

## **The Case Laws.**<sup>1</sup> (slide.1)

We have been spending these summer months looking at the Ten Commandments. Today our focus is the *Eighth* Commandment—the prohibition against stealing. As we have been doing throughout this series, we'll start in the OT and work through some of the ideas associated with this law. We'll then move to the NT and consider this law in light of the work of Christ and His gospel of grace. Eva already read our text, so let's begin by looking to our Lord in prayer (slide/black.2).

So here's the (slide.3) Eighth Commandment; and on the surface it's pretty straight forward. God speaks from Mount Sinai and says to the people of Israel (slide.4), "*You shall not steal.*" And, in truth, the law makes sense. Unless you live on a pirate ship under the ordinances of *The Pirate Code*, no one is going to make the case that stealing is a good thing. For a society to work, some form of property protection is necessary. So, much like some of the other commandments we've looked at, it comes as no great surprise to see similar prohibitions against stealing on the books of the other nations that surrounded ancient Israel.<sup>2</sup> What differentiated the people of Israel from the surrounding nations was not the existence of this commandment. No, what differentiated the people of Israel from these other nations was how this commandment was fleshed out, and put into practiced, and (in particular) how violations of this law were handled. That was the difference. We see this especially in the several hundred stipulations in the OT called (slide.5) the case laws.

We look at these case laws and one of the first things we notice is that the people of Israel were clearly told to **apply these laws equally**, regardless of one's status.<sup>3</sup> The poor and rich alike were under the same law. That was not at all the case when it came to the laws of the Egyptians, Assyrians, Babylonians, and all those other nations. In the laws of those other nations, theft against the rich was a *far greater* crime than theft against the poor. Not so with the laws God gave to Israel. God commanded equal protection under the law.

In addition, **the actual punishment** for theft was different from the punishment seen on the books of most of these other nations. For one thing, under Jewish law, the punishment for theft wasn't a slap on the wrist, or imprisonment, or the death penalty. Instead, the punishment for theft was restitution.<sup>4</sup> So, for example, we read in (slide.6) Ex 22:7 that if someone stole something, compensation was "double" the value of what was stolen. You would return what was taken along with a second item of equal value.<sup>5</sup> Among the Assyrians and Babylonians, most property crimes

resulted in the execution of the thief,<sup>6</sup> but what good does that do if someone steals my donkey? Instead, under Jewish law, I get my donkey back along with the sum of what the thief hoped to gain.<sup>7</sup>

But there were exceptions. If the stolen animal could not be returned, then the restitution was higher. We read in Ex 22:1 (slide.7), *"If someone steals an ox or sheep and then slaughters it or sells it, the thief must pay back (slide.8) five oxen for each ox stolen, and four sheep for each sheep stolen."* So why five oxen and (slide.9) only four sheep? Well, because oxen were more valuable. Yes, both sheep and oxen could be used for food and clothing, but an ox could also be trained to provide farm labor. A trained ox could pull a plow, and turn a mill, and assist in the threshing of grain. A sheep...*not so much*. Proverbs (slide.10) 14:4 tells us that, *"Much revenue comes through the strength of the ox."* The discrepancy (slide.11) in restitution was based on the "use value" of the ox and the time it took to train him.<sup>8</sup> The more valuable, the greater the restitution. (A modern equivalent might be the difference between your hammer and your laptop.)

Again, no imprisonment; no death penalty. The goal was restitution. There was (slide/black.12), however, one form of theft/act of stealing that was of something so valuable that restitution was not possible. That was (slide.13) the stealing of a person. To kidnap, either in order to collect a ransom or in order to sell that person as a slave, was a capital offense. Under OT law, you steal a human; you forfeit your life (slide/black.14).

