

## Topic 4:

### The Government, Legal and Justice System in a Just Society

All proper government starts with proper self-government and then extends to family government and then extends to small form civil government (tribes, clans and villages) and then to extended civil government (territories, states, nations, empires)

- I. First civil institution – Courts
  - a. Moses settling all disputes – **Ex 20:13-16**
    - i. Before the 10 Commandments were formally delivered
    - ii. Established a judicial system
      1. Inefficient
  - b. Jethro's advice – **Ex 20:17-27**
    - i. Qualifications for judges
  - c. **Q: What were these disputes about?**
    - i. We do not know for sure but knowing human nature we can be pretty confident
      1. People not doing what they said they would do
      2. Violating each other rights to life and/or property

**Principle: Good judges have to be above reproach.**

- II. Second Civil Institution – Laws
  - a. Christians like to say that laws come from God
    - i. Of course, they do ...but...it is not always a Mt. Sinai delivery
    - ii. They come in multiple ways
      1. Physical laws – holds the universe together
        - a. Only be violated with immediate and frequently bad consequences
        - b. Test gravity
      2. Moral laws – which are largely innately understood and known, ever before the Ten Commandments were delivered.  
**Romans 1:18-23, 28-32**
        - a. Pagan cultures understand that killing and theft etc. is wrong at some level
      3. Civil laws
        - a. The practical application of moral laws
      4. **Q: Do we have a moral obligation to save a person from death or lend aid?**
        - a. **Should it be a civil law?**
      5. **Q: It is immoral to engage in some kinds sexual activities, should that be a civil law? Why some (adultery) and not others (prostitution)?**
        - a. **Gambling?**

**b. Drunkenness?**

**c. Drug use?**

**d. Etc.**

6. Legal does not equal moral, it is an important distinction.

iii. People had disputes before they had a written law

1. They knew and we know although maybe less so

2. The more we ignore and self-justify or turn the law into a weapon the less sensitive we are to the law, any law, and its purpose

**a. Romans 1:24-25, 1 Tim 4:1-2**

b. Consent – For laws to be effective people need to agree to them

i. Something many critics and even Christians overlook is the people's role in law making

ii. Since we innately know many laws their use, acceptance and eventual codification are what we call emergent – bottom up – people know and follow them already– writing them down is a formality

1. Thou shall not steal – nowhere does God or Moses define what stealing is – everyone knows

2. Same with murder, adultery, lying

3. *Sidenote: It's why language is so important*

*a. We have to defend terms and meanings*

*b. It's why normalizing sin is so dangerous*

*c. Relative moralism is an attempt to say yes what we know is wrong is really only wrong sometimes in some situations*

*i. "your truth" is common phrase*

*ii. How do you feel?*

*1. If it feels good do it – 60's*

*2. Luke, search your feelings – 70's*

*d. This has all led up where we are*

*i. truth was once common and property was private, laws were known and understood*

*ii. Now truth is private and some want property to be common and language is uncertain*

*iii. I don't believe we appreciate how dangerous this is, it is the complete upside downness of everything Biblical*

*iv. It's related much more closely than people realize*

*1. Laws are nothing more than words that express ideas to which we all agree are a good way to organize ourselves and behave*

2. *If we can't agree to what the words mean the whole edifice crumbles in pretty short order*
- e. *We are people of the Book – the written word*
  - i. *In the beginning was the Word*
  - ii. *God's word*
  - iii. *Our opponents past and present seem to understand this better than we do*
    1. *There is an attempt to redefine*
      - a. *marriage*
      - b. *Man*
      - c. *Woman*
      - d. *Truth*
      - e. *God*
- iii. The story of the Ten Commandments often overlooks an interesting passage
  1. **Ex 19:3-8** – a covenant was proposed and the people agreed - their input and consent is part of the story and we see it repeated **Ex 24:1-4, Joshua 24:14-28**
  2. **Q: What if Israel had said no? Pure speculation but also an important thought experiment**

**Principle: Good laws are natural, they are based on what God has already implanted in our hearts as right and wrong. They are understandable, clear and unbiased in application. They are inherently right – we hear them and say “of course, that makes sense”**

- III. Criminal Justice
  - a. The Biblical model for criminal justice is primarily based on
    - i. Restitution
    - ii. Restoration
      1. **Exodus 22:1, 3-6, 14, Lev 6:2-5**
      2. **David's order which was ultimately about himself 2 Sam 12**
      3. **Zacchaeus Luke 19**
    - iii. **Q: Do we emphasize restitution and restoration in our criminal justice system?**
  - b. Some crimes were capital crimes
  - c. **Q: Capital punishment is Biblical, but do we practice properly in the US?**

**Principle: Wrongdoing and law breaking is to be punished but the ultimate goal is reconciliation between parties and restitution for the damage done. A system that does not have both aspects will not be very effective.**

