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WOE TO YOU LAWYERS?

We all can point to many spheres of life in which believers are regularly active, seeking to make an impact for the kingdom—business, media, entertainment, education, sports, medicine, global aid, and more. While many of these areas of human endeavor overlap with law, many believers tend to shy away from engaging the law, even though it is critical to the advancement of truth in our world. Why are we not engaging the law to a greater degree?

One answer is lawyers. Some people do not love the law because they do not love the law's most visible proponents: attorneys and politicians. Others fear the law because they do not understand how the legal system works, or simply because the idea of judgment in general scares them. And are not lawyers wicked? Does not Jesus' statement "Woe to you lawyers!" (NKJV) sum it up for all lawyers for all time?

American history provides much ammunition against lawyers. Consider *Roe v. Wade* in which seven of the nine US Supreme Court justices approved abortion, which legalized the killing of

millions of children by wiping out the protection provided by law in fifty states. Justice Byron White, one of the two dissenters, wrote:

The Court simply fashions and announces a new constitutional right for pregnant mothers and, with scarcely any reason or authority for its action, invests that right with sufficient substance to override most existing state abortion statutes. The upshot is that the people and the legislatures of the 50 States are constitutionally disentitled to weigh the relative importance of the continued existence and development of the fetus, on the one hand, against a spectrum of possible impacts on the mother, on the other hand.¹

Justice White goes on to call the decision “an exercise of raw judicial power.”² As a result of the ruling by the Court, woe upon woe has been inflicted upon unborn children, young mothers, America, and probably the justices themselves. Yet in contrast to the woe from Jesus, consider that two justices dissented in *Roe v. Wade* and also that lawmakers, including many lawyers across the fifty states, had first erected protections of unborn children. Not all lawyers deserve opprobrium.

In the US Constitution, the evil of slavery was institutionalized by counting slaves as three-fifths a person. In the 1857 US Supreme Court *Dred Scott v. Sandford* decision, a runaway slave was forced to return to his master.

In 2016, the United Nations Educational, Scientific and Cultural Organization (UNESCO) approved a motion to annul Israel’s claim to its holiest site, the Temple Mount, as well as the Western Wall and the Old City of Jerusalem. Whether this resolution is law or a harbinger of law (see Zech. 12:3), the point is that a political agenda created a legal rationale for

coercion by purporting to “annul” a claim and “authorize” violence. In legal systems that are based on truth and justice, litigants are allowed to make claims, and competing or conflicting claims are allowed. This resolution regarding the Temple Mount and the Old City appears to be an attempt to subvert the truth by making a law that rewrites history. Anyone who reads the Bible can see Israel indeed has a valid historical claim to these sites and that city. In these three examples, we see that law is a tool that can be wielded for good or evil.

Many Christians join Jesus in proclaiming woe upon lawyers. But that one particular statement that Jesus made does not sum up what all of Scripture teaches about law and lawyers. Why do we have in the Bible Psalm 119, the longest psalm, which extols God’s Law for 176 verses? Consider verses 18–20: “Open my eyes that I may see wonderful things in your law. I am a stranger on earth; do not hide your commands from me. My soul is consumed with longing for your laws at all times.” If we are to love God’s Law, it means that we should love those who handed down God’s Law as well. Think about these three men, who functioned in many ways as lawyers:

- Moses, the Law giver
- Paul, the Pharisee/lawyer
- Luke, the doctor turned legal brief writer when he wrote Acts as a defense for Paul’s upcoming trial before Nero

All three were key builders of God’s kingdom. Apparently God found something in their legal work that could be utilized in their ministries.³ Moses, Luke, and Paul wrote significant portions of the Bible. Jesus—who rightly interpreted and taught the Law handed down from Moses, who commissioned Paul, and who, as the Word of God, inspired Luke by the power

of His Spirit—is not against all law. Nor is His woe directed to all lawyers or even to all law professors, “teachers of the law,” whom He repeatedly excoriates in Matthew 23. As Paul explicitly emphasized, “The law is holy, and the commandment is holy, righteous and good” (Rom. 7:12). While Jesus does not oppose the Law *per se*, neither does He suggest that all laws are good simply because someone with power has promulgated them. Jesus’ warning is directed toward those who *misuse* their legal authority to put heavy burdens on others. He exclaims, “They tie up heavy, cumbersome loads and put them on other people’s shoulders, but they themselves are not willing to lift a finger to move them” (Matt. 23:4). How, then, are we to discern which laws, lawyers, and legal systems are good, are of God? How should we, both non-lawyers and lawyers, relate to the legal realm? As we pursue those questions, let me introduce you anew to a law professor you already know.