There were **other OT laws** that were also connected to theft and restitution. The (slide.15) defrauding of an individual or the holding back of a person's wages was understood as theft. The (slide.16) moving of a boundary marker in order to change a property line was also seen as theft. Even (slide.17) false weights and false units of measure (the false use of a machine) was understood to be a form of theft. So why was that the case. Proverbs 16:11 (slide.18) tells us that, *"Honest scales and balances belong to the LORD."* The reason why is because (slide.19), *"All the weights in the bag are of His making/creation."* The weight of a pound, the measurement of a foot, the length of an hour, the value of a number—these are not flexible qualities that can be manipulated to our liking. No, they're things fixed by God and delivered to His creation so those made in His image might administer them fairly. To "fudge the numbers," to "cook the books," to "play with ones and zeros" is not being smart or savvy. It's taking something quantifiable—something that belongs to God—and turning it into something different. Implicit in (slide.20) this law is the idea of working honestly; not cutting corners, but putting in our time (slide/black.21).

But the Eighth Commandment is more than that. As we continue looking at this law we see these case laws continuing to move into areas that are unexpected—in particular surrounding the Jewish people's responsibility **to respect and to care for the property** of a fellow Israelite in trouble. For example, we read (slide.22) in Deut 22 that if one saw their fellow Israelite's ox or sheep (slide.23) confused and straying, they were not to ignore it. Instead, they were to be sure to take that animal back to its owner. In a similar way, we're told (slide.24) that if someone saw a fellow Israelite's donkey or ox fallen on the road, they were not to walk on (slide.25). Instead, they were to help get that animal back on his feet. According to Ex 23:4, this was true even if the owner of that ox happened to be one's sworn enemy. Contrary to what Cain said regarding Abel, we actually are "our brother's keeper."

These laws, and (slide.26) other laws like them, made the laws given to the Jewish people on Mount Sinai *very* different from the laws of the surrounding nations. There was, in the OT laws concerning theft, a radically strong sense that the Israelites could never hide themselves from the reality of their neighbors' economic endangerment.<sup>9</sup> This was especially the case when it came to the poor. So in (slide.27) Deut 15:7, what are the people told? We read:

<sup>7</sup>If *anyone* is poor among your fellow Israelites in any of the towns of the land the Lord your God is giving you, do not be hardhearted or tightfisted toward them (slide.28).

<sup>8</sup>Rather, you shall open your hand and freely lend them whatever they need. You shall give generously to them and do so without a grudging heart.

So how is it that God could make such a demand of His people? How could God stipulate what they/we would do with our pocket books. The answer is given in (slide.29) Psalm 24. The psalmist declares that, "*The earth is the LORD's, and everything in it. The world and all its people belong to Him.*" The reason why we're to be generous is because, in the fullest sense, it all belongs to God—every bit of it. Now I suppose we can respond and say, "*I don't think that's fair. I worked hard for what I have. I went to school; I saved my money.*" And that's true, but not completely. Yes, we earn what we have, but we earn what we have largely due to abilities and aptitudes and capacities we've been given and opportunities that have come our way. We certainly cultivate them, but at the end of the day, they're still a gift. Moses made it clear in (slide.30) Deut 8:18 where he declares, "*But remember the Lord your God (slide.31), for it is He who gives you the ability to produce wealth.*" In a sense, we're more like a trustee than we are an owner; more like a broker managing that which has been entrusted to us.<sup>10</sup>

You see, in the fullest sense, the Eighth Commandment and the case laws have their roots, not at Mount Sinai, but in (slide.32) Genesis and this God who freely gives our first parents resources and calls them (and us) to do something with those resources: to be fruitful/multiply/cultivate.<sup>11</sup> God is saying, *"Take what I have given you and be stewards. Do something with it. Don't be a tourist; be a gardener. Cultivate it; make it beautiful."* Again, the commandment is showing us that, in the ultimate sense, none of us are the owners of our wealth. Instead, we are trustees of the wealth God has given to us. For the people of God, money is not simply a personal possession. It's a public trust given by God (yes, for our enjoyment and blessings) but also for God's purposes.

### **The New Testament.**

So we get to the (slide.33) NT/Gospels. And you would think that Jesus might cut us some slack, but that doesn't happen. As with all of the laws of the Ten Commandments, He continues to point the people back to what had been said, and continues to pull the people away from the compromises and reinterpretations they had manufactured through their added laws.

