

October 14, 2018
Sunday Evening Service
Series: Deuteronomy
Community Baptist Church
643 S. Suber Road
Greer, SC 29650
© 2018 David J. Whitcomb

ISRAEL'S JUDGES AND KINGS Deuteronomy 17:8-20

To date, President Trump has appointed 84 federal judges, which includes two judges confirmed to the Supreme Court. Some people argued that the appointment of judges was a major motivation for electing a politically conservative president in the 2016 presidential election. While 84 appointments might seem like a huge number of judges, we must compare that with the 329 federal judges liberal President Obama appointed while he was in office. He also recommended two liberal judges to the Supreme Court who were confirmed with very little questioning or debate.

So why is this matter of judges such a big issue to some political pundits? An important issue in our day is whether it is the place of federal judges, including supreme court justices, to make laws or simply to interpret cases in light of the United States Constitution. The liberal side has demonstrated for the last several years the desire to bypass Congress and the will of the people by having the judges and justices create laws. Some of the more famous examples of such laws is the right to abortion and same sex marriage. Congress and their constituents never had a say in these laws that have harmed our culture possibly beyond repair.

On the other hand, conservative people prefer judges and justices who will decide the cases that come before them based on an accurate interpretation of the Constitution. They conclude that the Constitution is the final authority, the clearest and most basic statement of rules for governing this nation. The conflict in this foundational philosophy between the liberals and conservatives is expressed well by the liberals' endless chant that the Constitution of

the United States is by nature a fluid document and should change with the whims of society.

Common sense requires that a fluid basis of law is no law at all. If a society with an ever-changing body of laws slides deeply into sin and depravity, it will become quite obvious that it is a lawless society. Each person will do what is right in their own eyes. That is very nearly where America is today. And if that statement sounds familiar in the Bible context, it should. That is where Israel ended up when they abandoned God's law.

The United States is not Israel, and it is foolish to try to apply the rules God gave to His special nation to any other nation of people. However, the principles found in the rules God gave to Israel can and should be applied to any society that would live peaceably, godly, and giving opportunity to tell the gospel.

There are multiple good and applicable principles in our text. God required His people to appoint judges who would render righteous judgments. God required those judges to render judgments according to the Law He gave. And God required future kings of His people to listen to the judges and also make their decisions according to His law. That sounds like a wonderful idea for not only Israel, but for any society that would offer fairness, justice, and tranquility to the people.

Israel's Supreme Court (vv.8-13).

According to God's plan for Israel, the priests were to be the judges. God's plan required the priests to hear the difficult questions. The people were expected to take the difficult cases to the place God would choose. *If any case arises requiring decision between one kind of homicide and another, one kind of legal right and another, or one kind of assault and another, any case within your towns that is too difficult for you, then you shall arise and go up to the place that the LORD your God will choose (v.8).*

We can easily understand how there were going to be inter-relational problems in the Israeli society. Who would decide how to resolve those cases? Someone would have to decide who was right, who was at fault, who was the victim, and such matters. Generally those issues would be solved by local leaders. The elders, who were

heads of families in each town sat in the city gates to hear such matters. They would hear the evidence and render a decision or a sentence if necessary. This concept of court was outlined in the case of a rebellious son for example (Deut. 21:19). We see it again in the example of the case of an accusation against a virgin (Deut. 22:15).

One of the more famous cases of the elders meeting in the city gate to render a decision about civil matters was the case of Boaz taking Ruth to be his wife. This situation of a relative refusing to take responsibility for a widow in the family was already mapped out in Deuteronomy 25:7.

But some cases were more serious like *homicide* or *assault*. These are not the only two kinds of difficult cases for the judges to decide but simply offer examples. However, this does seem to be an explanation regarding civil and legal cases as opposed to religious issues and matters of sin. It appears that the local authorities were supposed to be able to decide religious matters in light of God's law.

