

Mosaic Law: Two Views Both Claiming to be Lutheran

Colleagues,

First off—a long Segue to Sinai—“too long.”

Last week's post (ThTh 514) presented the two “Why Jesus?” articles I'd sent to our ELCA national magazine together with the comments and correctives that came back to me from the editor responsible for issues of “People and Faith” at The LUTHERAN. I wondered: was that editor's message already a letter of rejection? But an e-mail a few days ago made that perfectly clear—“Perhaps this magazine isn't the best medium for your message.” The reasons given were not cheering. So that's the end of my affair with The LUTHERAN. Well, for now it is,

FYI, Here's the original proposal that got this all started:

To the Editor, The LUTHERAN,

Here's an offer. A Series on OUR FAITH. A 12-segment proposal. A “second opinion” to the current series appearing under that caption.

Title: Real Help from Luther's Small and Large Catechisms for Today

1. How to talk about God.
2. Adam, Eve and All of Us—Our Chronic God-problem
3. Why Jesus? Why Jesus at all?
4. Can Anyone Ever ALWAYS Be Right?
5. Why is “Faith” Such a Big Deal?
6. What is This Thing Called “Ministry”? [Or, How Does Jesus

- Get From First Century Galilee to our 21st Century World?]
7. What's Christian About Christian Ethics?
 8. Creation, Darwin, Intelligent Design—Luther's Counsel for How We Might Cope.
 9. Just how Spooky is the Holy Spirit?
 10. "One, holy, catholic and apostolic church." What does this mean?
 11. Providence or Promise? It Makes a Difference Where you Start for Christian Prayer.
 12. How Many Sacraments are There? How Best to Use Them. If there is some (apocalyptic) reason for a 13th issue, then this coda:
 13. Where Will it All End—a Bang, a Whimper or Something Else?
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The "People and Faith" area-editor responded and asked for a sample of what I had in mind with the "Why Jesus?" title. I sent in two versions—how St. Paul answers the question, how Luther does. Neither made the cut.

My month-after-month drumbeat—on what OUR FAITH is and what it isn't—has made me a pest at the magazine office. [You should hear the titles that have been bestowed on me. On second thought, you should NOT hear them. You might agree!] But, truth to tell, I got snookered into this by Steve Hitchcock out in California. Before I'd ever gotten around to reading the January issue of The LUTHERAN, where the first column of the OUR FAITH series began, Steve tore out that OUR FAITH page of the January issue and snail-mailed it to me with this paste-on comment: "Do they do this on purpose just to give you a heart attack?"

So I read it. Didn't have a coronary, but did what I'd learned to do from the days of the Wars of Missouri. When an "other gospel" surfaces—especially under the Lutheran label—say something. Not yet having un-learned that lesson—probably never

will, it's deeply imprinted—I sent a letter to the editor proposing what might be a more Lutheran statement confessing OUR FAITH on that first topic: “Jesus’ Justice Agenda.” After subsequent issues of that column—January to April—I’ve done it again. One of those “op ed” proposals did get onto the LUTHERAN’s web page, and a print-page notice told readers where to find it. It was deemed too long for print-page presentation in the magazine as an Op Ed piece. One person did tell me that he read it on the web. Maybe there were more.

To clear the desk, now that I’ve gotten my “Dear John” letter, I’ll paste here below the last “second opinion” submitted to the editor, an “op ed” to the OUR FAITH column in the April 2008 issue on “Mosaic Law.” I don’t expect it to show up in the May issue. It too is “too long.” Peace and Joy!

Ed Schroeder

Finally: Mosaic Law: Two Views Both Claiming to be Lutheran

To the Editor, The LUTHERAN

To say it point-blank:

This month’s column on “Mosaic Law” presents the basic substance of the theology of the Pontifical Confutation of 1530. That official Roman document refuted the Augsburg Confession, anathematized its core substance on law and gospel—and on justice and righteousness. Lutherans do not promote Confutation theology. Martin Luther could never have said anything like this column says about Mosaic Law. Neither did St. Paul. Neither did Jesus.

Sure, the writer’s prose is winsome, reasonable, compelling. So were the words of the Roman Catholic Confutation. That’s why lots and lots of folks said “no, thanks” to the Augsburgers in

the 16th century. Yes, the Confutation's theology did speak to the hearts of people, did draw a vast following. But its message was an "other" Gospel. That's what the Augsburgers confessed. So which of the two, the Augsburgers or the Confutators, should be mentoring us about OUR FAITH in The LUTHERAN? That's surely a no-brainer.

Here are some thoughts—sentence-for-sentence—on the "Mosaic Law" article:

First sentence from this month's column: Through learning righteousness and justice, God's people become an example

[Comment. The Biblical track record of God's ancient people is that they did NOT learn righteousness and justice—neither "zedekah," nor "mishpat" (two different, not synonymous, Hebrew terms)—and thus they did NOT become an example to any of the other nations. That, said the prophets, is why God sent them into captivity. Both northern and southern kingdoms. They failed their God-given assignment—both in learning and in being an example. Miserably.]

