are drawn from the Ten Commandments. For example, "You shall not steal" means you shall have just weights and measurements. Because not having just weights and measurements is a form of stealing. So the moral are the Ten Commandments and their exposition. The ceremonial and the judicial he calls supplements to the moral law. What is permanently binding are the Ten Commandments and their exposition, what is clearly derived from them. The ceremonial and judicial he understands to be supplements that were peculiar to the Mosaic age. And he said it would be wrong to seek to enact the Mosaic Law for a nation-state today. You may judge that something has a general principle of equity about it and thus apply it. That was also Aquinas. Aquinas said we may not reintroduce the ceremonial as a matter of obligation, but on the judicial laws it takes some discernment. There may be a principle of equity there that our government ought to apply today. It is a matter of wisdom to search for that principle of equity.

In the language of the Westminster Confession, they say the civil law expired together with the state when it expired. And they are not obligatory on any nation now, any "further than the general equity thereof may require." It is a rather vague phrase, but it is sufficient. If you look at their proof texts, they relied mainly on 1 Corinthians 9:8-10. This was the crucial text, so let us look at it. I have to begin at verse 7 to pick up a feel for the context. "Who serves as a soldier at his own expense? Who plants a vineyard and does not eat of its grapes? Who tends the flock and does not drink of the milk? Do I say this merely from a human point of view? Does the Law not say the same thing? For it is written in the Law of Moses"—notice how law in this context means the Mosaic administration—"Do not muzzle an ox while it is treading at the grain." Is it about oxen that God is concerned? Surely he says this to us, does he not? Yes, this was written for us, because when the plowman plows and the thresher threshes, they ought to do so in the hope of sharing in the harvest." Now comes the point: "If we have sown spiritual seed among you, is it too much if we reap a material harvest from you?" He is arguing about the support of the Christian ministry through the gifts of God's people, the financial support of the Christian ministry, on the basis of "Do not muzzle the ox when he treads out the corn." There is a general principle of equity. That text in Deuteronomy creates a sensitivity to people's needs through animals. Paul's argument is actually from the lesser to the greater. He puts it in absolute terms: God does not care about oxen; He cares about us. Actually, that is a typical way of expression in the Bible, to make a relative contrast and put it in absolute terms. For example, the Law was given by Moses; grace and truth came through Jesus Christ. Well, that is a relative contrast. It is stated more absolutely than is intended, because you read the Old Testament and it is full of grace and truth, *hesed* and *emet*. We saw how much that appears in the Old Testament, as attributes of God that are then to be reflected in God's people. So I think that this text is useful to us to alert us to how we learn the principles of general equity and apply them in new situations as they arise.

Now this has worked for centuries, but it has been challenged in recent times by the movement that is known as theonomy. So, let me give you a brief excursus on theonomy. There are two books that will get you to the essence of it. One is by Greg Bahnsen. He is now deceased, but he was the prime spokesman for this movement. The title of the book is *By This Standard*. It is the most accessible form; he is a very clear writer. This was published in 1985, so it appears after his groundbreaking work, *Theonomy and Christian Ethics*. But the essence is all here, and he clarifies some things that were not so clear in the other book. There is a lot in there that we agree with. He is a Reformed theologian, and a lot of what I said about the Ten Commandments he says also. A lot of what we say about grace and

salvation by grace he also says. He is not a legalist in the sense of teaching justification by works or sanctification by law. So that is the thing to read. If you want to get it straight from Bahnsen, that is a very readable, understandable book. I would say read along with it a book edited by Will Barker, a former president here, now dean at Westminster Seminary in Philadelphia, and Godfrey, who is president of Westminster Seminary in California. The faculties of those two institutions got together and produced a book with the title *Theonomy: A Reformed Critique*, which was published in 1990. That is the best interaction. Bahnsen immediately wrote a response to that, so the argument goes on, but this is the essential bibliography. I think probably the best chapter in the Reformed critique is by Sinclair Ferguson on the Westminster Assembly. If there is one thing you want to read as you go for license or ordination, that is the chapter you want to read. You should be familiar with Bahnsen, and I recommend you read *By The Standard*. That will give you the basic idea. But then, whether you adopt his position or not, you need to be especially aware of the analysis of the Westminster Confession that Sinclair Ferguson gives in *Theonomy: A Reformed Critique*.

