

The Rule of Law

Back in Chapter 3, we took a quick glance at what Paul had to say about the Law in his letter to the Romans. Now let's return to the passage and take a closer look. The Apostle has just pointed out that death came to our race through Adam's sin, but the gift of God's forgiveness came to us through the single "righteous act" of Yahshua's sacrifice—an act capable of overcoming the death we inherited from Adam. In other words, grace outweighs sin; mercy outweighs justice. So where our sins proliferated (as demonstrated in our failure to keep the Law) God's grace flourished even more. **"Well then," he says, "should we keep on sinning so that God can show us more and more kindness and forgiveness? Of course not! Since we have died to sin, how can we continue to live in it? Or have you forgotten that when we became Christians and were baptized to become one with Christ Jesus, we died with him? For we died and were buried with Christ by baptism. And just as Christ was raised from the dead by the glorious power of the Father, now we also may live new lives...."** Dead people are not required to keep the laws of the land (obeying the speed limit, paying income taxes, and so forth). Therefore, if we have "died" with Yahshua (positionally and metaphorically), we are no longer required to keep the Law, either. But that's a big "if." It implies that those who have *not* "become one with Christ Jesus" are still bound to keep the Law—whether the Law of Moses or the Law of conscience. And as we've seen, nobody has ever done that: *all* have sinned; *all* fall short of the glory of God.

Paul continues the thought. **"Since we have been united with Him in his death, we will also be raised as he was."** Not only will we be raised, we'll be raised without the sin nature we inherited from Adam. **"Our old sinful selves were crucified with Christ so that sin might lose its power in our lives. We are no longer slaves to sin. For when we died with Christ we were set free from the power of sin."** In a very real sense, only death can separate us from sin's power, from the requirements of the Law. But through Christ, we can avail ourselves of the advantages of death (like ridding ourselves of sin) without all the unpleasant side effects. **"And since we died with Christ, we know we will also share his new life. We are sure of this because Christ rose from the dead, and He will never die again. Death no longer has any power over Him. He died once to defeat sin, and now He lives for the glory of God. So you should consider yourselves dead to sin and able to live for the glory of God through Christ Jesus...."** Ah, there's the rub. Yes, we've died with Christ *positionally*, but as long as we walk the earth, we're still trapped in the same old sin-prone carcasses. It's as if our souls are being pulled one way by our spirits (that part of us that was born anew when we received God's gracious gift), and at the same time they're being pulled back toward the world by

our bodies (that part of us that was born with Adam's sin nature). In terms Moses would relate to, we've left Egypt, but we haven't yet entered the Promised Land. It's up to us to *choose* which part of our nature we want to prevail—the body, or the spirit.

Which part of our nature will prevail? Look at it this way: who would be more likely to make it to the defensive line of an NFL football team, a corn-fed Midwestern farm boy, or an Ethiopian famine victim? The nature that prevails is the one that gets fed. If we're smart, we'll nourish the spirit and starve the flesh. Paul offers us this encouraging admonition: **"Do not let sin control the way you live; do not give in to its lustful desires. Do not let any part of your body become a tool of wickedness, to be used for sinning. Instead, give yourselves completely to God since you have been given new life. And use your whole body as a tool to do what is right for the glory of God. Sin is no longer your master, for you are no longer subject to the law, which enslaves you to sin. Instead, you are free by God's grace."** (Romans 6:1-14 NLT) It's a conscious decision we all have to make—every moment of every day.

In a way, it's not helpful to know that our sins are forgiven, past, present, and future. It makes it hard to keep our guard up, to maintain our vigilance against sin. After all, if our future shortcomings are forgiven already, who cares if we let our bodies become "tools of wickedness?" Paul, of course, recognizes this obvious conundrum, and reminds us that there's more than our eternal destiny at stake here. We also need to be cognizant of our walk and our witness—and the fact that whoever we serve is *de facto* our master. **"So since God's grace has set us free from the law, does this mean we can go on sinning? Of course not! Don't you realize that whatever you choose to obey becomes your master? You can choose sin, which leads to death, or you can choose to obey God and receive his approval. Thank God! Once you were slaves of sin, but now you have obeyed with all your heart the new teaching God has given you. Now you are free from sin, your old master, and you have become slaves to your new master, righteousness. I speak this way, using the illustration of slaves and masters, because it is easy to understand. Before, you let yourselves be slaves of impurity and lawlessness. Now you must choose to be slaves of righteousness so that you will become holy...."** Unfortunately (sort of) the total cessation of sin is not an inevitable byproduct of our salvation—not while we're still walking around in these mortal bodies. We still have to *choose* whom we're going to serve in this life, moment by moment. (It's not *really* unfortunate, of course. Choice is our primary legacy: it's what makes us human, made in the image of God. But don't you sometimes wish that you had only *one* choice to make (to love Yahweh), and after that you could let your guard down and relax a little? Alas, it's not the way we're built. As long as we're mortal, life is full of choices.)

Paul illustrates by reminding us of what our lives used to be like. **"In those days, when you were slaves of sin, you weren't concerned with doing what was right. And what was the result? It was not good, since now you are ashamed of the things you used to do,**

things that end in eternal doom. But now you are free from the power of sin and have become slaves of God. Now you do those things that lead to holiness and result in eternal life. For the wages of sin is death, but the free gift of God is eternal life through Christ Jesus our Lord." (Romans 6:15-23 NLT) At first glance, this seems to be implying we are expected to walk flawlessly from the moment we give our lives to Christ. But look closely: he doesn't say we become perfect instantaneously. Rather, "those things" we now do *lead* to holiness. Paul recognizes that the job is not completed at the beginning but at the end. We've all got to run our race; it's not over until we cross the finish line. And life is not a sprint—it's a cross country steeplechase: we're going to fall down now and then.

If life is a race we must run, then the end of that race—the finish line—is death. Once we've crossed the finish line, there are no more hurdles to clear, no more long uphill stretches to struggle through. The amazing thing about God's grace is that here, *now*, while we're still in the middle of our race, He counts our performance as if we had already finished—and finished well: He has already declared us winners. How can this be? Paul explains: **"Now, dear brothers and sisters—you who are familiar with the law—don't you know that the law applies only to a person who is still living? Let me illustrate. When a woman marries, the law binds her to her husband as long as he is alive. But if he dies, the laws of marriage no longer apply to her. So while her husband is alive, she would be committing adultery if she married another man. But if her husband dies, she is free from that law and does not commit adultery when she remarries."** What has happened? Through our association with Yahshua's sacrificial death, He has freed us from the constraints of the Law. He has finished our race for us. **"So this is the point: The law no longer holds you in its power, because you died to its power when you died with Christ on the cross. And now you are united with the one who was raised from the dead. As a result, you can produce good fruit, that is, good deeds for God."** There is a subtle truth here that we should not skip over: our "fruit" (that is, the things we do) is only "good" if we are united with the risen Messiah. The exact same deed can be either righteous or worthless in God's eyes, depending upon whether it was done within, or outside of, a relationship with Yahweh. An unbeliever who gives money to his favorite charity earns no brownie points with God, even if his contribution has helped someone.

"When we were controlled by our old nature, sinful desires were at work within us, and the law aroused these evil desires that produced sinful deeds, resulting in death. But now we have been released from the law, for we died with Christ, and we are no longer captive to its power. Now we can really serve God, not in the old way by obeying the letter of the law, but in the new way, by the Spirit." (Romans 7:1-6 NLT) Serving God is the objective. Although many would deny it, that's a universal facet of the human condition. Our "gods," however, are not always the real thing. If you're a drunk, you serve your god alcohol; if you're a Muslim, you serve your god Allah (who looks an awful lot like Satan); if you're a homosexual, you serve your lifestyle; if you're a

“religious” person, you might find yourself serving the church, or a set of rules, or a substitute savior like the Virgin Mary or some charismatic religious personality—instead of Yahweh. If you ask an observant Jew, he’ll tell you he serves God by keeping the Law. But the Law he’s attempting to “keep” is (as this study is revealing) merely a twisted and pale caricature of what Yahweh actually instructed. In the end, serving God can only be done in the Spirit, by dying to the world and the Law and human effort and our very selves—and becoming alive to Yahweh through the life of the risen Yahshua.

The Torah, then, can’t in itself save us. It can only point out how badly we’re failing. That doesn’t mean it’s worthless; it only shows that it was never *designed* to save us. I have a toaster in my kitchen. It makes toast just the way I like it. But it doesn’t wash my dishes or keep my milk cold. It only makes toast, and I use it and “respect” it for doing that for which it was designed. I don’t stop using it just because it won’t vacuum my floors. The Law is like that. It is a wonderful tool for revealing the mind of God to us. But it was designed neither to save nor to rule over us. The Law is a gift of insight and priceless information. If we use it and respect it as Yahweh intended, we will live richer, more enlightened lives. If we ignore it because we think it’s obsolete or ineffectual, we ignore the very word of God, and that’s not very smart.

The Torah covers more than lofty theological issues. It also condescends to teach us how Yahweh feels about the little things, the intimate facets of our lives, through the most mundane details of human interaction. His Law shows us that God values fair play, justice, and honesty in our dealings with one another. As usual, we could pretty much just skip this section if we were able to master one basic principle: love one another.