Every society develops laws and traditions that seek to provide and enforce whatever is seen to be in its best interests.

[Biblically viewed, God is the one who gives societies their operational structures—all of them under the rubric "law"—in order to preserve human life in the now-fallen world, and to see to it that a modicum of equity prevails. These structures come with agencies of coercion to enforce both God's "law of preservation" and God's "law of equity justice," aka "law of retribution"—in nickel words that last one is: "you get what you deserve." Such preservation/retribution, of course, IS in the society's best interest. But these societal structures of "law" are always "emergency measures" to prevent full-scale chaos. And the agents managing these structures are always sinners. No non-

sinner agents are available. So even these God-authorized agents of preservation/retribution fail. Their own un-cured “unrighteousness” inevitably mucks things up. No society ever has lasted. They all pass away. Societies too get their “just deserts.” Is that why the USA is on the verge of “passing away?” But I digress.]

The society that formed from those who followed Moses out of Egypt on a journey to a promised land is no exception. They developed laws, established traditions and set norms for social boundaries and relationships in ways that told the story of who they were and whose they were.

[The society that God brought out of Egypt was no exception. The structures of their society were the God-given specs for their own existence in the fallen world as fallen children of Adam and Eve. A modicum of preservation/retributive justice prevailed. Sometimes pretty good, sometimes awful. But it wasn't good enough for them to survive either. In the words of the OT prophets, Israelite society too got its “just deserts”—Assyrian and Babylonian captivity—and in Jesus' day Roman occupation. Remember, all of these “oppressors” —wicked though they were—were God's agents for dealing out “just deserts” to his own recalcitrant chosen folks.]

They saw themselves as a chosen people-brought from bondage to freedom by a mighty God with whom they already were in covenant relationship through Abraham and Sarah. This God was seasoning them to be a blessing to all nations.

[Israel is called a “chosen people.” What does that mean? They had a special gift from God besides that “standard stuff” that all societies of their day possessed, those God-given structures of preservation/equity justice. Israel had an additional “covenant,” an additional “deal” from the very same God who

dealt out the other “deal,” the preservation/retribution stuff.

The radical quality of this “other deal” surfaces in the OT in God’s very different covenant “deal” with Abraham and David. It’s a “mercy” covenant [“chesedh” in Hebrew], qualitatively different from God’s Exodus “deal” culminating with Moses at Sinai. At the very center these two “deals” are clean contrary. For example, the Sinai covenant has no forgiveness for commandment-breakers. It’s simply not there. In the Sinai contract you get your just deserts. Fairness, but no forgiveness. Whereas in the Abraham/David covenant forgiveness [chesedh = mercy for sinners] is at the center of the deal. Sinners do NOT get their “just deserts.” Instead of “fairness” they get “forgiveness.” Big, big difference.

These two covenants are so different that in NT times St. Paul (and Jesus too) will refer back to them in the OT as the “distinction between God’s law and God’s promise.” Two different covenants. So different that both Jesus (esp. in John’s gospel) and Paul (everywhere in his letters) will call it the difference between slavery and freedom, between death and life.

Israel had no “special stuff” to bless the nations with its preservation/retribution structures. The prophets’ constant drumbeat is “We blew it! We blew it!” as far as righteous and equitable behavior goes in Israelite society, century after century. Some of the other nations had patently better laws of society, and a better track-record. But Israel’s “special stuff” was that Abraham/David special stuff. THAT was the blessing—first of all for them!—and then on assignment for them to spread it around to “the nations.” Sure, they failed to do that. Not until Jesus came along did that “mercy” covenant get to the nations. It took a crucified/risen Messiah to fulfill the assignment made way back there to Abraham to be a “blessing to the nations.”]

An important spice in that seasoning was learning to treat one another with righteousness and justice.

[Not so. The “spice” was the Abraham/David covenant stuff of “mercy.” That is the qualitatively different sort of “righteousness and justice” that God bestowed on this chosen people. The nations already had been gifted from God with the “law’s” kind of righteousness/justice. Israel didn’t have anything special to teach the nations on this score. Especially given their own track record. Sometimes the nations were way ahead of Israel in how to have a civil society. ‘Course, none of them did it perfectly either. And eventually they all passed away too. None of them passed God’s final examination. Israel included.]

Having learned to do it among themselves from laws given to them by God, the personification of righteousness and justice, it was hoped they could be an example to others.

[Not really. They never did learn. That is the message of every one of the OT prophets. Also the message of Jesus in every one of the four gospels. Universal Biblical verdict is: They failed. Where are the data that say they DID learn it? I know of none in the Bible. They failed both the preservation/equity-justice agenda and the “spread God’s mercy around” agenda. Hope, shmope!]

