

Clough Deuteronomy Session 43  
Deuteronomy 19:1-21- Protocols for Judicial Proceedings  
Fellowship Chapel; 25 January 2011

We're going to start by pointing out you should have both handouts for lesson 42 and session 43; if you don't, we've got two piles back there and the reason we do that is because we have a rule that we don't have class when schools are closed, two weeks ago when it snowed the schools didn't close in the morning so I never thought to think about closing in the afternoon. So I went ahead and had the class and, of course, most of you weren't here, so you basically missed session 42, so that's why I'm handing out 43 tonight and let me run rapidly through the blanks so you can see what we covered in session 42 during the snow night. That night we did, as you can see from the outline, Deuteronomy 18:9-22, the prophet. Unfortunately that was a critical session in the sense, I'm going to just point out rapidly to you so you probably want to, on your own, go through that text. On page 1 of session 42 there are two blanks, the second one, "a strong central government and a monarchy is NOT necessary," that's part of the review, "for a successful culture if," and the blank is, "common acceptance of biblical law." If there is a common acceptance of biblical law then a strong central government isn't needed to centralize because you have an ideological centralization.

Then the second line is: "After Pentecost there is no need for a special priesthood." All that area, that was just review of the session you all were in, the priesthood session. Then coming to page 2, The Authority and Nature of Israel's Prophets, point A under Roman II is that: "The pagan's attempt to have Divine Guidance in the ancient world," it's very common that people would seek that but they would do it illegitimately going to palm readers, the same as today, horoscopes, palm readers and all the other pagan stuff, and so in point A, parenthesis 1, "Knowledge of the future is virtually priceless." That's what drives people to seek out these weird pagan things; obviously if you knew the future you could invest in business and everything else.

Point 2, "In paganism there is no Creator/creature distinction," that's that blank. And then I went through, as you can tell, down on page 2, one of the important areas of text that you should like to look at is 1 Samuel 28, there is a biblical example of a Jew believer going to a witch, a real witch, and in this case... the witches obviously normally would be talking to demonic powers or they would just be basic magicians, fooling people, but what's so significant about 1 Samuel 28 is when Saul goes to consult the witch of Endor and she goes to profess to speak to the dead, Samuel, the dead prophet, actually comes alive and the witch screams; in the Hebrew it is the word to scream, which tells you right away that the witches were not really ever talking to dead people because when she saw a real dead person it freaked her out. So that's an interesting passage of Scripture about this kind of stuff, we still have it in our society.

And then point B, "God's Provision of the Prophets," that was how he would guide them, on page 3 I gave you what the Hebrew canon looks like, listing every one of the books of the Old Testament as they appear in the Hebrew Bible, and you'll see that under the Hebrew classification there is the Law, the Prophets, and the Writings. And what I pointed out that evening was if you look under the Writings you see a book called Daniel, and you

usually not expect Daniel to be in the third category, you would expect Daniel to be up in the second one because he dealt with prophecy. But the rationale behind that is that the Law, that was Moses, that's the Pentateuch, the first five books, then you have the Prophets, and the Prophets are an entire chain that God used to add to revelation. These prophets were not a class, they were not an office, they were just spontaneously chosen by God to communicate up-to-date information to the nation. It's how God, the King, ruled His kingdom, through these prophets. Most of them acted as prosecuting attorneys in that what they did was they weren't innovators.

The liberals always approach the Bible the wrong way and liberal socialists have always argued that we fundamentalists miss the point of the prophetic books. The liberals approach the idea, their whole take on those prophet books is that those were the guys that really were the religious people in Israel, you don't pay attention to the Law, it's the Prophets, it's the prophetic voice that caused social reform. And so the prophets were innovating, and the point you have to understand when you hear that line is that the prophets were NOT, n-o-t, they were NOT innovators. The prophets were prosecutors that took the nation back to the Law. They were implementing the Law. They were arguing that the nation was in an economic mess because they had violated the Law. The nation was in a political mess because they violated the Law. And so they went through, basically, men who were just chosen spontaneously by God and they came from all walks of life. Some of these guys were just ordinary businessmen, some of them were very well-educated people, very literate, and others were just ordinary kind of street people.

And then the Writings, and why Daniel is in the Writings is that it appears that third classification in the Hebrew Bible, the common denominator is chokmah, the Hebrew word chokmah means wisdom, and so these books are structured as books of wisdom. Now wisdom in the Hebrew means more than just what we think in terms of wisdom, it's a bigger word. It also means skill; for example, if you were skilled in music you would be said to have chokmah because you were skilled with the scales, you were skilled with your musical instruments, you were skilled in musical expression, that would mean you had chokmah. If you were a carpenter and you were skilled in wood cutting, you were said to have chokmah. See how it's used, it doesn't mean just like what we mean by wisdom, it is all the skills that are necessary for a vibrant society.

