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April 10th: Leviticus 20 & Mark 7:1-23

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Punishments for disobedience. The commandment of God nullified by tradition.

Some passages referenced:

Deuteronomy 17:7, Deuteronomy 13:10-11 (laws concerning stoning).

Exodus 21:17 (death penalty for reviling father and mother); Isaiah 29:9-14 (drawing near with lips, but heart far from God); Acts 10:10-16 (abrogating the food laws); Romans 14:20 (everything is clean).

Reflections upon the readings from the ACNA Book of Common Prayer (<http://bcp2019.anglicanchurch.net/>).

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Transcript

Leviticus 20. The Lord spoke to Moses, saying, Say to the people of Israel, Any one of the people of Israel or of the strangers who sojourn in Israel, who gives any of his children to Molech, shall surely be put to death. The people of the land shall stone him with stones.

I myself will set my face against that man, and will cut him off from among his people, because he has given one of his children to Molech, to make my sanctuary unclean and

to profane my holy name. And if the people of the land do at all close their eyes to that man when he gives one of his children to Molech, and do not put him to death, then I will set my face against that man and against his clan, and will cut them off from among their people, him and all who follow him in whoring after Molech. If a person turns to mediums and necromancers, whoring after them, I will set my face against that person and will cut him off from among his people.

Consecrate yourselves, therefore, and be holy, for I am the Lord your God. Keep my statutes and do them. I am the Lord who sanctifies you.

For anyone who curses his father or his mother shall surely be put to death. He has cursed his father or his mother. His blood is upon him.

If a man commits adultery with the wife of his neighbor, both the adulterer and the adulteress shall surely be put to death. If a man lies with his father's wife, he has uncovered his father's nakedness. Both of them shall surely be put to death.

Their blood is upon them. If a man lies with his daughter-in-law, both of them shall surely be put to death. They have committed perversion.

Their blood is upon them. If a man lies with a male as with a woman, both of them have committed an abomination. They shall surely be put to death.

Their blood is upon them. If a man takes a woman and her mother also, it is depravity. He and they shall be burned with fire, that there may be no depravity among you.

If a man lies with an animal, he shall surely be put to death, and you shall kill the animal. If a woman approaches any animal and lies with it, you shall kill the woman and the animal. They shall surely be put to death.

Their blood is upon them. If a man takes his sister, a daughter of his father or a daughter of his mother, and sees her nakedness, and she sees his nakedness, it is a disgrace, and they shall be cut off in the sight of the children of their people. He has uncovered his sister's nakedness, and he shall bear his iniquity.

If a man lies with a woman during her menstrual period and uncovers her nakedness, he has made naked her fountain, and she has uncovered the fountain of her blood. Both of them shall be cut off from among their people. You shall not uncover the nakedness of your mother's sister or of your father's sister, for that is to make naked one's relative.

They shall bear their iniquity. If a man lies with his uncle's wife, he has uncovered his uncle's nakedness. They shall bear their sin.

They shall die childless. If a man takes his brother's wife, it is impurity. He has uncovered his brother's nakedness.

They shall be childless. You shall therefore keep all my statutes and all my rules and do them, that the land where I am bringing you to live may not vomit you out. And you shall not walk in the customs of the nation that I am driving out before you, for they did all these things, and therefore I detested them.

But I have said to you, you shall inherit their land, and I will give it to you to possess, a land flowing with milk and honey. I am the Lord your God, who has separated you from the peoples. You shall therefore separate the clean beast from the unclean, and the unclean bird from the clean.

You shall not make yourselves detestable by beast or by bird or by anything with which the ground crawls, which I have set apart for you to hold unclean. You shall be holy to me, for I the Lord am holy, and have separated you from the peoples, that you should be mine. A man or a woman who is a medium or a necromancer shall surely be put to death.

They shall be stoned with stones. Their blood shall be upon them. In Leviticus chapter 20 we largely retread the ground of Leviticus 18.

In Leviticus 20 however, rather than presenting us with a list of do's and do not's, as Leviticus 18 largely does, we are given penalties for the sins. Leviticus 18 tells us what not to do, but does not say what will happen to us if we do them, perhaps because it is speaking to the part of families rather than to judicial figures who will actually impose sanctions. Leviticus 20 also places a great deal more of an emphasis upon resisting the idolatrous worship of the Canaanites and other surrounding nations.

Verses 1-16 deal with capital offences. Verses 17-21 deal with sins for which one will be cut off from the community. The opening of the chapter focuses upon sacrifice to Molech, necromancy and mediums.