THE COURT AND JUDICIAL PROCEDURE

(227) *Appoint judges and officers in every community of Israel. “You shall appoint judges and officers in all your gates, which Yahweh your God gives you, according to your tribes, and they shall judge the people with just judgment. You shall not pervert justice; you shall not show partiality, nor take a bribe, for a bribe blinds the eyes of the wise and twists the words of the righteous. You shall follow what is altogether just, that you may live and inherit the land which Yahweh your God is giving you.”* (Deuteronomy 16:18-20) God knew that when His people had settled in the Land, disputes would arise from time to time. He therefore instructed that in any settlement big enough to have a city wall and a

“gate” where the men of the place could come to discuss their issues, judges and officers would be appointed to settle these issues. A judge (Hebrew: *shaphat*) is one who pronounces sentence (either for or against); by implication he is one who vindicates or punishes. An officer (*shoter*), properly speaking, is a scribe, who would function in this case as a magistrate of the court. So the first thing we see is that Yahweh is requiring that lawful justice be readily available to all. Vigilante justice—doing what is right in your own eyes, taking the law into your own hands—was not to be practiced in Israel. These judges and officers would be chosen not by God but by the people of their cities: “*You shall appoint...*” It would thus behoove the citizens to choose their judges wisely.

Moses gives the simplest of instructions to the judges and officers: they were to judge fairly, justly, without being influenced by conflicts of interest. Bribes of any kind were strictly forbidden, including the subtle or hidden pressures to pervert justice—family relationships, wealth, or social influence. They were not to show partiality, but were to judge strictly on the facts of the case and the Law of God.

(228) *Do not appoint as a judge a person who is not well versed in the laws of the Torah, even if he is expert in other branches of knowledge. “...So I took the heads of your tribes, wise and knowledgeable men, and made them heads over you, leaders of thousands, leaders of hundreds, leaders of fifties, leaders of tens, and officers for your tribes. Then I commanded your judges at that time, saying, ‘Hear the cases between your brethren, and judge righteously between a man and his brother or the stranger who is with him. You shall not show partiality in judgment; you shall hear the small as well as the great; you shall not be afraid in any man’s presence, for the judgment is God’s.”* (Deuteronomy 1:15-17) In this passage, Moses is recounting how and why judges and officers were originally appointed among the Israelites in the days following the exodus. (See Exodus 18:13-26. Interestingly, the original idea of “regional” judges was not Yahweh’s but Jethro’s—Moses’ father-in-law. It’s pretty clear that God likes it when we think creatively within the framework of His truth.) The permanent judicial system outlined in #227 is an outgrowth and extension of this system.

All Israelites were to be well versed in the Torah, being steeped in its truths from childhood. So there is a subtle perversion in the rabbinical mitzvot here. Knowledge of God’s Law was never intended to be the domain of the privileged few, the “ruling class” for whom divine knowledge brought power, wealth, and prestige. Granted, certain men are naturally more gifted in wisdom and discernment (the ability to perceive

the truth of a judicial case) than others, and it was these who were to be selected as judges. But *everyone* was supposed to know the Torah backward and forward. I can't honestly say I disagree with Maimonides' mitzvah, because it's patently good advice. But it's man's wisdom, not God's instruction: Yahweh never actually said this.

- (229) *Adjudicate cases of purchase and sale.* **"In this Year of Jubilee, each of you shall return to his possession. And if you sell anything to your neighbor or buy from your neighbor's hand, you shall not oppress one another. According to the number of years after the Jubilee you shall buy from your neighbor, and according to the number of years of crops he shall sell to you. According to the multitude of years you shall increase its price, and according to the fewer number of years you shall diminish its price; for he sells to you according to the number of the years of the crops. Therefore you shall not oppress one another, but you shall fear your God; for I am Yahweh your God."** (Leviticus 25:13-17) "Adjudicate" is not a word we use much anymore. It means: "to sit in judgment; to give a judicial decision." The context of the supporting passage for this mitzvah, however, doesn't even suggest a judicial party or arbitrating authority who's supposed to be in charge of setting prices. Am I reading too much into this, or do we have another rabbinical power grab going on here?

I'm sure you'll recognize this as part of the Law of Jubilee. All Yahweh is saying is that the value of the piece of land being "sold" should be based on the number of years left (or more to the point, the number of crops it will yield) until Jubilee, for at that time it will revert back to its original owner. The passage refers only to land, not to other items or commodities that might be purchased, and Yahweh makes it quite clear that there is no such thing as a land "purchase" or "sale" in theocratic Israel—there are only leases. No "adjudication" is called for; this is a matter of private agreement between the lessee and the lessor. See Mitzvot #210-226 for a more complete discussion of the Laws of the Sabbatical Year and Jubilee.

- (230) *Judge cases of liability of a paid depositary.* **"If a man delivers to his neighbor money or articles to keep, and it is stolen out of the man's house, if the thief is found, he shall pay double. If the thief is not found, then the master of the house shall be brought to the judges to see whether he has put his hand into his neighbor's goods. For any kind of trespass, whether it concerns an ox, a donkey, a sheep, or clothing, or for any kind of lost thing which another claims to be his, the cause of both parties shall come before the judges; and whomever the judges condemn shall pay double to his neighbor. If a man delivers to his neighbor a donkey, an ox, a sheep, or any animal to keep, and it dies, is hurt, or driven away, no one seeing it, then an oath of Yahweh shall be between them both, that he has not put his hand into his neighbor's goods; and the owner of it shall accept that,**

and he shall not make it good. But if, in fact, it is stolen from him, he shall make restitution to the owner of it. If it is torn to pieces by a beast, then he shall bring it as evidence, and he shall not make good what was torn.” (Exodus 22:7-13)

First, let us note that the supporting passage says nothing about the depositary (the one to whom the goods were entrusted for safe keeping) necessarily being *paid*, although he could be. The issue here is trustworthiness, whether in a professional capacity or not.

Here’s the scenario. Party A needs someone to look after his valuables, so he entrusts them to Party B (who in modern terms could be a banker, a house-sitter, a pet-groomer, a friend who has a little extra space in his garage or pasture—any number of things). Alternately, Party B temporarily needs something Party A has, so Mr. A either loans or rents the necessities to Mr. B. But then Party A’s belongings get stolen or damaged while they were in Party B’s custody. Who’s responsible? Who makes up the loss? It depends.

In cases of theft, the thief must repay the owner double (see #275). The rub is, the thief isn’t always apprehended. There’s also a possibility that the theft is an “inside job,” that Party B himself has stolen it. It becomes a matter for the impartial judge to decide who is guilty. In cases of lost livestock (which was a primary concern to Moses’ immediate audience because livestock constituted most of the wealth), the evidence of the case had to speak for itself—if there was any. In the absence of any clear cut evidence, the trustee was required to swear an oath before Yahweh attesting to his innocence in the matter. It was presumed in this society that no one would perjure himself before God Almighty merely to steal a sheep. Too bad we can’t presume things like this any more.

The rules are pretty self-explanatory, and they’re the epitome of fairness. Revenge is not part of the formula, nor is the “rehabilitation” of the guilty party, but restitution is. It’s an eye opener to compare the Law of God to the alternative. In America, we throw an embezzler in prison, leaving the wronged party high and dry and costing the taxpayers a fortune. In Islam, he’d get his hand chopped off, a cruel and pointless waste of life. Yahweh’s instructions are practical, fair, and, in comparison with the alternative, merciful to both victim and perpetrator.

- (231) *Adjudicate cases of loss for which a gratuitous borrower is liable. “...But if, in fact, it is stolen from him, he shall make restitution to the owner of it. If it is torn to pieces by a beast, then he shall bring it as evidence, and he shall not make good what was torn. And if a man borrows anything from his neighbor, and it becomes injured or dies, the owner of it not being with it, he shall surely make it good. If its owner was with it, he shall not make it good; if it was hired, it came for its hire.”*

(Exodus 22:12-15) This is a continuation of the previous mitzvah. At its heart, the principle is that a man shall be held responsible for things that are entrusted to his care, but not for events that are entirely outside his control. Negligence is penalized; misfortune is not. Dishonesty is punished; bad luck is forgiven. And there's another principle: with profit comes risk. A man who rents out his team of oxen is less likely to be entitled to restitution if one gets hurt than a man who loans his neighbor his team with no thought of profit. In the end, though, each case had to be weighed on its own merit. That's why it was so important to choose wise judges.

- (232) *Adjudicate cases of inheritances.* **“If a man dies and has no son, then you shall cause his inheritance to pass to his daughter. If he has no daughter, then you shall give his inheritance to his brothers. If he has no brothers, then you shall give his inheritance to his father’s brothers. And if his father has no brothers, then you shall give his inheritance to the relative closest to him in his family, and he shall possess it. And it shall be to the children of Israel a statute of judgment, just as Yahweh commanded Moses.”** (Numbers 27:8-11) As we will see in so many of the mitzvot in this section, no judge is necessary to “adjudicate” what is being instructed here. The customs concerning inheritance were well established: the estate was normally to be divided among the sons, with the firstborn receiving a double portion—even if the firstborn was the son of an unloved wife (remember Leah?). See Deuteronomy 21:17. The Numbers passage describes the order of succession in those rare cases where the father had no sons. The main idea was to keep the land in the family, so it would go to the nearest relative—starting with the man’s daughter. (Daughters were not second-class citizens in Israel. Yahweh took care of them. But normally, they would marry men who had received inheritances of their own.)

Why was all this so important to Yahweh? The law of inheritance was designed to keep the land in one family generation after generation, and we've already seen in the law of Jubilee that lands could not permanently change hands. The Land, one's inheritance, is symbolic of our salvation, our eternal life. It is a gift from God. But the children do not take possession of the inheritance until the father dies. Thus the inheritance of the land is a metaphor for Yahshua's death enabling us to come into our inheritance of everlasting life—a legacy that's guaranteed. Just as the Land belongs to Yahweh and He gave it to Israel as a permanent possession, life itself is Yahweh's as well, and He gives it as a permanent possession to those who choose to abide in Him.