And so on the bottom of page 3 we have two lines, "The prophets became channels for additional revelation, and they persevered some of it in written books," and I referenced there the Chronicles passages, which if you look at you will see that they list books that we don't have, which shows you that there were many books written that dropped out, we have no idea where these books are, they've been lost historically. But that's okay, because the Scriptures are sufficient because God the Holy Spirit made sure that whatever He wanted to communicate to us has been preserved. But the notices, those two notices, show you that when the prophets went to write they often did not just rely on direct revelation from God, many of them composed their prophetic themes based on books that other prophets had written.

For example, you look at both of those passages and see that every book they mentioned was written by a prophet. So that tells you right away that the prophets not only acted as prosecutors, but the prophets acted as historians, which now, if you remember what we've gone over and over and over and over about this idea of contracts, now do you see why history, historiography, began with the Jews. And the reason history could not begin outside of the Jews is because there was no trust that history was going anywhere. Many of you have probably had the same experience I've had, those of you who have become Christians later in life, if you think back to your pre-Christian days you probably weren't at all interested in history. I wasn't, I would get A's in the course just because I memorized all the dates, but to me it was just a set of marbles, there was no pattern to it. And then after I became a Christian, then I realized, wait a minute, history has a pattern to it; history is going somewhere. And with that confidence, then you go back and say gee, I'm interested in history, I'm going to record stuff.

Plus the fact, what else did the prophets do? They were prosecutors. What does a prosecutor do or have to do before he prosecutes? He has to have data. Where is he going to get the data? Observations. And so therefore the history books are written by the prophets as an indictment against the nation. This is why the Bible, as one person in seminary used to say, when God paints a picture of a person He paints the picturewarts and all; it's not a sugar-coated thing. You don't read history books by people of other cultures and other religions that are this bluntly honest about sin. It's a self-critique, and it's rare in history; they just can see this. And here's where people admit to their faults. So that's the role of the prophets.

Then on page 4 we went on and I emphasized there, I gave you the quote at the top of page 4 that you've heard me give time and time again, of the two things that Israel is most noted for in history is they were the only nation in human history to have a contract with God. And the second thing was that point by Dr. Kaufmann, the Jewish historian, and you notice the first line of the quote: "What makes the history of Israelite prophecy sui generis is the succession of apostles of God that come to the people through the ages. Such a line of apostle/prophets is unknown in paganism." Most religions have a founder, Confucius, Buddha, Joseph Smith, there's always one guy that starts it, or in the case of Christian Science, Mary Baker Patterson Glover Eddy, she had a few marriages along the way. And she becomes the prophetess of Christian Science. But the Bible has a sequence of prophets; a very important to note here, this is what sets the Bible apart.

And then on page 5 there is a quote, or maybe it's on your page 4, I don't know, my notes don't necessarily correspond to yours page-wise. Just before 18:21, it says "How shall we know the word which Yahweh has not spoken? Because prophets were to be held in the highest authority, deceiving the nation became a capital offense." And that's why prophets who claimed to be prophets, therefore, remember what does a prophet do in Israel? Here's the king, okay, the highest political office in the land, in the Jewish mind there was one person who had higher rank than the king and that was the prophet. You don't find that in Egypt, you don't find that in the Mesopotamian valley, no layman in Egypt would dare come in to the Pharaoh and chew him out. If he did he wouldn't finish the sentence.

You didn't treat Pharaoh that way, you did not treat Babylonian kings that way, only in Israel did a lay person, who was a prophet, walk into the king and say you're the man. That was a phenomena unknown in the ancient world. The reason why it was known in Israel was because of the Word of God, because these prophets had authority. So if somebody faked that, that is a very serious crime, and therefore they were capitally punished and executed.

And then finally I gave, just before the conclusion, I gave you some quotes to show you that the Jews, later in history, in that silent period, before Jesus and John, before that, you had a prophet coming back into existence historically. The people that were in that 400 year period when God did not speak, when God was silent, when there were no prophets, I wanted to show you by direct evidence that those people knew very well that God was not speaking. I show you that quote because liberals will often say oh, well, I mean, it was just the Jewish mentality, anybody that spoke about God was considered a prophet, so forth and so on. That's not true.

