

SESSION #40 (14 December 2010); Deut 17:8-20; Israel's Supreme Court & the Limits on Kingship vs. Pagan Kingship

I. INTRODUCTION & REVIEW

1:1-5	Introduction to God's spokesman, the 1 st Prophet Moses
1:6 - 4:40	1 st Exposition of the Torah = <u>motivation</u> to obey from (1) <u>past gracious actions</u> of Yahweh and (2) <u>sovereign destiny</u> of the nation (<u>future gracious actions</u> of Yahweh)
4:41-49	Editorial comment on context of 2 nd Exposition of the Torah
5:1 - 26:19	2 nd Exposition of the Torah = proper response to Yahweh in heart and soul
5:1 - 11:32	Loving Yahweh with <u>all the heart</u>
12:1 - 26:19	Loving Yahweh with <u>all the soul</u> (<i>nephesh</i> =life)
12:1 - 13:18	Theological unity of Israel's tribes and its Enforcement (esp 1 st , 2 nd , and by implication the corresponding 9 th , 10 th commandments)
14:1-21	Enforcement of Distinct Cultural Sustenance from Life to Death (a witness consistent with Yahweh's name, see 3rd commandment)
14:22 - 16:17	A Distinct Culture of Theocentric Faith in God's Economic Order (with emphasis upon the 4 th and by implication the corresponding 8 th commandment)
16:18 - 18:22	A Distinct Culture of Human Authority Under God's Justice (emphasis upon human authority starting in the home—the 5 th commandment and by implication the 7 th commandment)
16:18 - 17:13 Authority & Function of the Judges	
17:14-20 Authority & Nature of Israel's King	

Overview of this section:

The 5th commandment of honoring parents = origin of humility and proper relationship to authority → Israel's officials

Institution of [the family] is where:

- social interaction first happens;
- behavior is shaped;
- and education occurs.

Signal text: *"that your days may be long, and that it may be well with you in the land which Yahweh your God is giving you"* (Deut 5:16)

16:18 - 17:13 Judges

1. Local "courts" were [accessible] and [responsive] to immediate local disputes as well as having elders who were knowledgeable of the local circumstances.
2. Judgments were treated as [derivative] of God's judgments.
 - Man is morally accountable—all men—to an external, transcendent standard, i.e., God's righteous and just character
 - God judges and has delegated partial judgment to man since Noah, i.e., monopoly on lethal force
3. Because judgments were derivative of God's judgments, the judges had to reject [pagan cultic influences] on their concept of "justice."
4. Judges had to employ strict [rules of evidence] that required thorough investigation.

5. This judicial system relied upon [citizen participation] as reporting witnesses (informants) and executioners (in the case of capital crimes).
6. A properly-functioning court system lowers [economic business costs] by ensuring that contracts will be enforced (risk-reduction), i.e., provides predictability of the future.

Sections of text:

16:18-17:1 Protecting Justice from Perversion

17:2-7 Judicial Procedures Illustrated for the Most Serious Crime of Treason Against King Yahweh

II. ISRAEL’S “SUPREME COURT” OF FINAL JUDGMENT (17:8-13)

Modern terminology “change of venue” (but not like our appeals procedures)

17:8 if a matter. . .too hard. . .place

Central sanctuary where [God’s Presence] resides: the “throne” of the King.

Finality of judgment insisted upon because human judicial procedures should be analogous to God’s judgment and His judgment will be final (**Jo 19:30; Rev 22:11**).

17:9 priests, Levites, . . .the judge

Representatives of BOTH the ecclesiastical (religious) and the civil government involved at this “supreme court”.

Ecclesiastical	Civil
Supplied the law of God and interceded with God for proper judgment (“Urim and Thummim” Num 27:21?)	Proclaims the verdict and enforces the punishment (custodian of judicial force)

Separation of Church and State Principle:

In Theocratic Israel the two domains were equal in authority but distinguished from each other.

In the Enlightenment tradition, the civil authority has taken over the ecclesiastical in that the State sets its own standards of law increasingly independent of, and even in antagonism to, God’s Word.

17:10-11 be careful to do. . .turn neither to the right or to the left. . .