- (233) *Judge cases of damage caused by an uncovered pit.* **“And if a man opens a pit, or if a man digs a pit and does not cover it, and an ox or a donkey falls in it, the**

owner of the pit shall make it good; he shall give money to their owner, but the dead animal shall be his." (Exodus 21:33-34) In another example of Yahweh's practical fairness in all things, here is God's take on negligence. "You break it, you bought it," or words to that effect. Looking on the bright side, though, the negligent landowner got to keep the carcass. He couldn't eat it, however, even if it was kosher (oxen were, donkeys weren't). As we saw in Mitzvah #156, animals that died by accident could be sold to gentiles, but they weren't to be consumed by Jews. Bottom line: don't create conditions that are potentially hazardous.

There is a spiritual application as well, if only we'll bother to look for it. We should be careful not to place "stumbling blocks" before our brothers. If what we do in the name of "Christian liberty" creates a pitfall for him, a crisis of conscience, we just might find ourselves with his spiritual carcass on our hands.

- (234) *Judge cases of injuries caused by beasts.* **"If one man's ox hurts another's, so that it dies, then they shall sell the live ox and divide the money from it; and the dead ox they shall also divide. Or if it was known that the ox tended to thrust in time past, and its owner has not kept it confined, he shall surely pay ox for ox, and the dead animal shall be his own."** (Exodus 21:35-36) Here is another facet to the law of negligence, this time requiring a judgment call: was the offending ox a *repeat* offender? And if so, did its owner make any provision for keeping it where it couldn't cause any damage? Responsibility is based upon what the owner knew (or should have known) and what he did with that knowledge. Every parole board member should have these words engraved in his mind. For they are responsible for the "dumb brute beasts" they release upon an unsuspecting society. Beyond that, there are a myriad of modern practical applications. Has your pet dog shown aggressive tendencies? Are you driving a car with bad brakes or worn tires? Do you send your children to school *knowing* that they're coming down with a cold? Your knowledge of potential problems makes you responsible to prevent them from becoming real ones. Yahweh is not impressed with what you consider convenient or easy; He's only concerned with what's right.
- (235) *Adjudicate cases of damage caused by trespass of cattle.* **"If a man causes a field or vineyard to be grazed, and lets loose his animal, and it feeds in another man's field, he shall make restitution from the best of his own field and the best of his own vineyard."** (Exodus 22:5) You are responsible for the actions of the things you own. Israel, of course, was an agrarian society, so the principle was couched in agricultural terms—cattle, sheep, and goats getting out and eating the neighbors' crops. Note that Yahweh said that the offending

animal's owner was to repay his neighbor with the *best* of his produce. Our neighbor must never be allowed to suffer loss because of our negligence.

- (236) *Adjudicate cases of damage caused by fire.* **“If fire breaks out and catches in thorns, so that stacked grain, standing grain, or the field is consumed, he who kindled the fire shall surely make restitution.”** (Exodus 22:6) Another corollary to the law of responsibility is seen here. Fire is inherently dangerous and prone to accidental spreading. True, there are perfectly legitimate reasons for starting them, but the one who does so is responsible for keeping it under control. Negligence can cause sweeping destruction and even loss of life. Yahweh makes it clear that accidental or not, losses caused by runaway fires must be paid by the one who set the fire in the first place. Restitution is not to be borne by the victim of a negligent act, and certainly not by the victim of arson.

It is not without cause that the tongue is compared in scripture to a flame. A word once spoken is as hard to contain as a prairie fire in a stiff breeze. A rumor whispered in the ear can ruin lives and destroy homes. And make no mistake, Yahweh holds us responsible for what we say: **“He who kindled the fire shall surely make restitution.”**

- (237) *Adjudicate cases of damage caused by a gratuitous depositary.* **“If a man delivers to his neighbor money or articles to keep, and it is stolen out of the man's house, if the thief is found, he shall pay double. If the thief is not found, then the master of the house shall be brought to the judges to see whether he has put his hand into his neighbor's goods.”** (Exodus 22:7-8) We've already looked at this concept (see Mitzvah #230). The rabbis are trying to draw a distinction between determining liability and assessing damage—a distinction that isn't really there in scripture. As before, we see that the guilty party is to make reparations over and above (double in this case, as many as four or five-fold in certain others) what was taken; the victim is not to be left holding the bag. This is one of the cases where the judges (see Mitzvah #227) would be called upon to weigh the evidence and render a verdict as to the guilt or innocence of the trustee.
- (238) *Adjudicate other cases between a plaintiff and a defendant.* **“For any kind of trespass, whether it concerns an ox, a donkey, a sheep, or clothing, or for any kind of lost thing which another claims to be his, the cause of both parties shall come before the judges; and whomever the judges condemn shall pay double to his neighbor.”** (Exodus 22:9) This is the kind of thing that caused the whole judicial system to be set up in the first place (Exodus 18:13-26)—minor disputes between individuals that the people were bringing before Moses to decide upon. The judges that he appointed (a body which eventually

morphed into the Sanhedrin) were tasked with deciding who was innocent, and who was lying. Frivolous lawsuits were probably kept to a minimum by the provision that the losing party—plaintiff or defendant—would have to pay double the value of the “bone of contention” to his neighbor.

It’s worth noting (again) that many of the provisions of the Law did not require the “adjudication” indicated in Maimonides’ version of things. They were cut and dried: *Your goat ate my grapes, so you’ll have to make good my losses.* Honesty and fair play were to be the normal state of affairs in Yahweh’s nation. Only in cases of honest dispute (*It wasn’t my goat—I think it was Yakob’s*) would the judges need to be called. It was never Yahweh’s intention to foster a litigious society forced to rely on an increasingly powerful judicial (read: rabbinical) class for esoteric interpretations of arcane points of law that only they were qualified to pontificate upon. It was supposed to be simple: *Love Me; love your neighbor.*

- (239) *Don’t curse a judge. “You shall not revile God, nor curse a ruler of your people.”* (Exodus 22:28) That seems simple enough, but it’s not. Maimonides and his fellow rabbis were, of course, stressing the idea that *they*, being the self appointed “rulers of the people,” were not to be cursed. Their mitzvah is a self-serving expedient. But the supporting verse leads us to other conclusions, if we’re willing to look at what the words actually mean. *Who* is not to be cursed? The word translated “ruler” here is *nasi*, from a root meaning “to lift up.” It means “an exalted one, a king or sheik.” It’s usually translated “prince” in the KJV. The judges of Israel were never characterized as kings or exalted ones, however; they were supposed to judge the “small matters” (Exodus 18:22) that arose between the people. In contrast, the *nasi* was to (in the words of Jethro to Moses) **“stand before God for the people, so that you [i.e., Moses, the de facto *nasi*] may bring the difficulties to God. And you shall teach them the statutes and the laws, and show them the way in which they must walk and the work they must do.”** (Exodus 18:19-20) That is the proper work of princes and presidents.

We saw way back in Mitzvah #3 that we aren’t to revile God—that is, to take Him lightly, bring Him into contempt, curse, or despise Him (Hebrew: *qalal*). The concept is obvious and ubiquitous throughout scripture. But perhaps we should take a closer look at the word “God” here. It’s the usual word for God, *Elohim*—the plural of a word (*Eloah* or *El*) that means god in a general sense, whether true or false. *Elohim* is translated as “God” 2,346 times in the Old Testament (the King James Version translates it “the gods” here, clearly an error). Four times, however, it’s translated “judges.” Significantly, all four are in this very

passage, and they all clearly mean *human* judges, not Yahweh. For example, a verse we looked at in the previous mitzvah says, “...the cause of both parties shall come before the judges [elohim]; and whomever the judges [elohim] condemn shall pay double to his neighbor.” (Exodus 22:9) Thus it’s possible, though I can’t be dogmatic, that there is a secondary meaning to “You shall not revile God” here: *You shall not take lightly, bring into contempt, curse, or despise a judge in Israel doing the work Yahweh appointed for Him.* Maybe the rabbis were right after all. *Maybe.*

- (240) *One who possesses evidence shall testify in court. “If a person sins in hearing the utterance of an oath, and is a witness, whether he has seen or known of the matter—if he does not tell it, he bears guilt.”* (Leviticus 5:1) There is apparently some object/subject confusion here. It’s a bit clearer in the NLT: “If any of the people are called to testify about something [i.e., a sin. Hebrew: *chata*] they have witnessed, but they refuse to testify, they will be held responsible and be subject to punishment.” The rabbis got the heart of this one right. Remember the Ninth Commandment, the one about bearing false witness? Yahweh is pointing out here that to withhold pertinent evidence is tantamount to lying under oath. Justice is perverted; the truth is compromised. In other words, when giving testimony, a truth suppressed is the same as a lie proclaimed. We are to give “the truth, the whole truth, and nothing but the truth.”
- (241) *Do not testify falsely. “You shall not bear false witness against your neighbor.”* (Exodus 20:16) As I mentioned in the previous mitzvah, the Ninth Commandment points out Yahweh’s heart for justice. As stated in Micah 6:8, “He has shown you, O man, what is good. And what does Yahweh require of you but to do justly, to love mercy, and to walk humbly with your God?” These three things—mercy, justice, and humility—are all interrelated. One who perverts justice by perjuring himself in order to condemn someone he hates has not only displayed a lack of mercy but has also proved his arrogance. He has in effect put himself in the place of God, who alone is qualified to judge us. In this world, Yahweh would rather let the guilty go free than see the innocent punished. (He’s promised to sort things out in the next, anyway.) Justice is tempered by mercy; it is perverted by pride.
- (242) *A witness who has testified in a capital case shall not lay down the law in that particular case. “Whoever kills a person, the murderer shall be put to death on the testimony of witnesses; but one witness is not sufficient testimony against a person for the death penalty.”* (Numbers 35:30) I’m not quite sure what Maimonides meant to say, but fortunately Moses is crystal clear. He makes a couple of points. First, murderers are to receive the death penalty. That’s not terribly politically correct in certain circles these days. Deal

with it. If you're against the death penalty for murderers, you disagree with God. I don't know how *you* feel about knowingly contradicting Yahweh, but it would make *me* very uncomfortable.