RABBI YESHUA

Christians often tell me they have heard sermons on how Jesus taught, disputed, or otherwise related to the religious leaders of His day. Those sermons and the prevailing Christian understanding of the Gospels are usually incomplete and, in important ways, often mistaken about Jesus’ interactions with the Pharisees and Sadducees. So we may be empowered to follow Jesus more faithfully, we must address that confusion and rehear our Rabbi’s teaching in its Jewish-legal context.

**AT THE TIME OF
JESUS, *RABBI* MEANT
“TEACHER”—
THAT IS, A TEACHER
OF THE LAW.**

The title *Rabbi* can confuse the modern reader who thinks of a rabbi primarily as a leader of a synagogue. At the time, rabbis were scholars who studied and taught Torah, Israel’s Law, but as far as we can tell, they were

not generally functioning as “pastors” or synagogue leaders (see Acts 13:15; 18:8 which refer to “leaders of the synagogue,” not “rabbis”). And of course, ancient Israel combined government and religion in many ways differently from the ways modern cultures separate aspects of religion and government. However, as we shall discover, similarities abound between first-century rabbis and our modern-day “teachers of the law”—law professors. Not only that, the *Talmidim Yeshua* (“disciples of Jesus”) bear important similarities to today’s law students. In Acts 22:3, Paul—an apostle and evangelist—chose to list his first credentials to his fellow Jews as being a student of one of the best law professors in Israel: “I studied under Gamaliel and was thoroughly trained in the law of our ancestors.” How can we, today’s disciples of Jesus, be better disciples by thinking of ourselves as law students? Part of their training in God’s Law was preparation for them to make disciples themselves. Is that how we, lawyers and non-lawyers alike, should think about ourselves as we seek to be fully equipped citizen-disciples?

The “religious leaders” and the “religious system” of biblical Israel—both in the first century and before—certainly involved the Levitical priesthood, sacrificial practices, and the temple. Yet the Sadducees and Pharisees, while in some ways being “religious” leaders, were actually more what we today would call lawyers, lawmakers, judges, or politicians. While the large majority of believers today see the Bible primarily as a religious book, the Law or Torah—here defined as the Five Books of Moses, the Prophets, and the Writings—was seen during Jesus’ day as the “Constitution” of Israel: the written expressions of how God’s people were to live as a society and nation. The Great Sanhedrin—which tried and convicted Jesus, and then handed Him over to Pilate for execution—was the chief tribunal

of Jerusalem. Further, under first-century governing practice, every community in Israel with 120 men as heads of families was eligible for self-governance and its own small Sanhedrin (a council). Hundreds of such city councils, village councils, local courts governed by Torah existed throughout Israel during Jesus' day. As we have noted, Paul was a law student under a law professor (rabbi) named Gamaliel. If the Jewish leaders with whom Jesus interacted were more lawyers and judges than the religious leaders we have thought them to be, what implications result?

First, we learn that Jesus, the Extraordinary Strategist, worked to reform legal systems and teachings during His own day. When we realize this, we begin to see that Jesus' plan to bless humanity contains significant forensic dimensions. This broadened awareness should open our hearts and minds to new paths down which we can walk with the Savior. And after appreciation comes appropriation. The more we learn about the legal aspects of Jesus' ministry, the more equipped we are to engage the law and legal systems in our own day.

Let's step back for a moment. Jesus came to a fallen world. To redeem it, He used what real estate investors call "leverage." Rather than be born into, say, a Viking community, the Savior incarnated amid a people with a long history of interacting with the Creator. The Jews had a well-developed understanding of sin, repentance, and atonement. They had the Hebrew Bible and a longing and expectation for the Messiah. Could Jesus have reached the world as effectively using Norsemen? Were Anders or Erick qualified to write the Gospels or the letter to the Hebrews? Of course not!