My second point as we get into this is to focus on the distinctive thesis about theonomy. What makes theonomy theonomy? The title itself, “theonomy,” means simply being subject to God’s Law, and it is in contrast to autonomy. Of course if the choice is between autonomy and theonomy, we are all theonomists if we believe the Bible! So it is taking the term theonomy and applying it to a particular movement of subjection to God’s Law. But it is not the term itself. It is not the idea of being theonomists. That is what we want to be. Here is the distinctive thesis. It can be expressed in two sentences, or you can join them by a conjunction. Here is the first part of it: “The civil precepts of the Old Testament”—so we are talking about the area of judicial that the Confession says is expired—“(standing judicial laws)” —that is his parenthesis; that is his other term for civil precepts—“are a model of perfect social justice for all cultures.” Again, “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.” That is his phrase, because he wants to be clear that it is the whole of the civil precepts. So even in the punishment of criminals, and here is where I run the sentences together with an “and” that I insert. And, “Rulers are morally responsible to obey the revealed standards of justice in Old Testament law.” I say that too, but what makes Bahnsen distinctive is that he says governments today ought to implement the Mosaic case law, the standing judicial laws of Israel. They are for us today, they have not been abrogated, and they have not expired with the state of that people, because these are standing judicial laws that are a perfect model of social justice for all cultures. So as you have in the Old Testament, “Children obey your parents,” you can paraphrase it to say, “merchants, have just measures” and “magistrates, execute rapists.” Those, or the other crimes that had capital punishment in the Old Testament, it is obligatory for governments to implement today.

Now, we live in a democratic society in the United States, and Bahnsen acknowledges that. Our goal is to persuade governments to implement the Mosaic Law. So it is not that there will arise a dictator who will do it, but rather it will come about through the democratic process. And theonomists typically take the long view on that, but as a matter of principle, that is what we are after. Rulers are morally responsible to obey the revealed standards of social justice in Old Testament law. In other words, it is a duty to put people to death for the crimes that they were put to death for under Moses. It is a duty. It is not a judgment call, this principle of general equity. It is a duty.

I offer a critique of this, so this is my third major heading, with three sections under it. The first section has to do with the ground of law. It is Bahnsen’s view that the whole Mosaic administration derives from the holy nature of God, and since God is immutable, the Law is immutable. Theonomists characteristically argue from the immutability of God’s holiness to the immutability of God’s Law. Here is a quote from Bahnsen: “The Law is a transcript, a writing out of the details of God’s moral perfection.

As such, the Law can no more be changed, abrogated, or improved upon than can God's perfection." Well, that is a powerful argument: if the Law is a writing out in detail of God's perfection, and God is immutable, then the Law cannot be abrogated. I point out that when you look at that more carefully, it actually contains an equivocation, because Bahnsen acknowledges that Christians are not obliged to practice circumcision or keep the dietary laws. I say that theologians save their position by an equivocal use of the term "law." On the one hand, they say that the law is the transcript of God's perfection. On the other hand, the law that is immutable is not the transcript. It is the principles embodied in the precepts that are immutable, not the precepts themselves. As he says, and this I think clarifies his meaning, "The principles of God's Law are perpetual, because they reflect the character of God which is unchanging." Well, Thomas Aquinas can say that. The civil law was an application of the moral law for Israel. It is the principle which is immutable or unchanging, but the civil laws themselves can change, and certainly the ceremonial laws can change.

That leads me to think we need a better analysis of the ground of law in the Bible, and I rely on a treatment in Charles Hodge's *Systematic Theology*. Hodge does talk about this question, and he distinguishes four categories of divine commands. I have reduced them to three, so this is not Hodge, this is Hodge through Jones's grid, and I always shrink a little when I do anything. So here is the analysis, basically from Hodge. There are three kinds of divine commands that we observe in the Scriptures. First of these are laws founded on the nature of God. They could not be otherwise, because they are founded on the nature of God Himself. For example, "Love God supremely." It could not be a moral obligation to hate God. That is in the nature of the case. It is founded on God's nature. God is love, and therefore the creatures He has made in His image are obligated to love Him. Those derive directly from the nature of God as love. God is a God who cannot lie, and therefore the commandment for truthfulness is dependent upon the nature of God. I think that the three primary forms of love—justice, mercy, and fidelity—could not be otherwise, because they reflect the character of God. Now in a certain way, this contains a tautology, because we know what justice is not from some category that is higher than God, but from God Himself. Yet to say that God is just and that He is love is meaningful, even though ultimately it may be circular. It is meaningful to us; we are creatures made in His image, and we understand that meaning.