On the other hand, nobody is to be found guilty of murder on the basis of only one person's testimony. Yahweh has thus built in safeguards against the abuse and misuse of the death penalty. Let's face it: perjury is easy. That's why Yahweh had to go out of His way to condemn it (see Mitzvah #241). Perjury in a murder case could *itself* lead to murder if only one witness was required in order to get a conviction. And as easy as perjury is, mistakes are even easier. Eyewitnesses, even honest ones, are not infallible. Evidence is preferable. But there was no such thing as forensic science until the last century or so. Yahweh made the maintenance of a just society as simple and foolproof as possible.

- (243) *A transgressor shall not testify.* **“You shall not circulate a false report. Do not put your hand with the wicked to be an unrighteous witness. You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn aside after many to pervert justice.”** (Exodus 23:1-2) It seems like a pretty good idea—not requiring “a transgressor to testify.” In fact, something very close to this thought is built into the American Bill of Rights, in Article V: “[No person] shall be compelled in any criminal case to be a witness against himself.” But the scripture cited to support the mitzvah says nothing of the sort. The rabbis have missed the point entirely.

Yahweh here is instructing us about “mob mentality.” Having designed us, He knows that we are susceptible to suggestion and pressure. That's why He wanted us to keep His words before us at all times (see Mitzvah #21) Our emotions can be cleverly manipulated to turn us aside from the truth; and the same thing can be done at the group level—with disastrous results. Everything from the French Revolution to the latest South American soccer riot can be attributed to this destructive phenomenon. If you think about it, Yahweh is declaring that He's opposed to democracy. He's saying that the rule of the majority is not necessarily a good thing. He wants us to think for ourselves, to exercise the right of choice that He gave us, to come to our own conclusions based on evidence and logic. Following the crowd is the last thing He wants us to do. Well, maybe the *next-to-last* thing. The *last* thing would be to incite the crowd ourselves, circulating lies or offering testimony that's calculated to win us popularity or favor with the ruling elite. Tell the truth, He says, even if it's unpopular. We are to act like Elijah, not the prophets of Ba'al (see I Kings 17).

- (244) *The court shall not accept the testimony of a close relative of the defendant in matters of capital punishment. “Fathers shall not be put to death for their children, nor shall children be put to death for their fathers; a person shall be put to death for his own sin.”* (Deuteronomy 24:16) Once again, the rabbis have extrapolated God’s instruction until it no longer bears any resemblance to what Yahweh actually said. Even philosophically, the rabbinical mitzvah is in opposition to the general tenor of the Torah: they’re saying, *don’t give these “hostile witnesses” a chance to defend someone in whom they have a vested interest in acquitting.* God’s rule is justice tempered with mercy, which would translate to: *give the defendant every opportunity to clear his name. He is to be considered innocent until proved guilty.* Sound familiar?

The supporting passage makes an entirely different point. No one is to be punished for the sins of others. This would have been crystal clear to the original audience—Israelites whose parents had all perished in the wilderness over the last 40 years because of their unbelief. This generation had not been a party to their fathers’ rejection of Yahweh, so they had been preserved alive to enter and possess the Land. They would make their own choices, for better or worse.

The lessons extend into eternity. Adam’s sin made us mortal, but each and every one of us has proved his own guilt by committing his own sins. Adam can’t take the fall for us, nor can we through piety or prayer make good choices for our children. But wait a minute. Does this mean that our heavenly Father (in His human manifestation, Yahshua) couldn’t have received the just punishment for *our* sins? No, for one very simple reason. Each of us, fathers and sons, mothers and daughters, is guilty of our own crimes. We don’t even have enough righteousness to help ourselves, never mind our parents and children. Only One who is sinless could be “**put to death for [His] children.**” And that One is Yahshua.

- (245) *Do not hear one of the parties to a suit in the absence of the other party. “You shall not circulate a false report. Do not put your hand with the wicked to be an unrighteous witness. You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn aside after many to pervert justice.”* (Exodus 23:1-2) As we saw in #243, and will again in #248, 249, and 250, Maimonides and his buddies have built an elaborate and reasonable-sounding list of rules out of a totally unrelated passage in the Torah. It’s no doubt a fine thing to ensure that testimony is not delivered in secret, making it impossible to rebut. We should be able to face our accusers. That’s why this very precept shows up in American jurisprudence. But it’s not what Yahweh said. I’ve got no problem with making up rules and laws and instructions.

But when the rabbis make their own rules and attribute them to God, I draw the line.

- (246) *Examine witnesses thoroughly.* “If you hear someone in one of your cities, which Yahweh your God gives you to dwell in, saying, ‘Corrupt men have gone out from among you and enticed the inhabitants of their city, saying, “Let us go and serve other gods”’—which you have not known—then you shall inquire, search out, and ask diligently. And if it is indeed true and certain that such an abomination was committed among you, you shall surely strike the inhabitants of that city with the edge of the sword, utterly destroying it, all that is in it and its livestock—with the edge of the sword.” (Deuteronomy 13:12-15) I’ll grant you, it’s never a bad idea to “inquire, search out, and ask diligently” when trying to determine the facts of a matter. But how could the rabbis see this and nothing more from the passage at hand? Moses is describing the most serious of matters—a city in Israel that has reportedly gone over to the wholesale worship of false gods (e.g. Laish, renamed Dan—see Judges 18). If that happened, their own countrymen were instructed to utterly destroy the place—buildings, livestock, valuables, the whole shebang. Nothing was to be taken, nothing kept. The cancer of false worship was to be cut out and eliminated. Needless to say, you didn’t want to make a mistake about something this drastic. *Oops, my bad. It was just some guy burning trash out in his field. Sorry we tore down your city and killed everybody. Won’t happen again, I promise.*

The lessons for us are a two-edged sword. First, don’t condemn a fellow believer of wrongdoing (as in I Corinthians 5) without rock-solid evidence. But conversely, don’t tolerate, accept, or compromise with any kind of false doctrine, even if it looks attractive and reasonable (like some of these phony-baloney mitzvot). Of course, you’ve got to be familiar with the real thing if you hope to be able to spot the counterfeits.

- (247) *Don’t decide a case on the evidence of a single witness.* “**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.**” (Deuteronomy 19:15) The rabbis were right, as far as they went. The testimony of one witness is not enough to convict a man under Mosaic Law: two, or better, three are needed to establish the truth of eyewitness accounts. I get the feeling from Yahshua’s discussion of this principle (e.g. John 8:18) that the subsequent witnesses can be solid evidence, either documentary or forensic. For instance, He called on His detractors to search the Scriptures, for the Law and the Prophets offered testimony about Him.

But there was more to it. Eyewitnesses are not only prone to error, they have also been known to lie in order to gain an advantage. The

passage goes on to describe the procedure to follow if conflicting testimony is given. **“If a false witness rises against any man to testify against him of wrongdoing, then both men in the controversy shall stand before Yahweh, before the priests and the judges who serve in those days. And the judges shall make careful inquiry, and indeed, if the witness is a false witness, who has testified falsely against his brother, then you shall do to him as he thought to have done to his brother; so you shall put away the evil from among you. And those who remain shall hear and fear, and hereafter they shall not again commit such evil among you. Your eye shall not pity: life shall be for life, eye for eye, tooth for tooth, hand for hand, foot for foot.”** (Deuteronomy 19:16-21) In a very real sense, the witnesses are on trial, for they have the power, potentially, to punish a man unjustly. There is therefore more to the judges’ job than merely ascertaining the truth. They must also determine whether the conflicting testimony was purposefully fraudulent—a “false witness”—or if it was the result of honest error (*He said the fleeing man was wearing a black coat, but the subject’s was actually navy blue*). If the witness is found to have given dishonest testimony in order to intentionally shift blame to the defendant, the witness himself will receive the punishment he had sought to inflict upon his neighbor. It’s a purposeful deterrent against perjury: **“Those who remain shall hear and fear.”** I can’t help but wonder if the guys who were recruited to testify against Yahshua (Matthew 26:59-62) thought about getting crucified?

- (248) *Give the decision according to the majority when there is a difference of opinion among the members of the Sanhedrin as to matters of law. “You shall not circulate a false report. Do not put your hand with the wicked to be an unrighteous witness. You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn aside after many to pervert justice.”* (Exodus 23:1-2) This is one of those instances (thankfully rare—they usually just miss the point) where the rabbis’ mitzvah is diametrically opposed to the scripture they’ve cited to support it. They’re saying, *The majority opinion among us, the ruling elite of Israel, will become law.* It’s the same system America uses, subject to the same abuses. And by the way, it’s the same system the Sanhedrin used to condemn Yahweh’s Anointed One to death—proving that it’s an anathema to God. Yahweh is saying something completely different: *Don’t follow the crowd, and don’t lead them into falsehood, either. Seek truth, mercy, and justice, even if you’re a lone voice crying in the wilderness.* Yahweh could care less about the majority opinion. In fact, He flatly stated that the majority is lost: **“Enter by the narrow gate; for wide is the gate and broad is the way that leads to destruction, and there are many who go in by it. Because narrow is the gate and difficult is the way which leads to life, and there are few who find it.”** (Matthew 7:13-14)