Look at the quote. Here it comes from 1 Maccabees, and it says, there was an incident there, it says "He [Judas Maccabeus after the conquest of the Temple Mount]," this is a revolt, the Jews revolted against Antiochus Epiphanes, Antiochus Epiphanes was a Syrian king who came in and he desecrated the capital, he become the historic forerunner of the antichrist. The portrait of the antichrist, if you want to think about who he's going to be in human history, go back and study the life of Antiochus Epiphanes; he was a nice guy until you crossed him; he was a nice guy that was a global in his thinking. He was a guy that wanted to synthesize all of the cultures. Guess what happened when he wanted to synthesize the Jews? They wouldn't synthesize, hey would integrate their culture with the pagans. And then... then the mask came off and Antiochus Epiphanes deliberately required every Jewish boy in the Olympics to be totally naked, he went in and he took a pig and he deliberately desecrated the Jewish temple with this. That was enough for Judas Maccabeus, and so in one village where the horsemen came, the officials of Antiochus came into this village and said we want sacrifice, come on up here, one of you Jews, come on, we want sacrifice. And one Jewish guy came up, they all refused, and Judas Maccabeus came up with a knife and stabbed him to death in front of Antiochus' soldiers and said everyone who is for the Law come with me, we will revolt. And that was the beginning of the Maccabean revolt. And this is the book that describes the Maccabean revolt.

And so it says, when he, after the conquest, he beat down and in an insurgency wrecked the army of the Syrians. And "...after the conquest of the temple] chose blameless priests devoted to the Law, and they cleansed the sanctuary and removed the defiled stones to an unclean place. They deliberated," now watch this, "The deliberated," see, you've got a bunch of these guys together, now what do we do with this mess, we've got pig's blood all over our sacred rocks here, what are we going to do now? And so they debated what to do with "the altar of burnt offerings which had been profaned. And they thought it best to tear it down lest it bring reproach upon them for the Gentiles had defiled it. So they tore down the altar and stored the stones in a convenient place on the temple hill until there should come," watch this sentence now, "until there should come a prophet to tell them what to do."

Now does that sound like these people just accepted anybody as a prophet? No, they knew very well what a real prophet would be like. Somehow they could identify a real prophet. So these quotes are important. And at the end, of course, I point out the metaphysical question that everybody has to ask to some degree: "What is the meaning or purpose of life?" You should know what the meaning and purpose of life is, and in conversation you should challenge people, what is the meaning and purpose of your life. And no non-Christian can really tell you what the meaning and purpose of life is.

And the second question there, the epistemological question is: "How can I recognize truth?" How do I know what you're telling me is true. Tell me how you tell what is true or what is false? These are basic questions, and our present educational system does not deal with these basic questions. And we wonder why the second leading cause of death in teenagers is suicide. Well, of course it's suicide, if life is meaningless and I have a lot of heartache and trouble and depression, why not. So these are the basic fundamental questions of life. And that's quickly what we did on the snow night.

So tonight we're going to come to Deuteronomy 19 and we're going to start a new three chapter session. So let's go there and let's look to the Lord for a minute in prayer. Father, we thank You for the Word of God, we thank You for the indwelling Holy Spirit who wrote the text, and preserved the text, and He reveals to us Your great truths concerning Your Son, our Lord Jesus Christ. We ask now for His illumination," in His name, Amen. In session 43 you'll note in the outline that we're in a section that runs from chapter 19, 20 and 21, so this is a new chunk of Moses exhortation. And what he's going to do here, he's going to talk about the protocols of social justice. This is important because social justice is one of the buzz words of left-wing socialisms today because they mean by social justice the equality of economic outcome. And you can't have liberty, freedom, and equality. It's amazing when you drop this little sentence on peoples thought pattern, it's like they can't grab this.

How do you have freedom and equality at the same time? When you go to class does everybody get the same grade? You can't have equal grades and freedom for each student to do his thing in the course. The same thing with athletics, we know it doesn't work in the classroom, we know it doesn't work with an athletic team so why do we think it's going to work politically? There will not be equality, now there's equality of opportunity, that's right to have, but for equality of results, sorry, it doesn't work that way, and it doesn't work that way before God.

So in Deuteronomy we're going to deal now, from 19, 20 and 21, the implementation of justice. And so just to review that, we show this slide that we've shown before which is the key verse in the Bible that defines social justice as the Bible defines it. And you'll want to notice, it started out in Deuteronomy 1:17, "You will not show partiality in judgment," partiality, so social justice biblically means impartial treatment before God's Law. That's the definition of social justice. And notice the follow-up sentence; "you shall hear the small as well as the great," and that's a struggle. It still is a struggle in our court system to do this. The wealthy can hire good attorneys, better attorneys than

the poor people and so it's very difficult to manage true just impartiality. "You shall hear the small as well as the great," so there is equal access; now there's an equality that the lowest person, the poorest person, the most helpless person in Israelite society had a right before God to be judged as strictly or as graciously as the wealthy person.

"You shall not be afraid of any man's presence, for the judgment is God's," and that's the key, right there, the Mishpat, the judgment is ultimately not that of the state; the judgment is ultimately that of God. And that's the difference between a Christian philosophy of government and a pagan philosophy of government. In the pagan system the State is the highest authority; in the Christian biblical system the State is not the highest authority, God is the highest authority and He has commissioned justice, He has authorized the government to carry out SOME, only some of His judgments. But the judgments aren't society's judgments; the judgments are God's judgments. So that's a fundamental idea here.