17:12 presumptuously

Defiance of the authority of this supreme court → [rejection of the finality and authority] of God’s judgment.

priest or judge

NT example in **John 3:18-20**.

17:13 presumptuously

Sections of text:

16:18-17:1 Protecting Justice from Perversion

17:2-7 Judicial Procedures Illustrated for the Most Serious Crime of Treason Against King Yahweh

17:8-13 The Supreme Court of Final Judgment

III. THE AUTHORITY AND NATURE OF ISRAEL'S KING (17:14-20)

17:14 when I will set a king over me like all the nations that are around me
Prophecy like those in **Deut 4:25-29; 8:18-20; 13:11** showing the realism in Moses' exhortations.

Pagan Kingship

- Denial of Creator/creature distinction → meaninglessness and chaos → purpose and order comes last
- The State becomes redemptive, not just preservative; pushes positive "good" and social utopianism, not just negative restraint against evil (Babel example).
- It uses its monopoly of coercive power to triumph over ecclesiastical influence—dominates the pagan priesthood.

Israel's Kingship

- Was vested in Yahweh, not Israel
- High Priest was necessary; a king was not → ecclesiastical to be far more visible than the civil
- Final judging authority not vested in him
- Priesthood not under his control

17:15 you may set a king over you whom Yahweh chooses. . .not a foreigner (nakree).

God's permissive will—Plan B.

1 Sam 8:4-22 classic statement on centralized civil government, the hallmark of paganism.

8:7 rejected Me

Three types of God's will: declared, permissive, and over-riding; here it is His permissive will.

First warning: the "empire-building" monarchy will move potentially productive people into a self-perpetuating, bloated bureaucracy.

8:11 horsemen. . .chariots. . .

Centralized government wants power, including power to conquer and dominate. Israel hadn't needed this offensive "armor."

Ps 20:7 "*Some trust in chariots, and some in horses; but we will remember the name of Yahweh our God.*"

Isa 31:1 "*Woe to those who go down to Egypt for help, and rely on horses, who trust in chariots because they are many, and horsemen because they are very strong; But do not look to the Holy One of Israel, nor seek the Lord.*"

2 Kings 6:8-23

8:12-13 plow his ground. . .reap his harvests. . .make his weapons. . .cooks

Economic cost: standing military establishment irrespective of war or peace = loss of significant part of the labor force with a supporting bureaucracy → rise in price of products and government spending + decreasing responsiveness to local situations.

Second warning: the bloated bureaucracy will require confiscation of private wealth to maintain itself.

8:14-15 take the best. . .to his servants

8:16 take. . .put them to his work. . .

Confiscation of private property and political favoritism. This private property will be given to people who probably don't have a clue how to make it truly productive.

8:17 tenth. . .

“To get back to a mere tithe, which Samuel warned was tyranny, most of the civil governments of the modern world would have to cut taxes by three quarters. To get back to the tax level of tyrannical Egypt under Joseph (Gen. 47:26) – God’s curse on Pharaoh-worshipping Egypt through Joseph – modern welfare states would have to cut taxes by at least half.” G. North, Deuteronomy

you will be his servants

We are servants to whatever god we worship.

8:18 I won't hear you

Certain decisions in history are irreversible under God's providential justice.

8:19-20 nay. . . .judge us (civil function overtakes the ecclesiastical function). . .**go out before us** (provide a visible rallying point and leadership). . .**fight our battles** (national security)

Abdication of trust in Yahweh; lowering of the standard of acceptable behavior

Lesson: Sobering example of God's permissive will to believers to reap “plan B” because by the 3 rd and 4 th generation of the monarchy the country would face a tax-revolt so serious that it permanently split the nation.
--

Back to Deuteronomy

17:15 whom Yahweh your God chooses

How? Through the “king making prophets”; picking = anointing = mesach

- Samuel picked Saul 1 Sam 9:16
- Samuel picked David 1 Sam 16:13
- Nathan picked Solomon 2 Sam 12:24-25
- Ahijah picked Jeroboam 1 Kings 11:29
- Elijah picked Nimshi 1 Kings 19:16
- Elisha picked Jehu 2 Kings 9:1-3
- John the Baptist anointed Jesus gospels

No *nokres* (foreigners) allowed (alien culture); had to be a citizen (as our Constitution requires in Articles 1 and 2).