- (249) *In capital cases, do not decide according to the view of the majority when those who are for condemnation exceed those who are for acquittal by only one. “You shall not circulate a false report. Do not put your hand with the wicked to be an unrighteous witness. You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn aside after many to pervert justice.”* (Exodus 23:1-2) They’re saying a simple majority isn’t enough to condemn a man to death—you need at least two tie breakers. Sorry, guys. Wrong again. This is merely man’s flawed wisdom. In the case of the most significant trial in history, we know of only two dissenting (or was it *abstaining*) voices out of the seventy, Nicodemus and Joseph of Arimathea. Clearly, the idea of majority rule has some holes in it. How many in that assembly were swayed by the vituperative attitude of Annas and Caiaphas? How many were nudged over the line by the false witnesses who were brought in to testify against Yahshua? How many were cowed into silence by the weight of peer pressure?
- (250) *In capital cases, one who had argued for acquittal shall not later on argue for condemnation. “You shall not circulate a false report. Do not put your hand with the wicked to be an unrighteous witness. You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn aside after many to pervert justice.”* (Exodus 23:1-2) This mitzvah is not only unscriptural, it’s stupid. The facts of criminal cases are not necessarily all apparent at the outset. Witnesses come forward, clues develop, and evidence surfaces. With each new development, an honest judge must reevaluate his position. He must critically evaluate each piece of evidence and each word of testimony, without being swayed by public opinion. As written, this mitzvah would tend to favor the accused (which is not in itself a bad thing); it shelters him from late-appearing evidence. But that is not the same thing as mercy—and it’s a long, long way from justice. I think in this world God would rather see a guilty man set free than an innocent man punished. However, the ideal is still justice tempered by mercy—a man being held responsible for his own crimes, but ultimately relying on Yahweh for his eternal redemption.
- (251) *Treat parties in a litigation with equal impartiality. “You shall do no injustice in judgment. You shall not be partial to the poor, nor honor the person of the mighty. In righteousness you shall judge your neighbor.”* (Leviticus 19:15) This is the first of three mitzvot the rabbis wrung out of this verse. Impartiality is a key to rendering justice, but exercising it is easier said than done. Prejudice (in the positive sense) comes in two basic flavors, unwarranted favoritism toward the underdog, or obsequious fawning over the rich, famous, or powerful. The first, especially in our liberal American society, follows some really convoluted logic: *the defendant is a poor, under-*

educated member of a minority group, so we should consider “society” as being at fault for any crimes he’s committed. Dumb. The second is every bit as twisted: *the defendant is famous, so “they” are trying to railroad him out of spite and jealousy.* “Stars” like O.J. Simpson, Kobe Bryant, and Michael Jackson seldom go to prison, no matter how much trouble they get into. Of course, there are negative counterparts to these two types of prejudice as well. Sometimes it’s *Hang the nigger on general principles* (excuse the epithet, but that’s how these people think) or *Wouldn’t you just love to see Martha Stewart get her comeuppance?* It’s all wrong, and God said so. **“In righteousness you shall judge your neighbor.”** Let the evidence and testimony speak for itself, and don’t even consider the social status of the person being tried.

- (252) *Do not render iniquitous decisions.* **“You shall do no injustice in judgment. You shall not be partial to the poor, nor honor the person of the mighty. In righteousness you shall judge your neighbor.”** (Leviticus 19:15) This mitzvah is awfully broad and slam-dunk obvious, but okay. Don’t sin (commit iniquity) when making judicial decisions. That would imply warnings against partiality, against assumptions of guilt or innocence (rushing to judgment), and against failure or refusal to take pertinent evidence (whether positive or negative) into account. In America, we have a real problem with rules. Unless evidence was discovered, gathered, and transmitted in precisely the proper manner, a lawyer can easily get it thrown out of court—and in the process pervert justice. A word to the wise: Yahweh knows what’s going on, even if our courts refuse to see it. It’s a real shame the lady in the toga with the scales has a blindfold on. What we need is a system of justice that recognizes the truth when it sees it.
- (253) *Don’t favor a great man when trying a case.* **“You shall do no injustice in judgment. You shall not be partial to the poor, nor honor the person of the mighty. In righteousness you shall judge your neighbor.”** (Leviticus 19:15) Once again, a person’s social status, fame, prestige in the community, wealth, or good looks should not become a factor in determining their guilt or innocence. Let the facts of the case speak for themselves. The same principle holds true in sentencing: if an inner city gang member and a Wall Street millionaire commit the same crime, they should receive the same punishment.
- (254) *Do not take a bribe.* **“You shall not pervert the judgment of your poor in his dispute. Keep yourself far from a false matter; do not kill the innocent and righteous. For I will not justify the wicked. And you shall take no bribe, for a bribe blinds the discerning and perverts the words of the righteous.”** (Exodus 23:6-8) In a dispute between a rich man and a poor man, it’s obvious that only the

rich man is in a position to offer a bribe to the judge in an attempt to swing the decision his way. So at its heart, this mitzvah is a practical corollary to the previous one. Yahweh here relates conflicts of interest and the perversion of justice to *killing* the innocent—it's more serious in God's eyes than the mere theft of their meager resources. He reminds us that even if the bribe-taking judge lets the guilty man go free, He will not.

- (255) *Do not be afraid of a bad man when trying a case. “You shall not show partiality in judgment; you shall hear the small as well as the great; you shall not be afraid in any man's presence, for the judgment is God's.”* (Deuteronomy 1:17) This one has become a significant factor in American courtrooms. The gangster (whether crime boss, gang banger, wealthy industrialist, or powerful politician) goes on trial, only to let it be known in manners subtle or overt that whoever testifies against him is as good as dead. Witnesses, jurors, prosecutors, and judges all fall prey to this kind of pressure. Yahweh is calling for courage here—for the character to stand up for truth in the face of death threats.

I might add that the principle applies to the court of public opinion as well. We need to be willing to stand up and speak out against evil in the world wherever we find it. I'm not talking about cramming our personal opinions down everybody's throats, but refusing to tolerate real evil. The most blatant bully on the planet right now is Islam, a satanic religion whose scriptures demand that they kill or enslave every non-Muslim on earth as they gain the strength to do so—starting with Jews and Christians. Oil money is now giving them the power to do what they could only dream of in times past, and not just militarily. They have intimidated the media, hoodwinked the politicians, and bribed the universities until the truth about their deadly agenda is smothered under a mountain of fear and ignorance. But Yahweh says, **“You shall not be afraid in any man's presence, for the judgment is God's.”**

- (256) *Do not be moved in trying a case by the poverty of one of the parties. “You shall not show partiality to a poor man in his dispute.”* (Exodus 23:3); **“You shall do no injustice in judgment. You shall not be partial to the poor, nor honor the person of the mighty. In righteousness you shall judge your neighbor.”** (Leviticus 19:15) In the same way we should not show partiality to a man because of his wealth or fame, we are to be impartial toward everyone—even if they're poor and downtrodden. A person's wealth or poverty, fame or obscurity, power or insignificance has nothing at all to do with their guilt or innocence. There is no correlation. Poverty doesn't cause crime any more than wealth cures it, and *vice versa*.

- (257) *Do not pervert the judgment of strangers or orphans. “You shall not pervert justice due the stranger or the fatherless, nor take a widow’s garment as a pledge. But you shall remember that you were a slave in Egypt, and Yahweh your God redeemed you from there; therefore I command you to do this thing.”*

(Deuteronomy 24:17-18) Along the same lines we’ve seen in the past few mitzvot, those with no social standing or influence in the community are not to be denied justice because of their helplessness. They are not to be taken advantage of simply because they *can be*. In this case, Yahweh gave the Israelites a reason, though He certainly didn’t owe them one: He reminded them of their former status as exploited and oppressed slaves in Egypt, where the most “exalted” of them was a fourth-class citizen. There is no place for the pride of position in God’s economy. That, if you think about it, also forbids “religious” pride—the holier than thou attitude some are tempted to assume when confronted with the failures of others. Yahweh is reminding us that without His grace, we’re all slaves to sin.

It’s worth noting that this egalitarian system of justice Yahweh instituted was absolutely unique among nations at this time. Yes, there were degrees of wealth, power, and influence in Israel, but God’s instructions mandated that no one’s social condition was to have any bearing on the judgment of disputes that arose among them—either positively or negatively. Any semblance of this type of even-handed justice we enjoy today can be traced directly back to our Judeo-Christian heritage.

- (258) *Do not pervert the judgment of a sinner (a person poor in fulfillment of commandments). “You shall not pervert the judgment of your poor in his dispute. Keep yourself far from a false matter; do not kill the innocent and righteous. For I will not justify the wicked.”* (Exodus 23:6-7) As you can see, making sure sinners get the punishment that’s coming to them is *not* what Yahweh was talking about here. Boy, you’ve gotta watch these rabbis like a hawk. We’ve seen this passage before (and will again). It merely says that the poor are to receive justice like everybody else. The following verse (see #254) warns judges against taking bribes from the rich so they’ll rule against their poor adversaries in spite of testimony and evidence to the contrary.
- (259) *Do not render a decision on one’s personal opinion, but only on the evidence of two witnesses who saw what actually occurred. “Keep yourself far from a false matter; do not kill the innocent and righteous. For I will not justify the wicked.”* (Exodus 23:7) I can’t imagine why this passage was quoted to support the mitzvah at hand. The rabbis are not incorrect but they could have picked better supporting evidence: “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.” (Deuteronomy 19:15) Or how about “Whoever is deserving of death shall be put to death on the testimony of two or three witnesses; he shall not be put to death on the testimony of one witness.” (Deuteronomy 17:6) Opinions are like chins: everybody’s got at least one. In themselves, they’re worthless in establishing the truth of a matter. *He strikes me as an unprincipled scalawag; he must be guilty of something.* Refraining from condemning someone on the basis of personal opinion (as opposed to hard evidence and multiple-eyewitness testimony) is an underlying tenet of this entire discussion.