Some of God's commands are derived directly from—founded on—the nature of God. There are other laws that are founded on God's will for human nature for life in this world. In other words, these are due to the will of God in creating us, the kinds of beings that He made us. An example is marriage between one man and one woman. That is the norm because of human nature. That is the way God has made us, and it is fulfilled through following that norm. Theoretically there might have been other ways in which social relations such as marriage might have been formed. But God made us the kind of creatures we are, that this is the permanent principle for human beings in the present age. This is age long. It is universal and age long, due to the will of God in constituting us the way that we are. The way Hodge puts it is that these are "laws founded on the permanent relations of human beings in the present age," and I add, in view of the way God constituted human nature. In other words, there is a point, if we use Scripture rightly, to natural law arguments, if we understand that it refers back to God's will in creating us in certain ways that are known through general revelation. And actually, in 1950 there was an important cross-cultural study of 230 known societies, and all of them found some form of the family relationship: husband, wife, and dependent children. That existed in combination with polygamy and other things, but the distinctive relationship between father, mother, and child existed in all those cultures. I think it reflects by God's common grace that that norm has been embodied in practice. There are culturally relative features, in terms of polygamy, but not in terms of what began to be called the nuclear family in the mid 1950s, that is, the nucleus of father, mother, and children, either by natural birth or adoption. So both of these are universal and permanent, but their grounds are different. Laws

founded on the nature of God are immutable because of the immutability of God, whereas laws founded on human nature are unchanging because human nature is unchanging. God has created us for this age in terms of the way that we are, and His laws reflect those permanent relations.

Then there are laws that are founded on God's social purpose. I am still working with the language here. But these are God's purposes for human beings in temporary relationships such as you have under the theocracy. For God's specific social purpose, the formation of His people in terms of a nation, the relations that define the discipline of that nation were unique to them. That will lead us into the next aspect: how you distinguish between laws as a matter of human nature and laws founded on God's social purpose, which may be temporary. As God's purpose changes, then the responsibility changes. The point is that the idea that the Law is grounded in the perfection of God and because God is immutable the Law is immutable, does not take into account the complexity of the way in which God imposes His will upon the beings that He has made in His image. Sometimes it derives directly from His nature; sometimes it derives from the way He has made us; sometimes it derives from His purposes in redemption, social purposes. Hodge's way of putting it was that there are laws founded on the temporary relations or conditions of society. I would say that they are founded on God's temporary purposes with respect to those societies.

Now, my second critique or objection to Dr. Bahnsen has to do with the uniqueness of Israel as a nation in covenant with God. There are at least four sub-points here to be appreciated. The first one is that the covenant way of life—we are talking about a national way of life—is a religious and political unity in a way that is impossible with any other nation. God has not entered into a covenant with any other nation the way He entered into a covenant with Israel. That is distinctive; that is unique. There are a lot of references to that in the text. It is a unique period in redemptive history in which God took to Himself a people as a nation. And there is within that a religious and political unity that is absent from other nations. Other nations are held accountable for justice, mercy, and fidelity, and they are held accountable to the moral principles that are promulgated in the Ten Commandments, but not as a religious and political unity in which the discipline for religious behavior is the responsibility of the civil government.

A second point is that when you look at the Old Testament, you will find that there are some social structures that are unique to the theocracy. You may learn from them principles of general equity, but they are unique to the theocracy, particularly the legislation concerning the land and the jubilee year in which every 50 years everything reverted back to the tribe of its original owner. Allotments of the land were symbolic; they were typological, and the structure that is provided there has a beneficent benefit in terms of matters of social justice, to avoid concentration of land on the part of the rich until there is no room for the poor in the earth. That is a general equity principle. But the social structure is unique to the theocracy, and there are many others of those.

Especially to be noted, there is also the vocation of Israel as a symbolic community. It is a nation, but it is a nation in which, to use Meredith Kline's very helpful term, the eschatological judgment of God intrudes into the present. So Israel's vocation is to uphold God's character and God's Law in a way that He has not commissioned any other nation. Thinking of the conquest of the land of Canaan, the iniquity of the Canaanites is in full, and when Israel goes in to conquer the land it is typological of hell. The kind of destruction that they are commanded to do prefigures hell. But it is not just those special commands. You could say, well that is just a special command, but in Deuteronomy 20 there is the provision, as a standing judicial law, for when Israel sets siege against any of its neighbors. It is not about the group they are commanded to exterminate; that is another story. But if laying siege on someone else, offer them terms of peace, and if they accept it they will become your servants. They will become your

slaves. But if they do not, kill all the men and you may have all the women and material goods as plunder. Now that can only be explained in terms of the special vocation of Israel. There is a typological community, and I think that it is important to recognize that. I would say that it affects the civil law as a whole in terms of the death penalty. You have to bear in mind that this is a national typological community that has the death penalty for various infractions that relate to that calling. You cannot make the Mosaic Law into a model penal code because of the special vocation of Israel. The civil code does not work because of social structures; the criminal code does not work because of the vocation of Israel.