Christ's teachings; His conversations, His encounter with the rich young ruler, His encounter with Zacchaeus, the Parable of the Talents, The Parable of the Rich Fool, the Parable of the Rich Man and Lazarus, the Sermon on the Mount—all of these things are callbacks to what was first delivered on Mount Sinai and Genesis. And in doing so, we continue to see, not simply a narrow prohibition of theft. Instead, we see Christ digging deeper, and poking at our relationship to money/possessions, and calling His followers to true treasures/riches, and exhorting those around Him to love and to care for others in ways that are concrete. Jesus speaks of the tithe, but at the same time He speaks of a generosity that surpasses the tithe.<sup>12</sup> So much so that He can declare in Matthew 25 that, "When you embrace the poor, you embrace Me," and conversely, "When you ignore the poor, you ignore Me."

As we turn to the (slide.34) epistles, we see them continuing along these same lines. We especially see this in Paul's letter to the Ephesians. Like Jesus, Paul fleshes out (slide.35) the full meaning of the Commandment. He writes: *"Anyone who has been stealing must steal no longer, but must work, doing something useful with their own hands."* And why? (slide.36) *"that they may have something to share with those in need."*

Paul is not saying, *"Work and do something useful with your hands so you won't be in debt and you'll be able to buy stuff"* (though not being in debt and being able to buy stuff are certainly good things). Rather, Paul exhorts his readers to work and do something useful with their hands, so they might do something useful with that money and *"share with those in need"*—especially within

the church (Gal 6:10). In a sense, Paul is saying that there are actually two ways to steal: one is through *wrong taking*, the other is through *wrong keeping*. I like how Tim Keller puts it; he writes that (slide.37):

Paul, in effect, is asking a question. He's asking: "When is a thief not a thief? When he stops stealing?" No. Paul is saying that you are either a thief or a radically generous person, *and there is nothing in between*. You have not stopped being a thief when you stop taking, as long as you still treat everything you have as your own.<sup>13</sup>

For Paul, the opposite of "stealing" is not "not stealing." No for Paul, the opposite of stealing *is giving!* It's more than not taking what belongs to others; it's giving to others what has been given to us (slide/black.38). It's a call, not to hoard in the name of frugality, but to be generous, and to show compassion, and to show love. Yes, the Eighth Commandment mandates justice, but it also mandates mercy.<sup>14</sup>

### **The Gospel of Grace.**

So we see in the (slide.39) Eighth Commandment, not something that is narrow, but instead something that is broad. Yes, we see a commandment that forbids theft, but we also see a commandment that includes our call to be respectful, and to care both for the property of others, and the wellbeing of others. We see in the Eighth Commandments what we've been seeing in all of the Ten Commandments. As Mark, Bill, Kevin, and Gabe have shared in one way or another, we see a *microcosm* of all of the law, and of all of Scripture, and of all of life—as a commandment that extends even into how we work/spend/save/give/love.

How we love God,  
How we love each other,  
How we love our neighbor.

So there it is. And it might be tempting to (slide/black.40) stop the sermon here and to say, "*The world's broken. Jesus needs you to fix it. It's up to you. So get busy—work hard; be generous.*" But the Gospel is not that simplistic; nor does it allow us to stop there.

There's a Scottish Presbyterian; his name is (slide.41) Robert Murray M'Cheyne.<sup>15</sup> M'Cheyne was a preacher/author/hymn writer. In 1838, at the age of twenty-five, he preaches a sermon on giving. Earlier in this same sermon, M'Cheyne admits that we can never become generous by simply listening to someone talk about it. He's not naïve enough to think that a sermon, or a pep talk, or a guilt trip can ever persuade us—at least not in a way that is transformative. Instead, here's how he put it; he wrote that (slide.42): *"To give largely and liberally, and not grudgingly at all, requires a new heart. The reason why is because an old heart would rather part with its life-blood than its money."*<sup>16</sup> According to M'Cheyne, our need is not for lives that are morally coerced from the outside. No, what we need are lives that are supernaturally changed from within. What we need is a new heart.