- (260) *Do not execute one guilty of a capital offense before he has stood his trial. “You shall appoint cities to be cities of refuge for you, that the manslayer who kills any person accidentally may flee there. They shall be cities of refuge for you from the avenger, that the manslayer may not die until he stands before the congregation in judgment.”* (Numbers 35:11-12) Numbers 35 describes the mechanism for dealing with murder in Israel. The guilty one was to be slain (yes, retribution: a life for a life) by an appointed “avenger” from the victim’s family. But to protect the “suspect” in cases of accidental manslaughter, cities of refuge were set up throughout the country. The killer would flee to the city of refuge, and he would then be tried to determine whether he was guilty or merely unfortunate: **“Anyone who kills a person accidentally may flee there”** (verse 15). If found guilty, the killer was to be slain by the avenger (verses 16-21); the city would offer no protection. If not—that is, if he were responsible for a fatal accident or “wrongful death” but *not of murder*—then he had to stay and live in the city of refuge until the death of the High Priest, after which time he was free to return to his home. This was as close to “jail” as the Hebrews got. It was more like house arrest. If the manslayer, however, left the city of refuge early, the avenger could legally take his life.

The point of the mitzvah is that the avenger could not slay the killer until his guilt had been established by the word of at least two witnesses at a legal trial held before the congregation—in other words, publicly. As usual, we see the instructions of God being fair, practical, and relatively simple—erring in practice on the side of mercy rather than retribution. It’s pretty obvious that Yahweh had a lesson for us in mind when he structured things this way. We—all of us—are the “defendants,” the manslaughterers. Yahshua is the one who was slain—by us, through our sins. Whether by accident or purposely remains to be seen. There were six cities of refuge, three in the Land of Promise, and three on the other side of the Jordan. If I’m reading the symbols correctly, I’d take that to mean these cities, these places of temporary refuge, are our mortal lives, six being the number of

man. They are found on both sides of the Jordan, i.e., whether we're Jews or gentiles, and whether we're saved or lost.

Since we're all guilty of *something*, there are three ways this can end for us. First, if we have purposely "murdered" the Messiah through our blasphemy of the Holy Spirit, there is no safe place for us; our eternal doom at the hands of the Avenger (Yahweh) is assured. The "witnesses" against us, by the way, are Yahshua, His works, Yahweh, and His Word (see John 5:31-38). Second, if we are Son-of-Man-slayers, having slain the Messiah in our ignorance, but we leave the city of refuge (our mortal life) without being immunized from the Avenger's wrath by the death of the High Priest (Yahshua), then we are similarly subject to destruction: we have voluntarily left our place of safety, for the pardon His death affords us is available to anyone. Third, if our sins have been removed from us by the death of our High Priest, then we may safely leave the city of refuge (this life) in the assurance that we can and will legally enter our inheritance—eternal life.

Somehow, I get the feeling Maimonides didn't comprehend much of this.

- (261) *Accept the rulings of every Supreme Court in Israel. "If a matter arises which is too hard for you to judge, between degrees of guilt for bloodshed, between one judgment or another, or between one punishment or another, matters of controversy within your gates, then you shall arise and go up to the place which Yahweh your God chooses. And you shall come to the priests, the Levites, and to the judge there in those days, and inquire of them; they shall pronounce upon you the sentence of judgment. You shall do according to the sentence which they pronounce upon you in that place which Yahweh chooses. And you shall be careful to do according to all that they order you. According to the sentence of the law in which they instruct you, according to the judgment which they tell you, you shall do; you shall not turn aside to the right hand or to the left from the sentence which they pronounce upon you."* (Deuteronomy 17:8-11) Although the error is subtle, this mitzvah is in reality just another unauthorized power grab on the part of the rabbis. Moses is describing what to do if an issue proves too difficult for the judges in the local community to decide. Wherever the Tabernacle and Ark of the Covenant were at the time, priests and Levites were there, tasked to attending to the liturgical needs of Israel, offering up their sacrifices, and so forth. As in any community, there were judges as well. (The "place which Yahweh chooses" moved about occasionally until David brought the Ark to Jerusalem and his son Solomon built the first Temple on Mount Moriah.) Yahweh, through Moses, is telling the people to bring their issues *directly to Him* to decide: the priests, Levites, and judges were not to decide these matters based on human wisdom, but were

to enquire of Yahweh. That's why their answers were binding on the participants in the dispute.

The Sanhedrin, or Supreme Court, of which Maimonides spoke did not come into existence until well into the second temple period. Consisting of seventy-one influential Jews, it was spoken of often in the New Covenant scriptures, where it was dominated by the Sadducees and chief priests. Indeed, it was this group that “tried” and convicted Yahshua of blasphemy—couching their verdict in terms of sedition for Roman ears so they could engineer His execution. Though the rabbis claimed that the line of *semicha* (the transmission of authority) descended in an unbroken line from Moses down to them, there is no scriptural evidence that this authority extended beyond Joshua. Maimonides and other medieval Jewish commentators asserted that although the line of *semicha* had been broken when the Romans destroyed Jerusalem in 70 AD, the sages of Israel could promote *their own* candidate as the new *Nasi* (leader, literally: prince). *No need to bother “He-who-must-not-be-named” with these mundane details, right?* Further, they said, the one they picked would have *semicha*, and could pass it on to others—thus re-establishing the Sanhedrin. Like I said, this mitzvah is a naked power grab on the part of the rabbis.

But according to the Deuteronomy passage, the difficult issues needed to be decided not by politicians and religious teachers but by **“the priests, the Levites, and...the judge there...in that place which Yahweh chooses.”** You can't just appoint yourself, or even train and prepare for the job; you have to be appointed by God—in the case of priests and Levites, you have to be *born* into it. And it's not a position of power anyway—it's a place of responsibility and service.

- (262) *Do not rebel against the orders of the Court. “According to the sentence of the law in which they [the priests, Levites, and judges] instruct you, according to the judgment which they tell you, you shall do; you shall not turn aside to the right hand or to the left from the sentence which they pronounce upon you.”*

(Deuteronomy 17:11) This is merely the negative restatement of affirmative Mitzvah #261. I would only reiterate that Yahweh's definition of “the court” and Maimonides' description would differ somewhat. And that's understandable. Israel made a fatal judgment error in 33 AD, and they haven't understood a word Yahweh said ever since that time.

It's fascinating, however, to note what Yahshua did with this passage when confronted with the judgment of the “Court” of his day. Without quibbling over the legality of the judicial assembly, He did precisely what is commanded here: He submitted to the decision of the Sanhedrin. They

determined that He must die, so rather than defending Himself (which was well within His power, both verbally and angelically), He opened not His mouth, but willingly picked up His cross and gave up His life so that we could live. He Himself had said that not the smallest letter of the Law would pass away until all of it was fulfilled. That had to include the parts that were “inconvenient” for Him. Like death.

INJURIES AND DAMAGES

- (263) *Make a parapet for your roof.* **“When you build a new house, then you shall make a parapet for your roof, that you may not bring guilt of bloodshed on your household if anyone falls from it.”** (Deuteronomy 22:8) Because we are given a reason for the precept “make a parapet” in the Torah, we may safely extrapolate this principle to a general prohibition against creating unnecessary hazards that might endanger innocent bystanders. Yahweh is not advocating the idiotic American pipedream of creating a risk-free society, but merely of taking reasonable steps to ensure the safety of people in your sphere of influence. The definition of “reasonable,” of course, shifts with the available technology. There was a time when it was unheard of to put a taillight or a rear-view mirror on an automobile. Now seat belts (excuse me: technologically advanced passive occupant restraint systems), ABS brakes, and air bags are ubiquitous, and GPS navigation and infrared reverse-gear warning systems are making inroads. “Reasonable” is in the eye of the beholder.

Beyond controlling our environmental risks, however, we should also be on guard against bringing “guilt of bloodshed” upon ourselves through our *spiritual* negligence. In Romans 14 and I Corinthians 8, for example, Paul talks at length about how to avoid putting pitfalls and stumbling blocks in the way of our less mature believing brothers and sisters. Inevitably what is called for is some small personal sacrifice on our part—building a parapet, so to speak—designed to prevent our neighbors from falling down and hurting themselves. It’s not merely good manners; it’s the law.

- (264) *Do not leave something that might cause hurt.* **“When you build a new house, then you shall make a parapet for your roof, that you may not bring guilt of bloodshed on your household if anyone falls from it.”** (Deuteronomy 22:8) Again, by making a separate negative mitzvah corresponding to a previous affirmative one, Maimonides has reminded us of the contrived nature of his Laws list—the self-conceived system of finding so many “do-this” precepts and so many “don’t-do-this” instructions, when a simple perusal of the Torah reveals literally *hundreds* of things he missed. So if you’re

looking for commentary on Deuteronomy 22:8, see Mitzvah #263. If you'll forgive me, I'm going to take off on a tangent. The subject: redundancy.

Any thoughtful person will admit that we've lost something of the meaning of our scriptures through the process of translation and the morphing of language over time. Cultural nuances have been lost; word meanings in the target languages have shifted; and translators have made (gasp!) mistakes. The classic biblical blunder is the consistent mis-translation of the divine name: Yahweh. Every popular English translation renders יהוה (YHWH) as "the LORD," not just once or twice, but 6,868 times in the Old Covenant scriptures! (Actually, there is evidence that Yahweh told us His name an even 7,000 times—the other 132 instances are places where Jewish scribes removed YHWH from the texts and replaced it with *adonay*, meaning lord.) *Words* should be translated. *Names*, however, should be merely transmitted (if the target language will accommodate them) or at worst, transliterated—making small phonetic adjustments to fit a new alphabet. But changing "Yahweh" (which literally means "I Am") to "the LORD" is neither—it is a blatant and misleading substitution of one thing for something completely unrelated. It is, to put it charitably, a mistake.