To impact the world for God's kingdom, Jesus came to God's people, the Jews. Jesus Himself said, "I was sent only to

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the lost sheep of Israel” (Matt. 15:24). He chose to multiply, to leverage, His teaching by entrusting it to disciples who were qualified to teach others (2 Tim. 2:2). Concomitantly, to reach Israel, Jesus focused on teaching and living Torah with twelve men and other disciples while educating, challenging, and provoking to jealousy the legal establishment. This brilliant strategy will become clearer as we focus on how the Gospels underscore Jesus’ priority to explain the Law and to impact the legal professionals and systems of His day.

THE TRUE TEACHER OF THE LAW

Let us consider in more detail not only that Jesus sought to impact the legal system of His day, but also that He did so *as a lawyer*. Consider a familiar passage, which is essentially a first-century equivalent of a “law faculty” debate:

The Pharisees got together. One of them, an expert in the law, tested him with this question: “Teacher, which is the greatest commandment in the Law?”

Jesus replied: “‘Love the Lord your God with all your heart and with all your soul and with all your mind.’ This is the first and greatest commandment. And the second is like it: ‘Love your neighbor as yourself.’ All the Law and the Prophets hang on these two commandments.” (Matt. 22:34–40)

Here we see Jesus teaching other lawyers the true meaning of the Law and its ultimate purpose. He was, to put it simply, revealing to them, and us, the two most important, most fundamental provisions of the law—to love God and our neighbors. As Moses declared long ago, “The LORD your God will raise for you a prophet like me from among you, from you fellow Israelites. You must listen to him” (Deut. 18:15).

While Moses specifically mentions a *prophet*, he did not simply mean a figure who would come to reveal the future. While prophets of Israel certainly did that from time to time, they were essentially teachers. They revealed who God was, taught His Law, and called people to live in accordance with what God had revealed—that is, His Law. The gospel reveals time and again that Jesus is the true Prophet—not only the one whom the Torah anticipates as the Savior of the world, but also the one who perfectly understands and teaches God’s Law.

In order to more fully understand how Jesus functioned as a lawyer and to demystify legal analysis for some of you who find it intimidating, we will consider three simple principles of legal analysis.

Principle 1: Conflicting Laws

Approach:

- Ask whether the laws really conflict or whether they can be harmonized
- If they truly conflict, determine which law takes priority and why (for example, a provision of the US Constitution takes precedence over a Chicago zoning ordinance)

Strategy: prioritize

Principle 2: Ambiguous Laws

Approach:

- For truth seekers—resolve ambiguity by discerning the intent of the originator of the law (God, legislature, etc.)
- For ideologues—ignore context and history of law and twist the law to fit one’s ideology

Strategy: harmonize by using intent to eliminate ambiguity

Principle 3: Harsh Result of Law

Approach:

- Determine whether law as applied is socially counter-productive
- If it is, mediate law's effect through pardon, commutation, amendment, or procedural challenge

Strategy: humanize

With these three simple principles and God's overarching commands listed in Matthew 22:36–40 in mind, we will consider three instances in which Rabbi Yeshua applies these principles to help others see the true meaning of God's Law, to do good to others, and to honor God.

Our first example, from Mark 2:23–27, shows Jesus functioning, in effect, as a defense lawyer-advocate for His students:

One Sabbath Jesus was going through the grainfields, and as his disciples walked along, they began to pick some heads of grain. The Pharisees said to him, "Look, why are they doing what is unlawful on the Sabbath?"

He answered, "Have you never read what David did when he and his companions were hungry and in need? In the days of Abiathar the high priest, he entered the house of God and ate the consecrated bread, which is lawful only for priests to eat. And he also gave some to his companions."

Then he said to them, "The Sabbath was made for man, not man for the Sabbath." (Mark 2:23–27)

In defending His disciples, Jesus applies the first two of the above principles. First, He addressed the apparent conflict (Principle 1) between the fourth commandment establishing the Sabbath and the Pharisaic traditions that sharply restricted

human activity on the Sabbath. Jesus implicitly asserts the primacy of Exodus 20:8 (the Sabbath command) over those Pharisaic traditions. He prioritized. He also implicitly asserted that if there was any question of whether the Pharisaic traditions conflicted with Exodus 20:8 (Principle 2), the question was best resolved by considering the purpose of the law (to give man rest, not more burdens) and the character of God the Lawmaker (who is gracious and encouraging, not tyrannical). He harmonized.