I won't, in the interest of time tonight, I won't go through the review of ethics, we've gone through that a number of times but I will fill in the blanks for you. Review of the ethics: Man constantly seeks an autonomous answer to the ethical question, because we're all fallen, because we're all sinners, we want to define ethics our way, and so: Man constantly seeks an autonomous answer to the ethical question.

Attempted answer #1: Subjectivism, only reveals one's attitude toward an action, it says nothing about the event itself, it's just how you feel about it. You don't like to see babies fried, so that upsets you, but if babies are just evolving blobs of protoplasm, then that's irrelevant, all you're saying is that you don't like it, like I don't like broccoli or something. Then the second thing is, it can't be consistently used in real life because one inevitably makes objective moral judgments, we all do. As every teacher knows, if you give a D or an F to a student illegitimately you'll hear it very quickly from the student that you did something wrong. And what the student means is you did something wrong to me and it's not just a case that I don't like it, it's objectively wrong. And then the attempted answer #2: Natural right, still faces the subjective problem because it is a subjective judgment about what ought to be, these are the people that believe in natural rights, what ought to be when all nature can tell us is that it is. And we've reviewed that before, you can't derive an "ought" from "is." If neo-Darwinianism is adopted on top of that it becomes impossible to attribute meaningful ethical principles to mindless nature. Remember, neo Darwinianism, it's mindless random nature. How do you get a moral absolute out of a mindless random nature? That's the dilemma we face.

And the capital punishment debate, we've been over that. So all I'm doing there, quickly, is reviewing the fact that back in chapter 17 we dealt with the office of the judge and there are certain things that went with the office of the judge.

Now today, chapter 19, so if you'll turn to Deuteronomy 19 we're going to look at this chapter. This chapter has three basic sections to it. The first section is verses 1-13 and 1-13 defines the way they dealt with the emotions to desire justice that got out of hand. In other words, how do

you control the anger of victims of crime who want justice and they are going to get it. How do you reveal with revenge tactics? How do you deal with the guy that wants to get even? So here's how God dealt with it. God is a realistic God, and so here's what He did. [19:1] "When the LORD your God has cut off the nations, whose land the LORD your God is giving you, and you dispossess the...." [2] you shall separate three cities for yourself in the midst of your land, which the LORD your God is going to give you. [3] You will prepare the roads," notice the infrastructure here, "roads," how long do you suppose it took them to build roads? This is no small project, they just had horses to level out, this is a major building operation; make three cities and make roads for yourself, and divide into three parts the territory of your land which the LORD your God is giving you, that any manslayer may flee there."

And this is the case of the manslayer that goes there that he may live; whoever kills his neighbor unintentionally, not having hated him in time past, [5] As when a man goes to he woods with his neighbor to cut timber and his hand swings a stroke with the ax to cut down a tree, and the head slips from the handle and strikes his neighbor so that he dies-he shall flee to one of these cities and live; [6] lest the avenger of blood, while his anger is hot, pursue the manslayer and overtake him, because the ways is long, and kill him, though he was not deserving of death, since he had not hated the victim in the time past. [7] Therefore, I command you, saying, 'You shall separate three cities for yourself.' [8] Now if the LORD your God enlarges your territory, as He swore to your fathers, and gives you all the land which He promised to give your fathers-

[9] And if you keep all these commandments and do them which I command you today," in other words, prosperity, "to love the LORD your God, and to walk in His ways-then you shall add three more cities," in other words, He doesn't want the distances between these cities to get too big, so if you need more cities we'll have more cities, [10] "Lest innocent blood be shed in the midst of your land which the LORD your God is giving you as an inheritance, and thus guilt of bloodshed be upon you. [11] But if anyone hates his neighbor, lies in wait for him, rises against him and strikes him mortally so that he dies, and he flees to one of these cities, [12] then the elders of his city shall send and bring him from there and deliver him over to the hand of the avenger of blood, that he may divine institution. [13] Your eye shall not pity him, but you shall put away the guilt of innocent blood of the innocent from Israel, that it may go well with you.

Now do you see why we dealt with the capital punishment earlier. If capital punishment upsets you, this passage will surely upset you, so that's why I dealt with that. So presume that we have dealt with that. Here we deal with ...[He asks someone] what's the word that's proper to this where you have unintentional murder? Manslaughter. All right, so this is a manslaughter situation. You can tell, also the first degree guy could try to pretend it was manslaughter. So let's get the picture here of what's going on, this is kind of a faint map but it shows you where these cities were. On the east side you have the Golan, Rameth and Bezer, you had Hebron, Shechem and Kadesh, there's a 25 mile scale. So if you look at that it looks to me like there's about 50 miles here, and maybe 60-70 miles here. So people, if you divide that in half, some person randomly, some crime randomly happened somewhere here it ought not to be

more than 25-30 miles to the nearest city of refuge. And the idea there, we have to examine some of the dynamics here.