Systematic sabotage like that is rare, however. Usually, we get ourselves in doctrinal trouble by merely taking a sentence or a phrase out of context and mis-applying it. But the LORD—just kidding: *Yahweh*—built a failsafe system into His scriptures, the same one NASA uses when they design a Space Shuttle: redundancy. Every important truth in the Bible is explained twenty different ways in twenty different places. God will use different words to describe something, or He will employ a different symbol, metaphor, or prophetic dress rehearsal. If we are familiar with and receptive to the whole of scripture, we can't miss what Yahweh wanted us to know. There isn't a single essential doctrine in the New Testament that wasn't introduced and explained in the Old. That's why it's possible to come to a saving knowledge of the Messiah through nothing more than a tiny scrap of scripture from John or Paul's writings, and yet one can spend a lifetime studying the Scriptures and never really get to the bottom of it.

This type of back-up system redundancy is not what Maimonides and his fellow rabbis employed, however. Theirs was nothing but an annoying repetition of the same basic facts (or fables) restated as affirmative and negative propositions in order to arrive at a predetermined number of rules. *Oy vey*.

- (265) *Save the pursued even at the cost of the life of the pursuer. “If two men fight together, and the wife of one draws near to rescue her husband from the hand of the one attacking him, and puts out her hand and seizes him by the genitals, then you shall cut off her hand; your eye shall not pity her.”* (Deuteronomy 25:11-12)

The rabbis are on another planet here, but I’ll admit that the supporting passage for this mitzvah (and the next one) isn’t exactly easy. Most commentaries just skip over it. At first glance, it looks uncharacteristically harsh. As a matter of fact, this is the *only* instance in the Torah where physical mutilation was prescribed as punishment for an offense, though Yahweh’s law was unique in its restraint on the subject. (For example, Assyrian law said a man who kissed a woman who wasn’t his wife was supposed to get his lips cut off.)

Note that the Israelite wife wasn’t prohibited from defending her husband in general. There was no problem (in theory) against smashing hubby’s attacker over the head with a chair. Nor was this a thinly veiled euphemism for adultery (which carried its own penalty); it clearly describes something drastic done in the heat of a disagreement in order to gain the upper hand. A little word study might help us get to the heart of matter. The original Hebrew text includes the word *’ach* (brother or countryman), making it clear that the husband’s adversary is a fellow Israelite—thus potentially metaphorical for a fellow believer. The word translated “seize” (*chazaq*) doesn’t so much mean “to take or grab an object” as it is a denotation of seizing power. It means: “be strong, strengthen, conquer, become powerful, harden one’s defenses.” We need to realize that the precise scenario that’s pictured in this precept is extremely unlikely. In fact, not a single occurrence is recorded in the Bible. So to me at least, it’s pretty clear that Yahweh was using this hypothetical sequence of events to illustrate something that *does* happen on a fairly regular basis. Yahweh seems to be saying, “Don’t emasculate (metaphorically or otherwise) a fellow believer, even in the well-intentioned defense of what you hold dear. If you destroy his ability to have a fruitful ministry in the future merely to gain a temporary advantage now in some dispute, I will in turn remove your ability to manipulate and control your world. I have provided ways (see mitzvot #227-252) to settle your disputes—you are not to take matters into your own hands.” At least, that’s what I think it means.

- (266) *Do not spare a pursuer; he is to be slain before he reaches the pursued and slays the latter, or uncovers his nakedness. “If two men fight together, and the wife of one draws near to rescue her husband from the hand of the one attacking him, and puts out her hand and seizes him by the genitals, then you shall cut off her hand; your eye shall not pity her.”* (Deuteronomy 25:11-12) *Huh?*

The rabbis have clearly taken the ball and run with it—out into left field. This mitzvah is merely the negative permutation of the one we just saw; in other words, it's very existence is pointless. See #265.

PROPERTY AND PROPERTY RIGHTS

- (267) *Do not sell a field in the land of Israel in perpetuity. “The land shall not be sold permanently, for the land is Mine; for you are strangers and sojourners with Me.”* (Leviticus 25:23) As we saw in Chapter 6, this is part of the Law of Jubilee. Although the land was “given” to Israel, both in general terms (Genesis 12:7) and specific (Numbers 26-27 and Joshua 13-21), *ownership* of the land remained Yahweh's. Tribes were assigned their regions and individuals had custody of individual tracts of land, but they couldn't “sell” them in perpetuity, since they belonged to God. Rather, they could only “lease” them out to their neighbors, and then only for a limited period of time: until Jubilee. Automatic release of encumbered inheritances came once every fifty years—once in a lifetime, for all intents and purposes.

The symbols, in light of the rest of scripture, are patently obvious. Our inheritance is eternal life, but through our sin, we have fallen into spiritual poverty, “selling” our souls to Satan. But Yahweh has pre-arranged the opportunity for us to recover our inheritance, because after all, our lives (like the lands of the Israelites) are not really our own; we were redeemed with a price—the precious blood of Yahshua. So what happens when Jubilee comes? Some will accept the gift of Jubilee and retake possession of their inheritance, eternal life. But others will despise this once-in-a-lifetime chance and sell their souls back to Satan.

It is not without significance (nor is it a coincidence) that the crucifixion of Yahshua occurred in a Jubilee year, 33 AD. If my observations are correct, the day marking the fortieth Jubilee since His resurrection will coincide with His return in glory: the Day of Atonement, October 3, 2033. See my Appendix to *Future History* called “No Man Knows...” if you're interested in why I think so.

- (268) *Do not change the character of the open land about the cities of the Levites or of their fields. Do not sell it in perpetuity; it may be redeemed at any time. “If a man purchases a house from the Levites, then the house that was sold in the city of his possession shall be released in the Jubilee; for the houses in the cities of the Levites are their possession among the children of Israel. But the field of the common-land of their cities may not be sold, for it is their perpetual possession.”* (Leviticus 25:33-34) There were slightly different rules for the Levites (compared to the other tribes of Israel) which help us understand the bigger picture. Levites (that is, the tribe of Moses and

Aaron) were characterized as those whose inheritance was Yahweh Himself. Thus they were assigned no personal, temporal lands, but rather were given cities throughout Israel in which to live, in which they could “own” homes, and they had communal lands (not individual family plots) they could farm. Here we see that their homes could be leased to other Israelites, just like any property (again signifying their spiritual poverty through sin, and again redeemed at Jubilee), but their community fields could not be disposed of because they did not belong to any one individual, but to the tribe.

Levi as a tribe symbolically represents the true believers among God’s chosen people—either among Israel or the gentile *Ekklesia*, the wheat among the tares as it were. It’s not that the Levites were all “saved” while the others were not; they as a group are simply a picture, a symbol, of those who are. Thus though individual believers have an inheritance that needs to be redeemed, the “perpetual possession” of the inheritance (eternal life) of the saints *as a group* is secure.

(269) *Houses sold within a walled city may be redeemed within a year. “If a man sells a house in a walled city, then he may redeem it within a whole year after it is sold; within a full year he may redeem it. But if it is not redeemed within the space of a full year, then the house in the walled city shall belong permanently to him who bought it, throughout his generations. It shall not be released in the Jubilee.”* (Leviticus 25:29-30) The rabbis missed the entire point here. *Any* piece of property could be redeemed—not only during the first year but *anytime*. Its redemption value would be determined by how much time had elapsed between one Jubilee and the next. The point here is that houses within walled cities weren’t really considered part of one’s inheritance. Thus there was a “grace period” of one year during which the original owner could exercise “seller’s remorse” and buy his house back for its full purchase price, but after that, the sale was finalized: permanent ownership passed to the buyer. The only exception to this rule was houses owned by Levites; theirs could be redeemed anytime and reverted automatically to their possession at Jubilee, because for them, their homes were their only temporal inheritance.

We should ask ourselves: what is the significance of a home’s location within or outside of a walled city? After all, houses *outside*, even if they were in established villages, were subject to the same Jubilee rules as any other property. Remember, this is all being addressed to an agrarian society: the distinction seems to be that houses in villages or in the countryside were assumed to be associated with plots of land upon which crops could be grown—fields, orchards, or vineyards. City houses were

not. Thus the issue is fruitfulness: the only meaningful inheritance is one that can be expected to bear fruit. Our inheritance as believers is the Spirit of Yahweh living within us, and its fruit is love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control (see Galatians 5:22-23). If we aren't enjoying this harvest, maybe it's because we've sold our inheritance.

- (270) *Do not remove landmarks (property boundaries). “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 Yahweh your God is giving you to possess.”*

(Deuteronomy 19:14) Landmarks delineated the boundaries of a family’s property—their inheritance. The Hebrew word for “remove” in this passage is *nasag*, which is indicative of retreat, not removal. So if a sneaky person (a *ganab*: see #274) wanted to reap a few more bushels of barley, he could conceivably move the boundary marker a few yards onto his neighbor’s side of the line—effectively stealing his land, his inheritance.

Therefore, it is equally incumbent on us not to encroach upon our neighbor’s spiritual inheritance—his eternal life. How could we do that? By retreating from the truth, by tolerating false and errant doctrines, by moving the landmarks of our faith: things like the deity of Yahshua, the unity of the godhead, the concept of salvation by grace alone. God’s scriptures determine the correct position of our doctrinal inheritance, but alas, much of today’s religious establishment (both Jewish and Christian) has gone into the business of “landmark removal,” the subtle shifting of what is presented as “God’s truth.” By the way, the rabbis can take no comfort in the idea that “men of old” have set the landmarks—a term they would be tempted to apply to themselves in a doctrinal sense. The word is *ri’shon* in Hebrew: it means “first in place, time, or rank.” (S) In other words, *Yahweh Himself* set up the landmarks of truth at the very beginning of our existence.