The source of this seasoning is found in the first five books of the Hebrew Bible, the Torah, particularly Exodus through Deuteronomy-sometimes referred to as the Mosaic law.

[The Mosaic law is diagnostic of their malady. Not therapeutic at all. If that law is “seasoning,” then it is salt and pepper in the wounds. That’s what the prophets said, “the law shows us our sin.” Cf. the mantra in the Lutheran confessions, “lex semper accusat” = the law is always our accuser. That’s also

what Jesus said, that's what the writers of the NT say. When Paul says: "If the law could have brought sinners back to life, then Jesus died for no purpose at all," he is saying (as he does explicitly) this "seasoning" is a "seasoning of death." The Lutheran Reformation was a knock-down drag-out fight on this very point. What's God doing in his law? What's God doing in the crucified and risen Christ?

This page on "Mosaic Law" is arguing in favor of the other side in the Reformation battle. I suppose the writer doesn't know that. Even so, this page should never have appeared in THE Lutheran—and even more gosh-awful, it should never be trotted out as "Our Faith."]

The Mosaic law, which includes the Ten Commandments, deals with many aspects of life together for God's chosen community, including social responsibilities toward others. In Exodus 22-23, there are provisions for restitution when people lose their property and admonitions to not mistreat orphans and widows. The Hebrews were commanded to treat each other with justice and mercy, to not deceive one another in personal or business matters.

[The Mosaic Law contains a total of 613 rules and regulations according to Jewish scholars. Its core is the 10 commandments from Sinai. The remaining 603 are in a sense "variations" on the the Basic Ten. These Ten —like all commandments—are do's and don't's, but of a particular kind. Not primarily "behavioral," they are rather all "relational." Commandments 1,2,3 speak to my relation to God, the "interface" between me and God. Commandments 4 through 10 speak to my relations with people and the world, my "interface" with the world around me. The linkage between the two sets is "cause and effect." If my God-interface is "right," that will "cause" my neighbor-interface to be "right" also. If the neighbor "interface" is "un-right(eous),"

the “cause” of that fracture with the neighbor is a fracture at the God-interface. According to the commandments you can never “fix” problems of “neighbor-interface” (bad ethics) unless you first “fix” the problem at the God-interface (bad faith).

This is rock-bottom foundation stuff for Lutheran ethics—both personal ethics and social ethics. It was at the center of the conflict at the time of the Lutheran Reformation.]

In Leviticus 19 the people are encouraged to leave part of their harvest for the poor and for the stranger, as well as commanded to treat the stranger as one who was born among them. Deuteronomy 15 goes so far as to say there “should” be no poor among the chosen people if the law is faithfully obeyed. Deuteronomy 24:22 captures a God-given motivation for treating everyone with justice, particularly the most vulnerable of society: “Remember that you were a slave in the land of Egypt; therefore I am commanding you to do this.”

[The motivation for “doing good to the neighbor” is never a hope of reward, or fright about what will happen if I “break” some commandment. The motivation is always “faith,” my “right” (=righteous) relationship on the God-interface. It is full-scale trust in God’s promises to me that motivates (“moves”) me to be God’s sort of person, yes an “image of God” in my daily life. This is not always clear in Deuteronomy and Leviticus, sometimes even contradicted. For Christians it becomes “perfectly clear” in Christ. When we trust Christ, he becomes our mentor for ethics. He replaces Moses. Good as Moses was and is, Christ is “something greater than Moses”—not only for the me-and-God-interface, but also for my interface with people and the world.]

Worship and reverence of God were also addressed in the Mosaic law. Starting with the first five of the Ten Commandments, God let the people know that the God of creation, the God of the

ancestors, the God of justice, is the same God who brought them out of slavery in Egypt and is now their God.

[Dunno where the author got that “first five” reference. Faith in God is the topic in the first three commandments—as Lutherans number the Basic Ten—and love toward the neighbor for the last seven. These are the two rock-bottom interfaces of every human being throughout human history. As our Confessions say, “Faith itself is the highest worship of God.” There is no better way to give God glory than to trust his promises. God did indeed bring Israel out of slavery in Egypt, but even that great rescue didn’t “fix” their un-right God-relationship. Nor did Sinai. The rest of the OT is full of episode after episode of their un-faith. They kept on NOT trusting God’s promise. And God sent them into captivity. Not until Jesus comes, so the Christian Gospel claims, did that numero-uno problem get solved. You can’t talk about “Christian” righteousness and justice merely on the basis of the OT. You have got to bring Christ into the picture—at the very center of the discussion. Otherwise you are promoting Judaism, but not Christian faith and life.]