So where (slide/black.43) do we get this new heart? We get this new heart through the gospel. It's what Mark spoke of last week. The commandment, to be sure, may expose the reality that is in us, but it's only the good news of the gospel of grace that will set us free. Anything else is too small; anything else falls short. Paul puts it best in 2 Cor 8:9; he writes (slide.44), *"For you know the grace of our Lord Jesus Christ, that though He was rich, yet for your sake He became poor, so that you through His poverty might become rich."*

What is Paul doing here? He's doing more than giving the Corinthians an intellectual argument. He's doing more than giving them a guideline for life. He's even doing more than holding up Jesus as a moral example for them to follow. Paul is not simply saying, *"Be more like Jesus. Stop loving money so much and start being generous."* No, Paul is summing up the broader view of the Eighth Commandment through the gospel. He's reminding these Corinthians of the work of Christ and of what He did. And through them, he's reminding us (slide/black.45).

Here's God the Son—owner of everything; possessor of infinite wealth. If He holds on to that wealth, we die in our spiritual poverty. If He stays rich, we die poor. Yet if He dies poor, we become rich in Him.<sup>17</sup>

And to see that changes us. It changes our perspective. It changes our understanding of our resources. It changes our understanding of our finances, our talents, our time. The time we use for service. The time we use for prayer. But it's all grounded in the gospel. It's all grounded in the life of Christ, who gave up heaven for earth, and gave up riches for poverty, and gave up life for death, so we might live, and so we might receive the new hearts we desperately need.

Let's pray.

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<sup>1</sup> OT reading: Ps 73:21-25 (ESV).

<sup>2</sup> Such laws would be thought of as part of the *ius gentium*, part of the "law of the nations." That is to say, it's a given.

<sup>3</sup> Ex 23:2, 6; Lev 19:15.

<sup>4</sup> In the Hittite Code of Hammurabi similarly called for restitution, but restitution was far more severe than what was found in the Mosaic law. In addition, it was scaled depending on the social status of the thief and the victim. For example, one who stole an ox or sheep from a commoner was fined 10x the value of an animal (much higher than what was required in the OT law) while the one who stole from a government official was fined a full 30x the value of the animal. Mark F. Rooker, *The Ten Commandments: Ethics for the Twenty-first Century* (Nashville: B&H Publishing Group, 2010), 144.

<sup>5</sup> According to Lev 6:1-5, if someone willingly confessed and voluntarily returned the stolen property, that person was required to restore the full value of the item plus an "extra fifth" (20%), and bring a sacrificial guilt offering to the priest.

<sup>6</sup> Michael S. Horton, *The Law of Perfect Freedom: Relating to God and Others Through the Ten Commandments* (Chicago: Moody Publishers, 1993), 200.

<sup>7</sup> It should be noted that if the thief could not afford to make restitution, he became an indentured servant until the debt was paid.

<sup>8</sup> Rousas J. Rushdoony, *The Institutes of Biblical Law* (Phillipsburg: P&R Publishing, 1978), 459-60.

<sup>9</sup> Patrick D. Miller, *The Ten Commandments*, IBC (Louisville: Westminster John Knox Press, 2009), 324.

<sup>10</sup> Timothy Keller, "The Freedom of Simplicity: Against Theft and Envy" (sermon, Redeemer Presbyterian Church, 1994).

<sup>11</sup> Michael S. Horton, *The Law of Perfect Freedom: Relating to God and Others Through the Ten Commandments* (Chicago: Moody Publishers, 1993), 202.

<sup>12</sup> Luke 11:42.

<sup>13</sup> Keller, "The Freedom of Simplicity" (1994).

<sup>14</sup> John Frame, *The Doctrine of the Christian Life* (Phillipsburg: P&R Publishing, 2008), 799; Edmund P. Clowney, *How Jesus Transforms the Ten Commandments* (Phillipsburg: P&R Publishing, 2007), 117.

<sup>15</sup> He died at the age of 29. He contracted typhus fever and died after visiting and caring for sick members of his congregation.

<sup>16</sup> Robert Murray M'Cheyne, Sermon 82: "More Blessed To Give Than To Receive," delivered in Dundee, February 4, 1838 from *The Works of the Late Rev. Robert Murray M'Cheyne* (New York: Robert Carter, 1847), 482.

<sup>17</sup> Timothy Keller, *Counterfeit Gods: The Empty Promises of Money, Sex, and Power, and the Only Hope that Matters* (New York: Penguin Books, 2009), 67-68.