The more difficult civil or criminal matters were to be taken to the judge who was at the place God chose. *The place God chose* seems to be a reference to wherever the tabernacle or later the temple would be located. The place of the tabernacle or temple was also the location of the Ark of the Covenant which symbolized the presence of God. What better place to seek God's will in difficult questions? For many of the beginning years the tabernacle and ark were in Shiloh.

It is also possible that the reference to the place God chooses might speak of some other special place where court was held. However, again we notice in the next verse it was wherever the priests were ministering and that was most likely at the tabernacle. God instructed the people to go to the Levites who serve as judge. *And you shall come to the Levitical priests and to the judge who is in office in those days, and you shall consult them, and they shall declare to you the decision (v.9).*

It is true that the priests were responsible to oversee all matters whether legal, civil, or religious. It is significant that the priests who are to judge were identified as the Levitical priests. On one hand, this certainly distinguished them from the pagan priests of false religions. On the other hand, the title "Levitical" also identified these judges as the chosen servants of God. Over and over throughout Deuteronomy

and Joshua we are reminded that the tribe of Levi was God's special, chosen tribe to be dedicated to His service.

The Levites were responsible for all matters connected with the worship system. The priests came only from the family of Levi. They represented the people before God. They represented God to the people. Therefore, while all the people of the other tribes received real property as an inheritance, the Levites got no property, but God Himself was their inheritance. A very special relationship existed between God and His servants the Levites. Those men lived to serve God.

It is doubtful that the "judge" mentioned in this context was also the high priest. If God intended for the high priest to be the "judge," He would have identified him as the high priest. Notice that the difficult cases were brought to the priests (plural) and the judge (singular). It appears that a panel of priests heard the evidence but that a single judge would render the decision (though probably in consultation with the other priests).

And when the decision was given, God fully expected the people to obey the priests' decisions. *Then you shall do according to what they declare to you from that place that the LORD will choose. And you shall be careful to do according to all that they direct you. According to the instructions that they give you, and according to the decision which they pronounce to you, you shall do. You shall not turn aside from the verdict that they declare to you, either to the right hand or to the left (vv.10-11).*

There was no room for equivocation once the verdict was rendered. The parties were required to do exactly what the priests and judge ordered. The mention again of *that place that the LORD will choose* reminds us that God had a vested interest in these verdicts. To do exactly *according to all that they direct you* was equivalent to doing God's will. Because the priests' judgment was in line with righteousness, there was to be no turning aside, no wavering to the right or left. We would say, "No slanting the decision toward either the liberal side or conservative side."

But what if the parties disagreed? This is a hugely important question in light of current trends and opinions. This was the highest court. It would have been similar to our Supreme Court. There was no court of appeals beyond this one. Possibly some of those ancient

cases came to the priests and judge through a process that began at the city gates of a particular town. And when the judge handed down his decision, that was it. It was not a question of whether to obey or not obey. The only option was obey!

Sadly that is not an option in a society where we have been taught the individual is the measure of all things. Our culture has eradicated the possibility of absolute truth. Therefore, truth is a matter of personal opinion. So what do you do when your authority hands down a decision that you think is “untrue” or at least not true according to your preferences? Apparently, the answer to that question is riot, or protest, or post threatening statements on social meeting, or harass authorities until they concede to you and your wishes. What an immature and childish society we have created. Suddenly we have come face to face with the reality that the Dr. Benjamin Spock babies, the Mr. Rogers’ children, and adults who were reared by Sesame Street heresy are not helpful for maintaining a reasonable, unified culture. They are the entitlement establishment who demand that the whole world bow at their feet or pay a price.

The priests were God’s ordained representatives. Therefore, any disobedience to their decisions received swift punishment. Moses warned the people: *The man who acts presumptuously by not obeying the priest who stands to minister there before the LORD your God, or the judge, that man shall die. So you shall purge the evil from Israel (v.12).*

In this statement, Moses addressed the kind of person who is often the subject of our daily news and social media. To be presumptuous is to manifest a sense of pride or self-importance. It is a boiling over of self with the result that the person becomes rebellious or stubborn. The presumptuous person is quite sure he is right and the authority is wrong. In courtrooms both ancient and modern this attitude is labeled “contempt.” It is a crime.