The first dynamic is the distinction criminally between the accidental murder and the intentional murder. So there's the manslaughter and there's the first degree homicide, whatever the legal term is for it. And it shows you, by the way... you know, we think the lawyers just created this in the last hundred years. This shows you that this goes back centuries, it goes back millennia; these people weren't stupid back here, they understood the difference in these kinds of crime. And so God says I want you to have mechanism.

Now back when they were wandering around the wilderness, what would happen in the case of manslaughter is that the person would flee to the tabernacle, the temple. Well, the problem is when all the nation is going to be spread out here all over the place they can't everybody flee to Jerusalem. So here you see this "nasty" God of the Old Testament being very gracious in providing a means for handling this after they come into the land.

Well, the next thing we have to deal with is what about this "avenger of blood." Turn to Numbers 35:27, before when we've dealt with capital punishment it's always been more of an execution of a prophet, and it was a bunch of people in the town get together and throw rocks. In the case of the murder it was something else and this gets back to the priority of the family. In Numbers 35, a parallel passage is verse 19, I think that's where I saw it. Yes, in Numbers 35:19 you begin to see who this avenger of blood is. Now who's this guy, is he some executioner that wanders around or what. So let's understand who he is.

"The avenger of blood," and in the Hebrew it doesn't mean "avenger," it's the word for "redeemer," the "redeemer of blood," and this is the one that is also used of Boaz in the book of Ruth. And you begin to say huh, what's the connection here. So let's see if we can figure this out. "The avenger of blood himself shall put the murderer to death; when he meets him he shall put him to death. [20] If he pushes him out of hatred or while lying in wait hurls something at him so that he dies, [21] Or at enmity he strikes him with his hand so that he dies, the one who struck him shall surely be put to death, he is a murderer; the avenger of blood shall put the murderer to death when he meets him."

Now without getting into all the details, again in the interest of time, let me kind of summarize the function here. The basic social unit in Old Testament Israel was not the government; the basic social unit was not the local community. The basic social unit was the family and the immediate larger family around that, uncles, aunts, that sort of thing, what we'll call the immediate relatives, like today when you have a social family function who do you invite. If you have relatives that were nice who would you invite to a social function? Well, in that family, if somebody in that family had been murdered it was the responsibility of the family itself to go after them. And it says "avenge" but basically it was the idea that this person would be committed to protect that family. Remember Boaz in the book of Ruth? He was protecting Ruth. And remember, the idea of his protection wasn't going out after a murderer, it was going out to

marry her and to raise up children and to take care of her. She was a widow and he was to take care of her, it's his responsibility.

So we're talking about family responsibility. It would be like, maybe today someone in your family has a problem with inheritance or they lose a loved one and you take care of them. That's the idea here, except in this case, in case of murder in that family the avenger of blood was the executioner, he would go after them. And it wasn't just vengeance, he had to adhere to certain protocol, certain rules of evidence, he wasn't just to go out and kill somebody for the sake of killing somebody, but it was the case where it was up to him to take care of it. They didn't have police, they didn't have a big government to do this, and this shows you that in the Bible how precious the family is. It shows you why marriage is protected, it shows you why divorce is controlled, it shows you why children and the parent relationship is so vital and why it's protected in the Bible, because the Bible insists that the family is the key unit of society.

You don't have to look any further than the nearby city to see what happens when you have thousands of dysfunctional families and then you have social problems, you have crime in the streets, you've got all kinds of problems going on and millions and millions of dollars confiscated from everyone else to try to take care of all the consequences of this family mess, when it's the individuals in the family unit that should be taking care of this. We've got the responsibility completely reversed; the State is going to take care of me. No, it isn't the State that's going to take care of you, it's you that's going to take care of you, it's your family that's supposed to take care of you. So that's the function of these guys, these avengers.

Now going back to Deuteronomy 19:8, there he has to prevent this guy from just doing it out of vengeance and hatred because he's just mad that so and so's axe head came off and killed his father or his cousin or his nephew or something, he's going to go after him anyway. Well, no he isn't, God is going to provide a city of refuge and he cannot go into the city of refuge and touch that person; that person has immunity there. So that was a control on this whole issue of vengeance. So God authorized the killing but He did not authorize deliberate killing of a manslaughter situation.

Verses 11-13 gives you the fact that these cities of refuge could not be abused; that's why "if anyone hates his neighbor," there it defines... that's first degree murder, premeditated, if that's the case then the elders can get the guy out of the city of refuge and bring him out and he will be killed, he will be executed.