17:16 horses. . .return to Egypt

Reliance upon “armor” and the nearest superpower. Israel was to trust the Lord for its safety and prosperity.

17:17a wives

Royal marriages were customary tools of international treaty agreements.

Problems:

- (1) Shouldn't rely upon other nations for their security
- (2) Wives from gentile nations bring false gods into the royal family transforming family relationships into a polytheistic culture

17:17b silver and gold

Bloated treasury for government “projects” that serve no productive purpose.

17:18 write a copy from. . .the priests

Was to be literate. . .and subordinate to the ecclesiastical function to supply the Word of God.

17:19 read it all the days. . .

Continuous, in-depth exposure to the Word of God = legislative arm of the civil government.

17:20 that. . .that. . .that. . .

- (1) heart not lifted up above his brethren = no mental attitude of arrogance
- (2) not turn aside to the right or left = continue under authority of the Word
- (3) prolong his days. . .he and his children. . .= same pattern as 5th commandment except this refers to his dynastic succession

IV. CONCLUSION

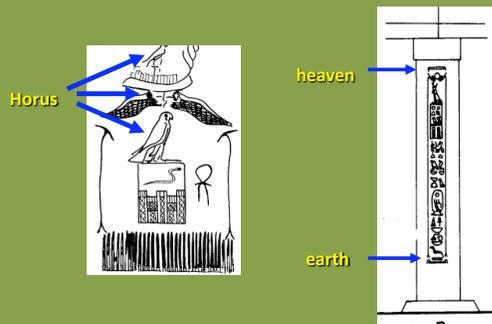
The office of king was an “add-on” by the permissive will of God to an unbelieving nation—unnecessary and did not fit well with the design of the theocracy.

It teaches us the dangers of centralized power and the unnecessary expansion of civil government by showing the sinful dynamics at work, the loss of freedom and property, and the enormous cost.

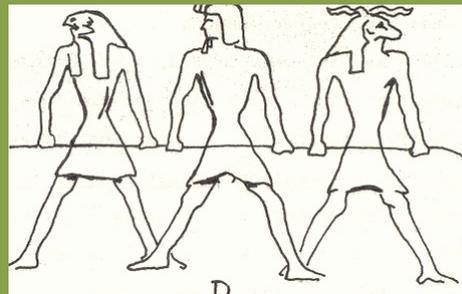
Yet God worked through the monarchy to create the expectation of the Ideal King who would have the personal character to assume the role of both priest and king without corruption.

"The Egyptian belief [was] that the universe is changeless and that all apparent opposites must, therefore, hold each other in equilibrium. Such a belief has definite consequences in the field of moral philosophy. It puts a premium on whatever exists with a semblance of permanence. It excludes ideals of progress, utopias of any kind, revolutions, and any other radical changes in existing conditions. . . .In this way the belief in a static universe enhances, for instance, the significance of established authority,"
Henri Frankfort

EGYPTIAN RELIGION



"[Pharaoh] was the fountainhead of all authority, all power, and all wealth. The famous saying of Louis XIV, l'etat c'est moi, was levity and presumption when it was uttered, but could have been offered by Pharaoh as a statement of fact in which his subjects concurred.
It would have summed up adequately [Egyptian] political philosophy."
Henri Frankfort



"The politics of the anti-Christian will. . . inescapably be the politics of guilt. In the politics of guilt, man is perpetually drained in his social energy and cultural activity by his overriding sense of guilt and his masochistic activity. He will progressively demand of the state a redemptive role. What he cannot do personally, i.e., to save himself, he demands that the state do for him, so that the state, as man enlarged, becomes the human savior of man. The politics of guilt, therefore, is not directed as the Christian politics of liberty, to the creation of the state. . . .The politics of guilt cultivates the slave mind in order to enslave men, and to have the people themselves demand an end to liberty. Slaves, true slaves, want to be rescued from freedom; their greatest fear is liberty. . . .Even as a timid and fearful child dreads dark, so does the slave mind fear liberty; it is full of the terrors of the unknown. As a result, the slave mind clings to statist or state slavery, cradle-to-grave welfare care, as a fearful child clings to its mother. The advantage of slavery is precisely this, security in the master or in the state."