Notice again the connection between God Himself and *the priest and judge who stands to minister before Him*. This was not just a matter of a person stubbornly resisting the verdict of mere men. Because God appointed the authority, and because the authority was handing down a decision based on the righteous law of God, the stubborn person was rebelling against God Himself. God doesn’t take rebellion lightly.

The seriousness of the matter is revealed in the fact that God determined the death sentence for only particular crimes. For example, it was the death penalty for anyone convicted of being a false teacher or for those who follow other gods (13:1-5). Premeditated murder got the death sentence (19:11-13). Even someone who was proven to witness falsely at a trial received capital punishment (19:15-21). Sexual sins including adultery, rape, (22:13-24), homosexuality (Lev. 20:13), and bestiality (Lev. 20:15) were punished by death.

God is still very serious about the people in all cultures, even us in the American culture, submitting to the authorities He ordains. God is still serious that rebellion against His established authorities should result in painful, yea, deadly consequences. Paul writing by the Holy Spirit gave us the standard. *Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God. Therefore whoever resists the authorities resists what God has appointed, and those who resist will incur judgment. For rulers are not a terror to good conduct, but to bad. Would you have no fear of the one who is in authority? Then do what is good, and you will receive his approval, for he is God’s servant for your good. But if you do wrong, be afraid, for he does not bear the sword in vain. For he is the servant of God, an avenger who carries out God’s wrath on the wrongdoer” (Romans 13:1-4).* It is till true that to resist the conclusion of the God-ordained authority is to resist God Himself.

Moses stated the reason for swift punishment. *And all the people shall hear and fear and not act presumptuously again (v.13).* The reason for swift, capital punishment against the rebel was to cause others to fear. Obviously, our Creator concludes that fear is an effective means for encouraging obedience.

Progressive thinkers reject this idea because they are sure they know more than God. In reality, because they have rejected God and His law they cannot exercise wisdom. Therefore, they know nothing about human nature. How strange that in many ways, motivating obedience by fear is against the law or against ethical behavior in many organizations. And yet at the same time, these same people (some of their very important political spokespersons) have said recently that their followers need to cause elected authorities to fear

them so that they will concede to them. Apparently, those people who forbid a teacher striking fear in a rebel student's heart actually do know that the concept God ordained works.

In the late 1960s campus protests, riots, and sit-ins became a very popular way to oppose governing authorities. This was the younger generation's (my generation's) way of showing a presumptuous spirit. A tragic situation developed on Kent State University campus on May 4, 1970. The students were engaged in a typical protest when some members of the Ohio National Guard overreacted and fired 67 rounds of ammunition. Four students were killed and nine were wounded. As I said, it was a tragic incident. But it was also the end of the popular campus protests/sit-ins/riots for well over a generation. I fear that if the trend in our culture does not change soon, a similar tragedy is going to happen.

Israel's King (vv.14-30).

The reality is that a king was actually God's will. Moses said many years before the time that at some point the people would desire a king. *When you come to the land that the LORD your God is giving you, and you possess it and dwell in it and then say, "I will set a king over me, like all the nations that are around me" (v.14).* This passage does not encourage a king or forbid a king. It simply treats the reality of a king in the future as a foregone conclusion.

