

27.

INTRODUCTION TO SECTION II MESSAGES ON THE LEGAL SYSTEM OF ISRAEL

Leviticus 18-20

The Focus of Section II of Leviticus

The three MESSAGES recorded in Lev. 18-20 deal with a distinctly different subject from the MESSAGES that precede them. The previous MESSAGES all deal with religious ceremonies. These MESSAGES deal with laws concerning every phase of life. They were civil laws to be enforced by governmental authorities.

It has often been stated that these chapters contain moral principles that were to guide the Israelites in their living. They are more than moral principles in two ways: (1) They deal with ceremonial issues as well as moral questions (19:5-8,23-25,26a,27,28,30). (2) They contain enforceable penalties (18:29; 19:8,20; 20:2,6,9-21). Thus, these chapters contain laws that were to be administered and enforced by human, governmental authority. They should be considered to be civil statutes; and the acts forbidden by them should be understood more as crimes than sins (though crime certainly is a sin).

The Governmental System of Israel

For an understanding of these chapters, it is necessary to know something about the governmental system Jehovah planned for Israel. Much had already been said about Israel's human government in previous MESSAGES at Sinai. Those previous references reveal that the Israelites had two basic types of civil leaders: administrative and judicial. In the beginning, Israel had no human legislative authority, because that function belonged to God. The civil authorities functioned as follows.

Tribal or administrative leaders. Israel was organized as a nation on the basis of family relationships. The nation was divided into tribes according to descent from the sons of Israel (Jacob) and into clans and families according to descent from leading fathers within each tribe. A person became a member of a tribe by birth or marriage in the same way that a person becomes a member of a family today. Persons who were not descended from Israel (Jacob) could become a part of the nation by accepting Jehovah as their God. They were called "sojourners" (see comments on Lev. 16:29b; 17:8-9; 24:10). Sojourners were accepted into the tribe among whom they lived. That arrangement began in the earliest phase of Israel's life, when they left Egypt and "a mixed multitude" of other people left with them (Ex. 12:38).

An outstanding example of a sojourner who played a significant role in the early history of Israel is Caleb, who was born into the Canaanite tribe of the Kenizzites (compare Num. 14:6; 32:12; Josh. 14:6,14 with Gen. 15:19). We are not told when or how Caleb accepted Jehovah as his God, but he accepted Jehovah with his whole heart and was accepted into the tribe of Judah. He quickly became a leader in Judah, and Moses chose him as one of twelve leaders he sent out from Kadesh Barnea to spy out the land of Canaan (Num. 13:2,6). Caleb was one of only two of the twelve spies who favored entering the land as Jehovah commanded. As a result Moses promised him the city of Hebron as his inheritance within the territory of the tribe of Judah. Caleb was one of two men over 20 who lived through Israel's years in the wilderness, so he lived to receive the fulfillment of Moses' promise (Num. 13:26-14:38; 26:65; 32:11-12; 34:19; Deut. 1:36; Num. 14:6-15).

Other significant examples of important sojourners were Hobab, Moses' brother-in-law (Num. 10:29-32; Jud. 1:16), Rahab the harlot of Jericho (Josh. 2:1-21; 6:22-23; Matt. 1:5; Heb. 11:31; James 2:25), Ruth the

Moabites (Ruth 1:1-4:22), and Obed-edom the Gittite who guarded the ark in his home for three months after Uzziah died from touching the ark (2 Sam.6:6-12). Also 600 Philistine men from Gath left their land with David when he returned to Israel and remained loyal to Jehovah and to David until they became important fighters in David's victory over Absalom's rebellion (2 Sam. 15:17-22; 18:1-8).