Now after all this execution stuff there's a few clauses in here I want you to observe, lest you walk away and think oh, how crude and how primitive all this is. Let me challenge you. Down in verse 13 there's a little clause, "Your eye shall not pity him, but you shall put away innocent blood from Israel, that it may go well with you." Now that's God's evaluation and later we will see other provisions in the Mosaic Law. When a murder was committed God, the way He looks at that through the Old Testament Law is that the ground on which the blood drained is now

contaminated, and that dirty ground has got to be cleansed for God to forgive the community.

Now this is interesting; God holds the whole community responsible for unsolved crime, and when there is a murder and human blood has been spilled, God judges the whole community for that. Now God pity us for the amount of murders that are going on in our country. From His point of view, now this is a biblical report of how God looks at this. Now this was His theocracy, granted, but you can't convince me that God's attitude toward crime and murder in particular has somehow just become trivialized. And the opposition to capital punishment is largely a problem of sentimentalism. That's why this clause says, "your eye shall not pity him," but you've got to put away innocent blood from Israel. Okay, enough said about the avenger.

Now verse 15, I'm going to skip verse 14, let's go to verse 15-21, the rest of the chapter. This handles another problem. Remember these are protocols to administer social justice. So now we've got another problem; we've dealt with the judges, dealt with their qualifications, that was chapter 17, the beginning of this chapter we've dealt with the problem of the avenger who's involved in the judicial process, he's not the judge but he's the executor, he would be probably the family lawyer, view it that way. He's the guy that makes sure justice is done for his family.

Now in verse 15 we've got a problem of witnesses, testimony, perjury. So watch the clever way God set up the court system to avoid frivolous court cases, and to deal with false accusations. In verse 15, "One witness shall not rise against a man concerning any iniquity, or any sin that he commits; by the mouth of two or three witnesses the matter shall be established." So right away you cannot trust one person, there has to be a multiple. Now these are very strict rules of evidence; today we might say, you know, you've got a security camera here that captured this or that or something, I don't know how you... you have to think of how to apply this idea to modern technology, but do you see the caution; these courts didn't just go helter-skelter, they had strict rules of evidence. And I've often talked, I had a person in Florida whose wife was involved in a lot of this capital punishment issue in Florida and he became troubled after I was teaching down there in Deuteronomy, asked me about this, and I had to tell him that if you look at the rules of evidence for conviction of murder in the Bible, they are very strict, two or three witnesses. Now how many murders are going to have two or three witnesses? Not too many.

So actually the implementation of capital punishment was probably rare because of the need to satisfy these rules of evidence. However, once there was an execution it was public and the body was hanging up on the street for a whole day. We'll see that later. In other words, it was a ceremony, much like we have a funeral ceremony and there's a majesty to the funeral ceremony, these were executions in public. And it was because God wanted people to understand that there's crime there, people, that was a wrong thing, you killed somebody made in my image and I don't like that. And I say you're going to do something about it. So here, now we have the need for witnesses.

Now verse 16, what do you do now with perjury. "If a false witness rises against any man to testify him of wrong doing, [17] then both men in the

controversy," the word "controversy" there is the Hebrew word for lawsuit, there's the lawsuit. So if you have "both men in the controversy shall stand before the LORD," that's presumably that supreme court where the priest was, "before the priests and the judges who serve in those days."

You'll notice, by the way, again the Word of God combines the ecclesiastical and the civil, there's no strict separation of church and state, they are distinguished in the Bible and each one has limits on its power, but they work together. In a pagan state, Gentiles, including our own, the court system is strictly civil; there's no ecclesiastical input. Here there were both, notice it says "the judges and the priests." They "shall make careful inquiry and indeed, if the witness is false," now watch what happens, "if the witness is false," if you've got perjury involved, "who has testified falsely against his brother, [19] then you shall do to him as he thought to have done to his brother." Now do you suppose that might stop a little bit of perjury? Do you suppose that might curtail a lot of frivolous lawsuits? I think it's a pretty clever deal; [19] "you shall do to him as he thought to have done to his brother, so you shall put away evil from among you. [20] And those who remain will hear and fear, and hereafter they shall not again commit such evil among you." And then it has lex talionis, "your eye shall not pity, life shall be for life, eye for eye, tooth for tooth, hand for hand, foot for foot."