In fact, the idea of a king over God's people goes back to the time of Abraham. God promised Abraham: *"I will make you exceedingly fruitful, and I will make you into nations, and kings shall come from you" (Genesis 17:6).* God promised Jacob: *"I am God Almighty: be fruitful and multiply. A nation and a company of nations shall come from you, and kings shall come from your own body" (Genesis 35:11).*

When the people under Samuel's leadership demanded a king, God did not reject the idea but pointed out that their reason for wanting a king was wrong. They were tired of God being their king who ruled through the priests and the prophets. They wanted a king like their pagan neighbors' kings (1 Samuel 8:5-9). Of course, in that context, Samuel reminded the people of Moses's warning about what a king would do. He warned the people that "kings" in general would

take your sons and appoint them to his chariots and to be his horsemen and to run before his chariots (v.11). He will appoint for himself commanders and some to plow his ground and to reap his harvest, and to make his implements of war and the equipment of his chariots (v.12). He will take your daughters to be perfumers and cooks and bakers (v.13). He will take the best of your fields and vineyards and olive orchards and give them to his servants (v.14). He will take the tenth of your grain and of your vineyards and give it to his officers and to his servants (v.15). He will take your male servants and female servants and the best of your young men and your donkeys, and put them to his work (v.16). He will take the tenth of your flocks, and you shall be his slaves (v.17).

When the people decided they wanted a king, God would choose the king. The qualification was, *You may indeed set a king over you whom the LORD your God will choose (v.15a).* This was so that the king would be a king according to God's requirements. Of course that was the ideal. God chose the king because he had to be an Israelite. *One from among your brothers you shall set as king over you. You may not put a foreigner over you, who is not your brother (v.15b).* He could not be a horse trader. *Only he must not acquire many horses for himself or cause the people to return to Egypt in order to acquire many horses, since the LORD has said to you, "You shall never return that way again" (v.16).* Nor could he be a collector of wives. *And he shall not acquire many wives for himself, lest his heart turn away (v.17a).* And he could not be a greedy man. *Nor shall he acquire for himself excessive silver and gold (v.17b).* According to Samuel's warning, this ideal was not likely to work out.

In the ideal, the king must be a man of God's Word. Moses instructed that *when he sits on the throne of his kingdom, he shall write for himself in a book a copy of this law, approved by the Levitical priests. And it shall be with him, and he shall read in it all the days of his life, that he may learn to fear the LORD his God by keeping all the words of this law and these statutes, and doing them (vv.18-19).*

The king was to have his own copy of the law. The phrase, *A book a copy of this law* is identified in eight passages as the covenant text of Deuteronomy (1:5; 4:44; 27:3,8,26; 29:21,29; 30:10). It was a copy of the law that resided at or in the ark. This is likely the book

of the law found during Josiah's temple remodeling. God's ideal was that the king would rule God's people according to God's law. This required that the king had to read God's law. He had to know God's law. He had to obey God's law.

Instead of the ideal, Israel's kings were typically vaguely familiar with God's law at best. They were too much like our "kings" or presidents as we call them. I find it intriguing that the president of the United States places his left hand on a "Holy Book," raises his right hand and makes this oath: "I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States." John Quincy Adams and Franklin Pierce swore on a book of the law. Theodore Roosevelt swore on a piece of paper. Lyndon Johnson swore on the Roman Catholic Missal. Truman, Eisenhower, Nixon, H.W. Bush, Obama, and Trump took the oath on two Bibles. It didn't seem to make much difference. In too many recent past presidencies, neither the holy book or the oath has meant very much.

God required that the king He chose must be humbly obedient. *That his heart may not be lifted up above his brothers, and that he may not turn aside from the commandment, either to the right hand or to the left, so that he may continue long in his kingdom, he and his children, in Israel (v.20).* The ground is level for us all before the Great King of Kings. God requires the rulers He appoints as well as the people they rule to humbly submit to Him and His law first. Then to rule according to God's law first.

Again, the United States is not Israel. However, if the rulers of this society would simply submit themselves to the principles of God's law first, we would have exactly the kind of society that is God's will. What is God's will? *First of all, then, I urge that supplications, prayers, intercessions, and thanksgivings be made for all people, for kings and all who are in high positions, that we may lead a peaceful and quiet life, godly and dignified in every way. This is good, and it is pleasing in the sight of God our Savior, who desires all people to be saved and to come to the knowledge of the truth (1 Timothy 2:1-4).*