- (271) *Do not swear falsely in denial of another’s property rights. “You shall not steal, nor deal falsely, nor lie to one another.”* (Leviticus 19:11) Although the rabbis are certainly justified in condemning perjury, the verse supporting their mitzvah is far broader in scope. It is not restricted to property rights but is applicable to every facet of life among God’s people. In fact, this is but one example of how to fulfill the overall summary commandment of the passage, stated in verse 1: **“You shall be holy, for I, Yahweh your God, am holy.”** Holy (*qadosh* or *qodesh*) means set apart, consecrated, sacred; in other words, not common or profane. Thus one facet of being holy as Yahweh is holy is abstaining from theft, deception, and falsehood. Lest

you think that this is so obvious no one could possibly miss it, I hasten to point out that all three of these things were expressly authorized—even encouraged—in the Islamic scriptures.

Maimonides assigned separate mitzvot to each of these three things (see also #272 and #274), so it behooves us to look at the Hebrew roots for each of the prohibited activities. This is apparently the second of the list, translated “deal falsely” in the NKJV. The Hebrew word is *kahas* or *kachash*, a verb meaning: “to lie, to cringe, to deny. It means to deal falsely about something or with someone, the opposite of being truthful, honest. It is used of denying or disavowing something, of deceiving or lying to a person with respect to something. It naturally takes on the meaning of concealing something.... It takes on the meaning of cringing of fawning before the Lord.” (B&C) That’s right, folks, Yahweh *hates* the obsequious obeisance that so often passes for religious observance—He calls it a lie, and pointedly instructs us not to do it.

- (272) *Do not deny falsely another’s property rights.* **“You shall not steal, nor deal falsely, nor lie to one another.”** (Leviticus 19:11) Same precept, different mitzvah. This time Maimonides is focusing on: “lie to one another.” The Hebrew word is *saqar*—“a verb meaning to engage in deceit, to deal falsely. The notion of a treacherous or deceptive activity forms the fundamental meaning of this word. It is used to describe an agreement entered into with deceitful intentions; outright lying; and the violation of a covenant.” (B&C) A major part of “being holy as God is holy” is being forthright and truthful with people. Yahshua was described as a man in whom there was no guile.
- (273) *Never settle in the land of Egypt.* **“When you come to the land which Yahweh your God is giving you, and possess it and dwell in it, and say, ‘I will set a king over me like all the nations that are around me,’ you shall surely set a king over you whom Yahweh your God chooses; one from among your brethren you shall set as king over you; you may not set a foreigner over you, who is not your brother. But he shall not multiply horses for himself, nor cause the people to return to Egypt to multiply horses, for Yahweh has said to you, ‘You shall not return that way again.’** (Deuteronomy 17:14-16) The rabbis have concocted a rule that isn’t really there in scripture (except in a metaphorical sense). In a delicious bit of irony, Maimonides himself, a Spaniard by birth, eventually settled in Cairo. What was he thinkin’? Anyway, the context shows that he wasn’t paying attention to the main point. Moses here is giving the people instruction concerning their future kings—instructions most Israelite monarchs blatantly ignored: don’t rely on your own military might (symbolized by horses bought from Egypt), and don’t make marriage

alliances (symbolizing compromise—see v.17) with the surrounding pagan nations.

We'll search the scriptures in vain for a prior prohibition against Jews ever re-settling in Egypt. What we do find is, **"According to the doings of the land of Egypt, where you dwelt, you shall not do."** (Leviticus 18:3) Egypt, as we have observed, is a consistent biblical metaphor for the world and its values. Israel was brought out of Egypt—they were set apart from the other nations, consecrated as Yahweh's holy people. So yes, they were not to "go back" to Egypt in the sense that they were not to return to the world's ways. But that one went right over Maimonides' head. One wonders if the twisting of God's precept here is an attempt to discredit Yahshua—who did indeed (as an infant) "settle" in Egypt for a short time. Hosea prophesied it, sort of: **"When Israel was a child, I loved him, and out of Egypt I called My son."** (Hosea 11:1) Not the most definitive of prophecies, but then again, prophecy seldom drops truth into your lap like ripe fruit—you have to climb the tree to get it.

Speaking of prophecy, one of the most indicting prophetic passages in the entire Bible speaks of "going back to Egypt." If Israel did not keep Yahweh's precepts, He said, they would be warned, then chastised, then punished, and finally, if they did not repent, they would suffer unspeakable deprivations, all of which were totally avoidable. The very last thing on the list—the worst thing that could possibly happen—was, **"And Yahweh will take you back to Egypt in ships, by the way of which I said to you, 'You shall never see it again.' And there you shall be offered for sale to your enemies as male and female slaves, but no one will buy you."** (Deuteronomy 28:68) It is my sad duty to report that this very thing happened to the Jews within a generation of the rejection and crucifixion of Yahshua—and as a direct result. Titus' Roman legions sacked Jerusalem in 70 AD. A million Jews died during the siege—600,000 of them from starvation. Josephus reports that 97,000 were shipped off to Egypt to be sold as slaves, creating such a glut in the market that their value fell to almost nothing. God had done *precisely* what He'd warned them He'd do if they rebelled, but the rabbis of Israel refused to see the connection between their crime and the punishment they received.

- (274) *Do not steal personal property.* **"You shall not steal, nor deal falsely, nor lie to one another."** (Leviticus 19:11) This is the last of the series of three mitzvot wrung out of this one verse (also see #271 and #272). The first two had very similar meanings (don't lie or deal falsely), and as we'll see, this prohibition is far closer to the first two than the English translation "steal" would imply. The *Dictionary of Bible Languages with Semantic Domains* defines the verb *ganab* as to: "(1) steal, be a thief, i.e., take items without

permission by the owner, but usually by stealth and not force; (2) kidnap, i.e., seize a person for sale or servitude; (3) do secretly, i.e., act in a manner that is not publicly known; secretly steal into an area; (4) blow away, sweep away, i.e., a motion of the wind to make linear motion of an object; or (5) deceive, i.e., cause another to hold a mistaken view, and so wrongly evaluate a situation.” It’s clear, then, that the word’s emphasis is not on the taking, but on the sneaky manner in which the thief works. (*Ganab* can also be used as a noun: a sneaky thief.) Again, part of “being holy” is being straightforward, open, and honest with your neighbors.

- (275) *Restore that which one took by robbery.* “If a man steals an ox or a sheep, and slaughters it or sells it, he shall restore five oxen for an ox and four sheep for a sheep. If the thief is found breaking in, and he is struck so that he dies, there shall be no guilt for his bloodshed. If the sun has risen on him, there shall be guilt for his bloodshed. He should make full restitution; if he has nothing, then he shall be sold for his theft. If the theft is certainly found alive in his hand, whether it is an ox or donkey or sheep, he shall restore double.” (Exodus 22:1-4) The verse that was cited by Judaism 101 to support this mitzvah (Leviticus 5:23) doesn’t exist, so I’ve taken the liberty of choosing an appropriate substitute. As we’ve seen before, restoration, not incarceration or mutilation, is Yahweh’s primary strategy for dealing with property crimes in Israel. The rabbis got that part right. But it’s not a simple case of *Okay, you caught me, so I’ll give back what I stole.* There are penalties, appropriate and in kind. If you still have the evidence in your possession, you must return it, plus another one just like it. In God’s economy, crime doesn’t pay—it doesn’t even break even.

But what if you’ve already sold the bleating booty, or eaten it? If you stole a sheep, you’d have to return *four* of them. And if you stole an ox, you’d give back *five*. The difference, apparently, is that in addition to stealing property, when you take a man’s ox, you’ve also stolen the victim’s ability to cultivate his land—you’ve taken his tractor as well as next month’s barbecue. Moreover, the government doesn’t receive the “fine.” It’s the victim who’s reimbursed for his trouble. Then there’s the question of what to do if the thief is as broke as he is stupid. If he doesn’t have enough to pay the victim double or four or five times the value of what was stolen (depending on the circumstances we’ve outlined) then he himself is sold into slavery. There’s no such thing as having nothing left to lose. If only American jurisprudence worked this logically.

Further, we’re given instructions on what to do if the thief is caught in the act. He is presumed to be armed and/or dangerous; therefore, the victim is not held to blame if he kills the thief while protecting his

property. But there are limits: the victim can't come back and murder him in cold blood the day after the crime has been committed. Yahweh demands restoration, not retribution.

- (276) *Return lost property.* **“You shall not see your brother’s ox or his sheep going astray, and hide yourself from them; you shall certainly bring them back to your brother. And if your brother is not near you, or if you do not know him, then you shall bring it to your own house, and it shall remain with you until your brother seeks it; then you shall restore it to him. You shall do the same with his donkey, and so shall you do with his garment; with any lost thing of your brother’s, which he has lost and you have found, you shall do likewise; you must not hide yourself.”** (Deuteronomy 22:1-3) *Finders keepers, losers weepers* doesn’t cut it with Yahweh. *Love your neighbor* is more His style. In an agrarian society, one’s most valuable possessions can tend to wander off all by themselves. Yahweh’s instructions, if you should happen across somebody’s lost fuzzy four-hoofed Rolex, are to return it immediately if you know who it belongs to. If you don’t, you’re to keep it safe, alert the neighborhood, try to find the rightful owner, and give it food and water as if it were your own. It’s the golden rule all over again: handle lost property you’ve found just as you’d want done to something of yours that got lost.

- (277) *Do not pretend not to have seen lost property, to avoid the obligation to return it.* **“...You shall do the same with his donkey, and so shall you do with his garment; with any lost thing of your brother’s, which he has lost and you have found, you shall do likewise; you must not hide yourself.”** (Deuteronomy 22:3) The temptation for the *ganab*, of course, is to try to convince yourself that whatever your neighbor lost is actually yours—or more to the point, that given enough time, no one will remember whose it really is. That’s nothing but theft in slow motion, and like any theft, it betrays a lack of trust in Yahweh’s provision. As we’ve seen, there was to be no theft, deception, or falsehood among Yahweh’s people. We are to be holy, for our God is holy.