Now that's idiomatic, people say oh, gee, what did they do, gouge out eyes in the Old Testament? No, there's only one legitimate mutilation and we'll get to that in the Mosaic Law; only one case where there was any bodily mutilation, but that's a minor crime, minor in the sense of all the different kinds of crimes there are. So here we have the protection safeguarding testimony in the court system. And this verse that we just went through, verse 21 is called historically, and you'll see it in your notes, the Latin phrase is lex talionis, so when you see that phrase somewhere in your reading you can now spout it off and amaze your friends that you know lex talionis and they won't have a clue what you're talking about, usually. But what it means is proportionate justice, that the punishment fits the crime. That's the original word, that's what it means. Now we follow that, or try to, in our current court system

Now the question we have about this is what do you do then, as you can see in your notes, what do you do about Jesus, in the Sermon on the Mount, where He says if someone smacks you, turn the other cheek, and they say see, Jesus was against this courtroom system. No, Jesus in the Sermon on the Mount is giving you personal ethics; He's not describing the function of the State in Matthew 5; in Matthew 5 He's dealing with how to respond to personal attacks.

Now let me show you how Paul combines Jesus' Sermon on the Mount with the lethal force of the State, and he does it in the epistle to the Romans, so turn to Romans 12 where Paul brings the two together and shows how they work together. This is where you always have to take Scripture in context. In Matthew 12, down at the end, verse 17, look what happens. Paul is talking about you being, and me being wronged, somebody has deliberately wronged us as a Christian, "Repay no one evil for evil, have regard for good things in the sight of all men, [18] If it is possible, as much as depends on you, live peacefully with all men." If it be possible, the "if" clause obviously shows in some cases it's not possible. But if

it be possible, go ahead and live peacefully. [19] "Beloved, do not avenge yourselves but give place to wrath," now watch it here, people will stop with that verse and then they don't read the next one. "Give place to wrath," in other words, let it's have its place, "for it is written, 'Vengeance is Mine, I will repay, says the Lord.'"

Now we started this class, or started this section with a quote from Deuteronomy 1:17, remember the quote? The judgment, the Mishpat is mine, in other words, it's God's judgment and that's where we have to fix our eyes. If there is wrong, that is God's business to take care of that and He has His means. Let's read on. [Romans 13:20] "Therefore, if your enemy is hungry, feed him; if he is thirsty, give him a drink, for in so doing you will heap coals of fire on his head." Now does that sound like lovey-dovey operation? Paul understands that a wrong was committed here and he also understands that God knows the wrong was committed. The debate isn't about the wrong, the debate is about how you and I react to that. And what he's doing is he's saying be gracious to him, in so doing you heap coals of fire...and you say well, where's the judgment come in? Let's keep reading. [21] "Do not be overcome by evil, but overcome evil with good," that's don't let the anger and the mental attitude sin grab you.

But then, this is the beginning of the major exposition in the Romans epistle of the doctrine of the state and capital punishment; it comes right after this. Romans 13:1, "Let every soul be subject to the governing authorities. For there is no authority except from God, and the authorities that exist are established by God. [2] Therefore whoever resists the authority resists the ordinance of God; those who resist will bring judgment on themselves," "they will bring judgment upon themselves!" [3] For rulers are not a terror to good works but to evil. Do you want to be unafraid of the authorities? Do what is good and you shall have praise from the same; [4] For he is God's minister to you for good. But if you do evil, be afraid," look what it says here, "he bears not" what in vain? "he bears not the sword," now I submit to you the sword is a lethal weapon. The sword is a picture of the state.

So how Paul deals with this, and you see it in his personal life, the way he acts in the book of Acts. He doesn't take wrongs in a terribly personal fashion. But if there is a wrong that he feels is a wrong that needs to be articulated to the authorities, Paul was not hesitant to do it. That's why he invoked his citizenship rights. This is why he relied, this is why the author of Acts and Luke, Dr. Luke, if you study those books carefully, both those books, Acts and Luke, and you ask yourself as you read through, you've got to read the whole thing through, ask yourself as you're reading Dr. Luke's writings, what is Luke's idea about the Roman legions? The Roman State? You'll be amazed how much material in the book of Acts deals with the Roman sword. And you know what? Every instance, every instance in the book of Acts where the Roman army is involved it is always to protect Paul, every single one of them.

Now what is going on there? It shows you that the Christians were not adverse to the State as the State. Now we're were adverse to the policies in the State, but we're not anarchists, we believe in the state, that is the divine institution. So here's where it comes with a personal side but the State exists to execute justice.

Now let's go back in the remaining time and we'll deal with another troublesome verse stuck in the middle of our passage and that's verse 14. So we've seen two things so far; we've seen the controls on emotion to restrain over-extended vengeance; we've seen how God safeguards testimony by working the judicial protocols so that a false witness brings judgment down upon himself. I forgot what country it is but I read somewhere, I think it's some European country's court system, if you bring a lawsuit against somebody and it's frivolous and it goes against you, guess who pays for the whole shebang? You do. That prevents a lot of this funny business that goes on to smear people's reputation and just, you know, accuse them and drag their name in public, you wind up paying for it in some places.