- IV. Third Civil Institution - King/Government
- a. First, there was no provision for a legislature as we think of it in the Bible
    - i. No real division of power in an American Constitutional sense
    - ii. BUT the concept was there...
      1. Israel was not a theocracy as many think of the term with supreme political and supreme religious authority vested in one person
      2. Christ is a prophet, priest and king – three different roles, the most powerful people in Israel and those powers were often divided
      3. No king was ever a priest and no priest even became king
      4. Some kings and priests were prophets but many of the most powerful prophets were neither priest or king and frequently prophets were called to challenge the king and the people
        - a. Nathan
        - b. Elijah
        - c. John the Baptist
      5. As noted in some cases the people were brought in to offer consent
        - a. Moses from Sinai
        - b. Joshua at the end of his life
        - c. Rehoboam and the division of the nation
  - b. We find ourselves in an interesting situation here when it comes to kings
    - i. First, Israel was to have no king – yet provision are made for one hundreds of years prior – Deut 17
    - ii. Then warned that a king would be abusive 1 Samuel 8
    - iii. Then we are commanded to obey the king with no stipulations about how evil or good they must be for us to be obedient – Romans 13
  - c. Conditions placed on a king – Deut 17
    - i. V. 14 **Q: Is it wrong to have a civil government?**
    - ii. V. 15 **Who is qualified?**
      1. *one* from among thy brethren shalt thou set king over thee: thou mayest not set a stranger over thee, which *is* not thy brother
      2. This has spiritual and practical application
        - a. Foreign occupation was always a punishment
        - b. Herod was not a Jew for example
        - c. The Romans
        - d. **Q: Modern applications?**
      3. Restrictions
        - a. V. 16 he shall not multiply horses to himself
        - b. **Q: Why does God hate horses?**

- c. nor cause the people to return to Egypt
  - i. Politically this was a specific warning about being friendly with Egypt but it has a spiritual element too
  - ii. **Q: What spiritual role do modern political leaders have, if any?**
- d. V.17 Neither shall he multiply wives to himself
  - i. Again a spiritual element but also a warning about alliances in general.
  - ii. Washington in his farewell address warned about making alliances
  - iii. **Q: Is American wrong to have permanent alliances? Do we make alliances with idol worshiping or pagan nations or is that not even a distinction these days?**
- e. V. 17 neither shall he greatly multiply to himself silver and gold
  - i. This is a warning about corruption and about taxation
  - ii. **Q: What is a Biblical approach to taxation?**
  - iii. **Q: What about corruption and misuse of office?**
    1. 250 Congress people are millionaires, most were wealthy before election but...
    2. The staff and aides are different story, the highest income counties in the US, 8 of the 20 highest are D.C. suburbs

1	<a href="#">Loudoun County</a>	 Virginia	\$147,111
2	<a href="#">Falls Church</a>	 Virginia	\$146,922
3	<a href="#">Santa Clara County</a>	 California	\$130,890
4	<a href="#">San Mateo County</a>	 California	\$128,091
5	<a href="#">Fairfax County</a>	 Virginia	\$127,866
6	<a href="#">Howard County</a>	 Maryland	\$124,042
7	<a href="#">Arlington County</a>	 Virginia	\$122,604
8	<a href="#">Marin County</a>	 California	\$121,671
9	<a href="#">Douglas County</a>	 Colorado	\$121,393
10	<a href="#">Nassau County</a>	 New York	\$120,036
11	<a href="#">Los Alamos County</a>	 New Mexico	\$119,266

12	<a href="#">San Francisco County</a>	 <a href="#">California</a>	\$119,136
13	<a href="#">Hunterdon County</a>	 <a href="#">New Jersey</a>	\$117,858
14	<a href="#">Morris County</a>	 <a href="#">New Jersey</a>	\$117,298
15	<a href="#">Somerset County</a>	 <a href="#">New Jersey</a>	\$116,510
16	<a href="#">Forsyth County</a>	 <a href="#">Georgia</a>	\$112,834
17	<a href="#">Calvert County</a>	 <a href="#">Maryland</a>	\$112,696
18	<a href="#">Nantucket County</a>	 <a href="#">Massachusetts</a>	\$112,306
19	<a href="#">Stafford County</a>	 <a href="#">Virginia</a>	\$112,247
20	<a href="#">Montgomery County</a>	 <a href="#">Maryland</a>	\$111,812

f. V. 18 And it shall be, when he sitteth upon the throne of his kingdom, that he shall write him a copy of this law in a book out of *that which is* before the priests the Levites:

V. 19 And it shall be with him, and he shall read therein all the days of his life: that he may learn to fear the LORD his God, to keep all the words of this law and these statutes, to do them:

V. 20 That his heart be not lifted up above his brethren, and that he turn not aside from the commandment, to the right hand, or to the left: to the end that he may prolong *his days* in his kingdom, he, and his children, in the midst of Israel.

**Q: What would you say about the moral disposition of our political leadership?**

**What about their Constitutional adherence?**

d. The Warning and abuses **1 Samuel 8:1-19**

i. **Q: Do these warnings apply to us today? Why or why not?**

e. But even if they do we are to live at peace as best we can

i. **Romans 13**

ii. **Q: When is resistance acceptable? What kind of resistance is acceptable? Was the American Revolution Godly? Was Bonhoffer's actions appropriate? What do we do when the government is being evil?**