There is a fourth thing that I would say, and it has to do with the burden of proof. Bahnsen is very repetitive on this, that if anything in the Mosaic legislation is not to be enforced today, then you have to prove it. I would say the opposite is the case because of the expiration principle, the expiration of the nation and the whole judicial system with it. I think the burden of proof is on those who say that we ought to implement any particular principle in the Old Testament. I think we should not accept the burden of proof in a positive way, but it is just the opposite. You have to go to the Scriptures, just as Paul did, and show that there is a principle of equity in those laws.

There is another problem that sometimes passes without notice, and I did not mention it in my book either. But I think that we have to say something about this. The distinctive thesis of theonomy is that the civil precepts of the Old Testament are a model of perfect social justice for all cultures. But as a matter of fact, when you look at the Old Testament, there is some accommodation to existing social conditions that fall short of the perfect ideal. What I mean is the accommodation of judicial precepts to accommodate less than perfect conduct. The clearest example is in Deuteronomy 24:1-4. It says, “A man marries a woman who becomes displeasing to him because he finds something indecent in her”—it is really he found something that is repulsive in her—“and he writes her a certificate of divorce, gives it to her, and sends her from his house. She leaves his house, becomes the wife of another man, and her second husband dislikes her and writes her a certificate of divorce, gives it to her, and sends her from his house, or if he dies; then”—here is the point in verse 10. All the other is description. If and then. If those are the circumstances, then “her first husband who divorced her is not allowed to marry her again. This tolerates divorce that is arbitrary on the part of the man. This is not divorce for adultery. This is divorce for arbitrary reasons on the part of the man, and with Jesus in Matthew 19, this comes up.

Because Jesus in the Sermon on the Mount had said, “If you divorce and remarry, you commit adultery,” the Pharisees ask Him about this. They present a test question to Him in Matthew 19:3. “Is it lawful for a man to divorce his wife for any and every reason?” because that is what Deuteronomy 24 implied; it is taken that way by some of the Rabbis. “‘Have you not read,’ he replied, ‘at the beginning the creator made them, male and female, and said “For this reason a man will leave his father and mother and become one with his wife, and the two will become one flesh.” So there are no longer two but one. Therefore what God has joined together let no man separate.’ ‘Why then,’ they asked, ‘did Moses command that a man give his wife a certificate of divorce and send her away?’ Jesus replied, ‘Moses permitted you to divorce your wives because your hearts were hard, but it was not this way from the beginning.’”

You have an accommodation within this perfect social justice that reflects this holiness of God and is immutable in theonomy’s system. I just think it does not work here. God, through Moses, accommodated; He tolerated this civil situation. He tolerated arbitrary divorce because there are worse things than arbitrary divorce. At least the woman is alive with a certificate that defines her status, rather than being shunted off, or worse, murdered. That happens. In cultures where you have the strict laws against divorce and the man wants to be rid of his wife, he hires a hit man. People’s hearts were hard, and there was an accommodation within the civil law for conduct that was less than ideal. Another

example is polygamy. That was not so from the beginning either, but God tolerated it. That is, He allowed it continue without discipline, not that he approved it.

Now slavery is in a different category, and we will talk more in detail about slavery. Slavery is and is not tolerated. Some forms of slavery are not tolerated. Stealing a human being is not tolerated. And it is not tolerable to enslave a fellow Israelite; you can have an indentured servant for seven years, but after that he goes free with the gain that he has gotten. It gives an opportunity for the poor to get back on their feet. You may enslave a foreigner, but that is related to the vocation of Israel. That is a part of ruling over the nations; that is unique to that vocation. Now there may be some of the regulations of slavery that are accommodated to the situation, but you are not going to rule over your fellow Israelite harshly. There are generous provisions, including not sending a slave who has escaped back to his master. Even in the Old Testament there is something subversive about the institution of slavery. But arbitrary divorce and polygamy are allowed to continue, and there is legislation on polygamy. It does not approve it, but it regulates it and makes sure the first wife is fully attended to if the man takes a second wife. So I think that for those reasons we need to recognize that the Mosaic administration was temporary, although the moral law, which was partly embodied in the Mosaic administration, is permanent.