Now in Deuteronomy 19:14 the problem is this: what on earth is verse 14 doing stuck in the middle of these two sections of chapter 19. Verse 15, "You shall not remove your neighbor's landmark, which the men of old have set, in your inheritance which you will inherit in the land that the LORD your God is giving you to possess." Why is this in there? We have to do a little research about landmarks and we have to understand what they were for. You know what a landmark is? It's your survey points in your property. Okay, we're clear on that. So if you're changing a landmark you're basically stealing land. Now obviously, and in the ancient world and, you know, the reports about it, in fact, I quote you Job there, I quote Hosea, this went on all the time. But I suggest to you that when somebody moved a landmark it wasn't a big move; obviously if somebody moved a landmark and it was very obvious, then everybody would know it. This is kind of the sneaky little stuff that goes on, mooch it over about a couple of feet, and the intensity or the seriousness of this crime is this in Israel. What was the land?

Let's think about what the land represented. The Jews go into the conquered land; who owns the land and who gives it to the Jews? It's God; God owns the land. And what does He do when He gives it to a Jewish family? He expects that family to hold title to that land forever. Remember, every 50 years what would happen? The year of Jubilee, if you had taken a loan out on your land the loan went away in the 49th year, however long your loan lasted up until that Jubilee year, which meant that the title to your family inheritance could never be taken from your family. See how the family is protected in the Bible. The family unit, do you know why that's so important? That's the Old Testament picture of eternal security. That's the idea that when God gives us an inheritance it's secure, it's not going to be threatened, it's going to last. And God worked it out so the families that were in trouble economically, they had to get money, they had to lease their land out to get cash flow because they were in economic hard times, that's okay, they might lease the land out for however many years between that year now and the year of Jubilee coming up. It might be 49 years, it might be 35 years, it might be 2 years, and that's how long you could lease your land until that cut off time. And then it would revert back to you. So nobody is going to want to lease your land beyond that time frame.

So when somebody moved a landmark, first of all, they were infringing on God's allocation. So here we have a case where somebody is violating the inheritance of a land. But there's more to this; in deciding cases of who

owned land and titles, which is a case in point, the evidence brought to the court would be the landmark. Now what does this correspond to in today's judicial process? Evidence tampering. Here's a primary instance of evidence tampering before trial, that the land marks have to have integrity, and so this is one of the key crimes involving theft, apparently, in the world. We don't have any statistics on this, it's just kind of speculative on our part, but from my reading, from men who have studied ancient history, the moving of the landmark was just a habitual crime throughout the whole Middle East, it was always done. People who had a business that were raising animals, they wanted more land so they'd just kind of oouch the landmark over, and it created this kind of blasphemous attitude toward private property.

And God said no, sorry, private property means private property and property is important to Me because property in the Bible is inheritance; it's not just your property, it's your children's property, it's your grandchildren's property, it's your great-grandchildren, and so forth and so on. There's no Marxist estate tax here; this is another argument why estate taxes are anti-biblical. Estate taxes are not there because the State needs revenue; the State does not get that much revenue from inheritance taxes. The inheritance tax, if you trace it historically, was begun by Karl Marx and the reason the inheritance tax was started was to weaken the family. Of course, it's always presented in a nice, oh well, we're just after the wealthy families. Well, I submit to you, let's think about that; against the wealthy families? Now if a family is smart enough to be wealthy don't you suppose they're smart enough to be able to handle their finances more skillfully than some little snout-nosed 26 year old government bureaucrat?

See, the government has this arrogance that it knows how to manage wealth better than the wealthy people, when it's usually the wealthy people that are the most productive people in society. Right now, for example, in our country, 40% of the income tax is paid by 1% of the population. Now let's think about that one: 40% of the money coming into the government comes out of 1% of the families. That's because of progressive income tax, because somehow wealthy people, it's just for them to pay more. But what the climax is that when they die the property is taxed again. So now let's suppose you're a person who owns a farm. You have all this acreage on your farm. And you've invested in it, you've worked all your life to protect this thing and now you die and here your sons are, your daughters, they're going to inherit the farm. Oh great, except for one problem, the government wants 50% or 30%. Now what happens to the farm; the kids don't have enough cash to pay the estate tax so what happens? They have to sell off the land. So now what's happened to the family transmission of property? It's gone, because the state has this screwy way of taxing property, because of a socialist philosophy of life.

Now compare that to here; do you see any of that here? Here in verse 14 the landmarks are inviolable, the land perpetually belongs to that family and the government has no right to invoke its thing and we have an incident in the Bible, called Naboth's vineyard, where the government tried to do that and the government people that were involved met terrible deaths by way of God's judgment.

So these are all protocols that we've gone through tonight in chapter 19. We're going to continue in chapter 20, the protocols not with domestic court action but protocols of the military and foreign policy, so it will be kind of interesting to watch how the protocols work for that.