All are idolatrous and adulterous violations of the bond between God and his people. The person who gives any of his children to Molech must be stoned by the people. Stoning was a communal form of judgement that expressed the community's collective rejection of such practice, taking weighty responsibility as a group and as individual members of it for dealing with such a wrongdoer.

Such a matter cannot just be dealt with by the judges. The entire community, the entire congregation must ensure that they keep the law of the Lord and stand with the law of the Lord against those who would seek to rebel against it. Deuteronomy 17-7 declares the hand of the witnesses shall be first against him to be put to death and afterward the hands of all the people.

So you shall purge the evil from your midst. As the whole community was included in enacting the sentence, it ensured that they were all on board with that judgement. They

all committed themselves to upholding that truth.

In Deuteronomy 13-11 we read, you shall stone him to death with stones because he sought to draw you away from the Lord your God who brought you out of the land of Egypt, out of the house of slavery and all Israel shall hear and fear and never again do any such wickedness as this among you. Another important thing about the command to stone in certain cases, it's a matter of witness bearing. The whole community has to be part of this.

It has to see what's being done, has to affirm what's being done by being involved in the action and also witnesses, those who were responsible for the sentence being enacted, had to be the first to cast the stones, had to take specific responsibility for their part within the event. And if they were found guilty of false witness in a capital crime, they would be subject to the same sentence themselves. It's important to consider the crimes that have the death penalty attached and those that don't.

Apart from murder, certain cases of negligent homicide, false witness in a capital case, man stealing, flagrant cases of rebellion against parents or the courts, almost all of the capital crimes have to do with various forms of rebellion against the Lord and rejection of his covenant, through idolatrous worship or the like, or with a series of sexual sins. This is important to notice because, certainly relatively speaking, in ancient Near Eastern societies, the Mosaic law wasn't simply overly given to the death penalty. The fact that direct rebellion against the Lord and sexual immorality are especially singled out is a sign of how seriously these particular sins are taken.

It is those sins that most directly rebel against God or violate his image that have the death penalty attached. A further important thing to consider is the way that the community is expected to be involved in the excision of such persons from their midst. Such crimes jeopardise the entire community and its holy status and must be dealt with accordingly.

Indeed, when someone was engaged in child sacrifice, if a community didn't root out the person immediately, they themselves would risk suffering the same removal from the people and draw God's judgment upon them. We should recognise how these laws are connected with the logic of the sacrificial system. The person who engages in child sacrifice, according to Leviticus 20, makes God's sanctuary unclean and profanes his name.

Israel bears God's name and has God's presence in their midst, in the tabernacle, which attracts the sins of Israel into it. The legal system is responsible to protect the holiness of the people. Where the legal system fails to punish such abominations, the entire system is unsettled and the community itself risks being vomited out of the land for the abominations.

These laws, then, are not just a matter of relational societal ethics and crimes and punishments associated with them. No, they have a far more cultic and religious character, being connected more immediately with the holiness of the people. Sexual sins are not merely sins committed in the privacy of a person's own home, with no harm being done if all parties are consenting.

They violate the dignity of humanity. They pervert, debase or parody the divine gift of procreative union. They offend God, their abominations that threaten the holy status of the entire community, and they set patterns that others might follow if they are not dealt with swiftly and decisively.

The Creator gave man and woman the capacity to become one flesh, and such a gift must be honoured and never profaned. Sexual sins like bestiality and homosexual relations are treated as perversions of this great gift, and sins of a more symbolic import, such as not lying with a woman during her menstrual period, are seen as profanations of such a union, treating it as some common thing that people can enjoy on their own preferred terms, without acknowledgement of the giver. Consequently, these sins must be opposed strongly, and those who perform them and give themselves to them must be rooted out of the community.

Sanctions vary for different sins. Religious rebellion tends to involve stoning. A man taking a woman and her daughter must be burnt along with them, which is an unusual punishment.

Some crimes, such as lying with a man as with a woman, involve being put to death in an unspecified manner. Verse 17 speaks of someone bearing his iniquity. For other sins, people are to be cut off from the people, which probably didn't involve death, but banishment or something else like that.

In other cases, God punished people more directly himself, leaving them childless, as in a number of examples in this chapter. The chapter ends with the requirement that Israel separate between the clean beast and the unclean beast. This all seems rather strange and arbitrary to us.

While there is an apparent symbolic logic to the laws concerning clean and unclean animals that we read in Leviticus 11, such distinction doesn't really seem to be that significant. However, like circumcision and the Sabbath, such food laws were a divinely given sign of Israel's holy status, and anyone who took that holy status seriously would take the divinely given signs of it extremely seriously too. Some have argued that such penalties, the death penalties mentioned in this chapter, ought to be applied today.