The leaders of the tribes, clans, and families in Israel were determined generally by age. Thus they were called "elders." The elders performed the task of administrative leadership even while the Israelites lived in Egypt before the Exodus (Gen. 50:7). Moses depended heavily on the elders in his struggle with Pharaoh (Ex. 3:6,18; 4:29; 12:21) and in his leadership of the nation after they left Egypt (Ex. 17:5-6; 18:12; 19:7; 24:1,9,14; Lev. 4:15; 9:1). The elders continued to perform administrative leadership throughout the periods of the conquest of the Land (Josh. 7:6; 8:10,33; 9:11; 20,4; 23:2; 24:1,31), the Judges (Jud. 2:7; 8:14,16; 11:5,7-11; 21:16; Ruth 4:2-11; 1 Sam. 4:3), the united kingdom (1 Sam. 8:4; 11:3; 15:30; 16:4; 30:26; 2 Sam. 3:17; 5:3; 12:17; 17:4,15; 19:11; 1 Kings 8:3; 1 Chron. 11:3; 15:25; 21:16; 2 Chron. 5:2,4), and the divided kingdom (1 Kings 20:7-8; 21:8,11; 2 Kings 6:32; 10:1,5; 19:2; 23:1; 2 Chron. 34:29; Joel 1:14; 2:16; Jer. 26:17; 29:1). They lost their leadership positions during the fall of Jerusalem to Nebuchadnezzar (Lam. 1:19; 2:10; 4:16; 5:12,14), but they regained some authority during the exile (Eze. 8:1; 14:1; 20:1,3), and they exercised strong leadership after the return from the exile (Ezra 10:8,14; Ps. 107:32).

Judicial leaders. The second type of civil leader was the judge. The office of judge was instituted by Moses at Sinai, at the suggestion of his father-in-law Jethro (Ex. 18:13-26) and with the approval of Jehovah (Ex. 18:23). The judges were responsible for judging disputes and questions of law. The titles "ruler" (*sar*, Ex. 18:21,25) and "official" (*nasi*, Lev. 4:22) were used to refer to the judges as well as to the elders.

During Israel's travels in the wilderness, Jehovah continued to reveal His plans for Israel's leadership. Among those plans, He provided for two kinds of assistance to the judges. The first was an arrangement for arresting offenders and for delivering them to the judges. That responsibility belonged to the victim's nearest of kin. The nearest of kin was also responsible for executing the penalty if the accused person was found guilty and received the death penalty, and thus he was called "the avenger of blood" (Num. 35:12,19-24; Josh. 20:3-9). The nearest of kin to a victim of a crime served as policeman or sheriff, prosecuting attorney, and executioner (Num. 35:16-34).

The second kind of assistance provided to judges was the provision for cities of refuge. Those cities were appointed to prevent a person's nearest of kin from abusing his authority and taking the law into his own hands. The cities of refuge belong to the Levites. A person who felt he was falsely accused of murder could flee to a city of refuge and plead "Not guilty." The Levites were to protect that person until a judge could hear the case and make a determination of guilt or innocence (Num. 20:1-9). In this capacity, the Levites were not civil authorities but protectors of the people against abuse of the legal system. Moses commanded that 48 cities be set aside as cities of refuge (Num. 35:6-15), and Joshua designated 48 cities for that purpose when he divided the land among the tribes (Josh. 20:1-9; 21:13-38).

Through Moses, Jehovah gave great authority to the judges in deciding guilt and punishment for criminals (Ex. 21:6; 22:8-9; Num. 25:5; Deut. 1:16; 16:18; 17:9,12; 19:17,18; 21:2; 25:2). During Joshua's leadership of the nation, the judges were influential leaders (Josh. 8:33; 23:2; 24:1). During the period of the Judges, they were the only Israelite leaders whose influence united more than one tribe, and Jehovah used them mightily to deliver Israel in times of great crisis (Jud. 4:4; 10:2,3; 11:27; 12:7-14; 15:20; 16:31; Ruth 1:1; 1 Sam. 4:18; 7:6,15-17). When Israel's elders desired a king to rule over the nation, the primary authority they requested for the king was for him to be the chief judge in the nation. Samuel warned them that kings would abuse that authority, but the elders insisted and God told Samuel to yield to their request (1 Sam. 8:1-20). Afterward Saul became king, not much is said in the Record about the judges, except when a good king arose who tried to follow God's instructions (2 Chron 19:4-7) or to tell how the judges abused their authority (Jer. 5:28; Dan. 9:12; Micah 3:11). However, the kings' authority as supreme judge was strongly emphasized (1

Sam. 8:15; 15:2-6; 1 Kings 3:11-28; 7:7; 10:9; 20:40; 2 Kings 15:5; 1 Chron. 18:14; 2 Chron. 1:10-11; 9:12; 26:21). It too became highly corrupted, and the prophets emphasized that, because of the breakdown of justice in Israel, God would judge the nation and the people righteously (for instance Jer. 11:20).