The Mosaic law details how the worship and praise of this high and holy God is to be conducted. There are elaborate rituals of sacrifice, thanksgiving, atonement, blessing, purification and consecration. What is eaten, what is worn, what is holy and unholy, and even family and social obligations all were tied to worship and reverence of God.

[Already covered in previous paragraph.]

The covenant people were also encouraged through the Mosaic law to have a right relationship with the land they had been given. The land was always to be considered holy and not to be defiled. The soil was to be properly cared for and even given a sabbath so it would continue to produce to its potential. The people

were to be righteously related to the land of promise as they were to be righteously related to one another.

[Lutheran understanding of the OT claims that Jesus-in-the-gospels and Paul(and others)-in-the-epistles are the right interpreters for the OT. Therefore you need to talk about TWO, not just ONE, covenant in the OT when you talk about “covenant people.” That is Paul’s constant drumbeat throughout his epistles. It is also Jesus’ constant critique of his critics, cresting in the Gospel according to John. The two covenants are very different. One covenant [Abraham, David] has “mercy for sinners”—as mentioned earlier—and one covenant [Moses/Sinai] has no mercy (forgiveness), but just deserts for sinners. The word “promise” appears in both covenants, but the promises are different. E.g., the “promise of land” was conditional on Israel’s obeying the commandments. Which they did not do. So they lost the land. There is no “land” in the mercy-covenant promise. God’s gift of mercy and forgiveness heals and seals the fracture at the God-interface, no matter what land your feet are planted on.

There is no place for “land” in the covenant of God’s mercy and sinners trusting that mercy. So Jesus commissions his apostles to go to the “ends of the earth.” It’s not “bring them all back here to this ‘holy’ land,” but get Jesus’ own “Holy-ing” Spirit into folks in every land where it isn’t yet. No place on the planet is special any longer. The crucified and risen Messiah is the place where mercy-holiness has landed. Jesus replaces any notion of the Holy Land with himself. If there is to be any talk of land, then the “land” Christians are seeking is still up ahead (Hebrews 11), “a better country, a heavenly one.” None of us has been there yet. But we trust Jesus to get us there.]

Both people and land were part of God’s covenant promise to Abraham, which was constantly passed down to his descendants. It

was a promise that included immeasurably abundant blessings for both people and land-if only the people were faithful to their part of the covenant.

["If only the people were faithful" Ay, there's the rub. "If ONLY the people were not sinners. . . . then they would have been faithful." But they were sinners. So the Sinai/Moses covenant (with no forgiveness for sinners) is not Good News at all for Israel. The only hope for sinners in the OT is the Abraham/David covenants with forgiveness for sinners and "righteousness" freely offered for "only" trusting God the promisor. That "only" back in God's promise to Abraham is the same "faith alone, faith only" in Lutheran Reformation theology. With this very different sort of covenant [promise-and-faith]-so very different from Moses/Sinai-come very different "blessings." Land, especially, is no big deal any longer.]

The laws that governed them in all aspects of their life were to be a constant reminder that they were to be righteous in their relationship with God, justice-minded in their relationship with one another and with the stranger, and ecologically astute in their relationship with the land.

["The laws that governed them in all aspects of their life" proved to be tyranny. Jesus in the gospels and the apostles in the epistles claim that the "constant reminder" coming from God's law was just one message: "You're not measuring up. You are a law-breaker. You've blown your relationship with God and there is hell to pay. You need help, big help." And where is that help? "Our help is in the name of the LORD-not in your 'trying harder' to keep the law-and in his suffering servant (Isaiah 53) whose name is Jesus." Be very careful about this "justice-minded" business. If God were justice-minded-and only justice-minded-with sinners, they would all be cinders. Sinners need a mercy-minded God, or else they are toast. And being

“mercy-minded” to the neighbor—yes, even our enemies—is the “new commandment” of Jesus. There never was such a commandment in the law coming from Moses.]

These are important ways in which they were to share blessings among themselves-and also to be a blessing to others.

[Israel’s calling to be a blessing is NOT linked to the Moses/Sinai covenant. They had just ONE blessing to share with the world. It is their Abraham/David covenant—all about God’s mercy and forgiveness of sinners. But they blew that covenant too. It took Jesus to “fulfill” that covenant and to bring that “blessing” into a world where it hadn’t been concretely available before. It’s there like a promissory note in God’s covenant-making with Abraham/David. This promise offers God’s commitment in the future. But before the coming of Christ it is not “fulfilled,” not concretely here “down-on-the-ground.” Yes, that mercy was “available” to OT people, but available only “in hope,” as they trusted the Abraham/David mercy-promise. In Jesus the hoped-for happened, “dwelt among us,” as John’s gospel puts it. God’s “promise-fulfilled” is the NT way of speaking of Jesus forgiving sinners. Spreading that “promise-fulfilled” around the world is the blessing-business assigned to Christ’s people “until he comes again.”]