While the New Testament does not, I believe, rule out the death penalty, even in such passages as John 8, with the woman caught in adultery, I think that it is essential to recognise the way that the administration of the law in such sanctions is a far more

contingent matter. It must be adapted to unique societies and their situations, not least, in the case of Israel, the fact that they were a nation in covenant with the Lord, with God dwelling in their midst, and in contrast to modern societies, a densely connected and unified peoplehood, where the actions of one party within the community would far more readily implicate the other members of it. They were also a hard-hearted people, for whom the severest penalties were probably necessary as deterrents for sins that would have led great numbers of them astray had they not been there.

As such situations do not obtain in modern societies to the same degree, we should be very wary of those who advocate for the reintroduction of comparable sanctions for such sins as being biblical. Rather, we must prudentially consider the more specific conditions, character, besetting sins and the like of our own societies, and while learning principles of jurisprudence from Scripture, we must develop legal systems and sanctions that are appropriate to our own situations. So just as Moses legitimately allowed divorce as a concession to the hardness of Israel's hearts, so there are certain sins and bad practices for which we must, without in any way justifying them, make ameliorating accommodations, where stricter sanctions would prove ineffectual or counterproductive and jeopardize the standing of the law more generally.

Something to consider. Read 1 Corinthians 5 and observe the ways in which Paul's approach there is informed by the same sorts of principles that we see in Leviticus 20. What parallels can be seen between Leviticus 20 and the principles that guide Paul's arguments, and what similarities can also be seen in the sanctions imposed in both cases? Mark chapter 7 verses 1 to 23.

Now when the Pharisees gathered to him with some of the scribes who had come from Jerusalem, they saw that some of his disciples ate with hands that were defiled, that is, unwashed. For the Pharisees and all the Jews do not eat unless they wash their hands properly, holding to the tradition of the elders. And when they come from the marketplace, they do not eat unless they wash.

And there are many other traditions that they observe, such as the washing of cups and pots and copper vessels and dining couches. And the Pharisees and the scribes asked him, Why do your disciples not walk according to the tradition of the elders, but eat with defiled hands? And he said to them, Well did Isaiah prophesy of you hypocrites, as it is written, This people honors me with their lips, but their heart is far from me. In vain do they worship me, teaching as doctrines the commandments of men.

You leave the commandment of God and hold to the tradition of men. And he said to them, You have a fine way of rejecting the commandment of God in order to establish your tradition. For Moses said, Honor your father and your mother, and whoever reviles father or mother must surely die.

But you say, If a man tells his father or his mother, Whatever you would have gained

from me as Corban, that is, given to God, then you no longer permit him to do anything for his father or mother, thus making void the word of God by your tradition that you have handed down, and many such things you do. And he called the people to him again and said to them, Hear me, all of you, and understand, there is nothing outside a person that by going into him can defile him, but the things that come out of a person are what defile him. And when he had entered the house and left the people, his disciples asked him about the parable.

And he said to them, Then are you also without understanding? Do you not see that whatever goes into a person from outside cannot defile him, since it enters not his heart, but his stomach, and is expelled? Thus he declared all foods clean. And he said, What comes out of a person is what defiles him. For from within, out of the heart of man, come evil thoughts, sexual immorality, theft, murder, adultery, coveting, wickedness, deceit, sensuality, envy, slander, pride, foolishness.

All these evil things come from within, and they defile a person. In Mark chapter 7 the Pharisees once again challenge Jesus on account of his disciples' behaviour. In chapter 2 it was on account of their supposed breaking of the Sabbath as they walked through the grain fields.

Here it is due to their failure to ritually cleanse before eating. It's an objection story. It begins with the objections of the Pharisees and some of the scribes from Jerusalem.

It's followed by an address to the people. And then it's concluded with a private discussion with the disciples. When the Pharisees and the scribes challenge Jesus concerning his disciples' failure to ritually wash their hands, Jesus responds by referencing Isaiah chapter 29 verse 13.

He argues that they undermine the commandment of God through their tradition. They seek to reject the commandment in order to establish their tradition. The two are presented as antithetically related.

Jesus underlines the importance of the commandment to honour parents by adding to his reference of the fifth commandment the citation of Exodus chapter 21 verse 17. The use of the Corban vow to defraud one's neighbour, in this case parents, from what is due to them is putting the love of God at odds with love to neighbour, which should be its necessary corollary. They're engaging in a sort of casuistry designed to circumvent the intent of the law rather than to establish it.