Jehovah was Israel's legislative authority. In the beginning, Israel had no legislative branch of government. The law was given by Jehovah Himself. The judges could interpret the law; but Jehovah Himself determined what the laws were, just as He determined Israel's religious ceremonies.

A group of civil laws had been announced by Jehovah immediately after the Israelites first agreed to accept the covenant (Ex. 21-23). The laws in the second section of the Book of Leviticus (MESSAGES 22 – 24, Lev. 18-20) were an addition to those earlier civil laws. The two groups of laws need to be studied in conjunction with each other. Topics covered by the first group of laws were: worship (20:23-26), slavery (Ex. 21:1-11), violence (Ex. 21:12-36), thievery (Ex. 22:1-4), damage to another's property (Ex. 22:5-17), false beliefs and practices (Ex. 22:18-20), protection of the weak (Ex. 22:21-27), respect for God (22:28-31), honesty and justice (Ex. 23:1-9), and sabbaths, feasts, and offerings (23:10-19). Some of those earlier laws required the death penalty (for example, Ex. 21:12-17). Some required lesser penalties which were carefully defined (for example, Ex. 21:24-25,35-36). For other laws no specific penalty was prescribed (for example, Ex. 21:22,30-31). In those cases, the judges had the responsibility to determine the appropriate punishment.

The additional laws given in this section of Leviticus deal with the following topics: sex crimes (MESSAGE 22, Lev. 17); a mixed variety of crimes (MESSAGE 23, Lev. 18), and crimes requiring the death penalty (MESSAGE 24, Lev. 19).

Jehovah's Authority Over Israel's Government

Israel's civil system was as much under Jehovah's authority as its religious system was. The elders and judges were responsible to Jehovah just as much as the priests were. The whole nation was Jehovah's and He ruled over their governmental authority as well as over their religious authority. According to Leviticus and the whole Bible, Jehovah's authority over human government was not and is not confined to Israel only. It is Jehovah's right to rule over all nations, and He has ultimate authority over them all. Jehovah created the whole world, including human beings. By right of ownership, He has the right to rule the world and everyone in it. Jehovah also originated human government, because He knows government is necessary to preserve order in a rebellious world (Gen. 9:6). Therefore, the Bible teaches that everyone is obligated to respect and obey the government under which they live. Even in the midst of corrupt ancient Rome, Paul taught Christians to be subject to their rulers and to pay the taxes because "the powers that be are ordained of God." He even said a ruler is a minister of God for good (Rom. 13:1-7). Just as citizens are obligated to obey governmental authorities, those authorities are obligated to obey the God who gives them their authority. Unless a nation recognizes and honors God's authority over its rulers and its government, it cannot prosper. Eventually, all nations as well as individuals will give account to God for their actions. However, Jehovah's authority over civil government was especially significant in Israel, because Israel had been chosen by Jehovah to belong to Him in a special way.

Israel's Civil Laws Concerning Religion

As listed above, Israel's laws contained statutes enforcing worship, respect for God, and religious ceremonies. In addition, scattered throughout God's instructions to Israel were commandments that Israelites who openly rebelled against Jehovah or rejected the religious system He commanded should be put to death (Ex. 22:18,20; 28:35,43; 30:20,21; 31:14,15; 35:2; Lev. 7:20,21,25,27; 8:35; 10:2,6,7,9; 15:31; 16:1,2; 17:4,9,10,14; 19:8; 20:3,5,6,18; 22:3; 23:29,30). Those laws are troubling to those of us who treasure freedom of religion, but they had a necessary purpose in Israel. They were given to Israel to preserve the special relationship they had