We've already seen this with the Sabbath. Their very particular observance in all these little details actually offers the means to avoid obedience, to avoid what the Lord wants from them. The verse that Jesus quotes in Isaiah chapter 29 verse 13 is important because of its context also.

In verses 9 to 14 of that chapter we read Astonish yourselves and be astonished, blind yourselves and be blind, be drunk but not with wine, stagger but not with strong drink, for the Lord has poured out upon you a spirit of deep sleep, and has closed your eyes, the prophets, and covered your heads, the seers. And the vision of all this has become to you like the words of a book that is sealed. When men give it to one who can read, saying, read this, he says, I cannot, for it is sealed.

And when they give the book to one who cannot read, saying, read this, he says, I cannot read. And the Lord said, because this people draw near with their mouth and honour me with their lips while their hearts are far from me, and their fear of me is a commandment taught by men, therefore, behold, I will again do wonderful things with this people, with wonder upon wonder, and the wisdom of their wise men shall perish, and the discernment of their discerning men shall be hidden. The applicability of the judgment here to Jesus' ministry and the responses to it should be immediately apparent.

Jesus doesn't directly answer the Pharisees' question, rather he levels a counter-accusation. He fundamentally challenges the grounds on which they are making the accusation. They are falsely claiming authority as arbiters of proper adherence to God's law, while violating it themselves.

Perhaps hand-washing was for them originally a supererogatory matter of special cleanness that could be voluntarily adopted, but which, through the development of the tradition, gradually became an absolute standard and a way in which to judge others. Tradition is to be judged by Scripture, and hypocrisy is a constant problem. They draw near to God with their lips, but their hearts are far from him.

And Jesus, throughout his teaching, focuses upon purity of the heart, that's what matters. The point is not primarily here arguing against food laws, but against the Pharisaic misuse of the tradition. Even the law itself highlighted that it was what came out that was the problem.

Jesus goes on to teach the people that what comes out of the mouth is what really matters. The importance of the tongue is that it manifests the heart. We should beware of seeing this simply as a light dismissal of the food laws, rather than as a disclosure of their true rationale.

Jesus is fond of highlighting the radical antitheses that one encounters in the prophets, for instance, that pit the external practice over against its inner rationale and purpose. So for instance, mercy against sacrifice. I desire mercy, not sacrifice.

The point is not that sacrifice shouldn't be made, or that it should be negated. The tradition isn't being rejected wholesale. The point is that sacrifice needs to be understood in terms of mercy.

In verse 19 here though, there's something a bit more radical. Thus he declared all foods clean. It's an extremely important statement.

Is Jesus merely saying that all foods have always already been clean? Or is he overturning the system of food laws? I think there's a bit of both. Jesus' argument about digestion is a timeless one. It's not dependent upon some new event in history.

This has always been the case, that people take the food into themselves and it doesn't actually pollute their heart. It's a matter of just going through the digestive system. Yet the statement itself implies that Jesus actually made a performative utterance, something that changed the status of foods by his statement.

In Acts chapter 10 verses 10 to 16, I think we see more about this. And he became hungry and wanted something to eat. But while they were preparing it, he fell into a trance and saw the heavens opened and something like a great sheet descending, being let down by its four corners upon the earth.

In it were all kinds of animals and reptiles and birds of the air. And there came a voice to him, Rise Peter, kill and eat. But Peter said, By no means, Lord, for I have never eaten anything that is common or unclean.

And the voice came to him again a second time, What God has made clean, do not call common. This happened three times. And the thing was taken up at once to heaven.

You can see the same thing in Romans chapter 14 verse 20. Everything is indeed clean, but it is wrong for anyone to make another stumble by what he eats. What I believe that Jesus is doing here is laying the foundation for the later abrogation of the food laws.

What he's showing is the food laws did not depend upon the inherent cleanness or uncleanness of the foods in themselves. Rather, clean and unclean foods were to be observed as signs of the separateness of Israel from the nations and of their special relationship with God. They were symbols.

They weren't the reality of cleanness or uncleanness. That lay in the heart. Once the Gentiles were included, the food laws could be left behind because their rationale was never the defiling power of foods in themselves, but rather their symbolic import.

A question to Jesus emphasizes the absolute importance of the handed down tradition to the Pharisees and the way that they are attached to it over God's commandment. As tradition ostensibly functions to guard the authority of the commandment, what are some of the ways that we can guard against our traditions being valued in themselves, merely for their own sakes, in ways that set them at odds with the commandment and the word of God?