accepted with God.. The basic principle in the formation of the nation of Israel was that they were Jehovah's people. He had formed them, freed them, and chosen them. They had accepted His covenant and willingly agreed to become His people. They were His hope of preserving true faith and practice in the midst of an otherwise rebellious and pagan world. If Israel deserted Jehovah, the true knowledge of God would virtually be lost to the world. Therefore, stern measures had to be instituted to try to assure that Israel would not desert Jehovah or His truth. Those measures provided that those who abused His worship by mistake were to be punished and called upon to repent; while those who deliberately rebelled against His commands or rejected His authority over them were to be put to death.

The death penalty for failing to trust and obey God seems extremely harsh to people in America, who treasure religious freedom as a basic human right. However, it is not out of keeping with the basic realities of life and eternity. In the truest sense, no man is free to reject Jehovah or disobey His commands without suffering the consequences. If someone abuses or corrupts Jehovah's worship because of weakness or by mistake, he is justly punished by Jehovah Himself. If he deliberately rebels against true worship, he will be punished by eternal death. It is eternally true that "the soul that sins shall die" (Eze. 18:20), and "the wages of sin is death" (Rom. 6:23).

Still, Jehovah's dealings with Israel taught much about the voluntary principle of religious belief. In Egypt and on the way to Sinai, He showed Israel how He loved them and wanted them to trust Him. At Sinai, the first action He took was to invite them to accept Him and to become His people. They immediately and willingly agreed to do so. The punishments followed only when they refused to carry out what they voluntarily had agreed to do. When it came time to build The Tabernacle, the funds authorized for its construction in the wilderness were obtained not by taxation but by voluntary contributions (Ex. 25:1-8; 30:11-16; 35:4-9,20-29; 36:2-7). Also, the tithes and offerings for the support of the Levites and priests were voluntary (Lev. 27). When David prepared to build The Temple, he gathered materials by voluntary offerings (1 Chr. 29:3-9), and when he thought to do otherwise he and his people were punished (2 Sam. 24:1-25; 1 Chr. 21:1-30). One of Solomon's greatest mistakes was that he did not learn the lesson of David's punishment and built the temple through taxes and conscripted labor (1 Kings 5:13-18). His doing so laid the foundation for the fall of Jehovah worship and the nation. So, Israel's worship was built on the principle of voluntarily accepting Jehovah and His commandments. Punishment came when they failed to keep the obligations to which they had agreed.

Separation of Religious and Civil Authorities in Israel

Even though religious freedom was not practiced in Israel to the extent that it is in modern America, Jehovah clearly separated the duties and authority of Israel's civil leaders from their religious leaders. Religious leaders were never authorized to exercise civil authority, and civil leaders were sternly forbidden to exercise religious authority. The reason was to prevent the oppression and tyranny that comes from concentrating too much power in one person or one group. This separation of powers was carried to the extent that the otherwise good king Uzziah was stricken with "leprosy" for attempting to perform the duties of a priest (2 Chr. 26:16-21). Thus, Jehovah's dealing with Israel taught strongly the need and value of separating the powers of "church and state." Even though Jehovah was over both the governmental and religious authorities in Israel, the nation still needed the protection that comes from separating human authority in the two realms. That separation was needed even in a nation like Israel where people were not free to forsake their proclaimed commitment to Jehovah. Separation of "church and state" was a great bulwark against tyranny in Israel, and when they forsook that principle tragic results followed. In Jesus' day, separation of civil and religious authority was not observed, and priests became political leaders. The result was the nation suffered under the tyranny of its own rulers as well as from the tyranny of foreign rulers from Rome. It was the tyranny of their own rulers that led to Jesus' crucifixion. Jehovah clearly revealed to Israel that separation of religious duties from civil duties promotes true faith and avoids oppression.

Understanding these principles of civil government in Israel helps greatly in understanding the laws in Section II of Leviticus (MESSAGES 22-24, Lev. 17-19).