In our second example, Jesus addresses a rabbinical debate over marriage and divorce, and Deuteronomy 24:1 in particular: “If a man marries a woman who becomes displeasing to him because he finds something indecent about her, and he writes her a certificate of divorce, gives it to her and sends her from his house [and she marries another man, the first husband may not subsequently remarry her].” Rabbis argued over the meaning of “becomes displeasing” and “finds something indecent.” One rabbinic school of interpretation held that if a woman did something equivalent to burning the toast or forgetting to pay the phone bill, then her husband could send her away because she was “displeasing.” Of course, this interpretation would leave women subject to arbitrary harsh treatment by their husbands and thus in great danger. The school of “law professor” Rabbi Shammai understood “becomes displeasing” and “finds something indecent about her” as a euphemism for adultery.

With that background information, consider how Jesus answered the question in Matthew 19 posed by other law professors:

“Is it lawful for a man to divorce his wife for any and every reason?”

“Haven’t you read,” he replied, “that at the beginning the Creator ‘made them male and female,’ and said, ‘For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh’? So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.”

“Why then,” they asked, “did Moses command that a man give his wife a certificate of divorce and send her away?”

Jesus replied, “Moses permitted you to divorce your wives because your hearts were hard. But it was not this way from the beginning. I tell you that anyone who divorces his wife, except for sexual immorality, and marries another woman commits adultery.” (vv. 3–9)

In this scenario, Jesus resolves the ambiguity in Deuteronomy 24:1. (I believe God gave some ambiguous laws and other ambiguous Scriptures for the same reason He gave Israel an “incomplete” law—which we will discuss in detail in the next section—so we could learn to apply unambiguous laws and truths in godly ways.) Jesus explains that the divorce law must be understood in light of the broader context of Scripture:

- Principle 1: Yeshua first teaches the fundamental importance of marriage as an institution created by God. Jesus prioritized.
- Principle 2: To resolve the scriptural ambiguity, Jesus addresses man’s fallenness/sinfulness/hardness-of-heart in context with the purposes of God, the merciful Lawgiver (see Ex. 34:5–7). Jesus harmonized.
- Principle 3: Using the first two principles, Jesus mediated the harsh result of putting the woman on the street. Jesus humanized.

Our final example shows the time Jesus functioned perhaps most memorably as both a defense attorney and a judge, when He was confronted with a woman who merited death by stoning according to the Torah:

At dawn he appeared again in the temple courts, where all the people gathered around him, and he sat down to teach them. The teachers of the law and the Pharisees brought in a woman caught in adultery. They made her stand before the group and said to Jesus, “Teacher, this woman was caught in the act of adultery. In the Law Moses commanded us to stone such women. Now what do you say?” They were using this question as a trap, in order to have a basis for accusing him.

But Jesus bent down and started to write on the ground with his finger. When they kept on questioning him, he straightened up and said to them, “Let any one of you who is without sin be the first to throw a stone at her.” Again he stooped down and wrote on the ground.

At this, those who heard began to go away one at a time, the older ones first, until only Jesus was left, with the woman still standing there. Jesus straightened up and asked her, “Woman, where are they? Has no one condemned you?”

“No one, sir,” she said.

“Then neither do I condemn you,” Jesus declared. “Go now and leave your life of sin.” (John 8:2–11)

In John 8, no conflict of law (Principle 1) or ambiguity (Principle 2) exists, but the application of the law would have a harsh result (Principle 3). In fact, the teachers of the Law and the Pharisees were trying to trap Jesus. For they brought only the woman forward when the Law commands that both the adulterous man and woman should be put to death (Lev. 20:10; Deut. 22:22). Because of their motives, they were

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probably malicious witnesses, as referenced in Deuteronomy 19:16–19, and therefore incurred upon themselves the punishment of death by stoning. Thus, Jesus as a legal defender/advocate leads the woman's accusers to disqualify themselves as witnesses. Then, speaking in a judicial manner, He pardons her.

JUSTICE AND MERCY

These above scenarios not only teach us that Jesus functioned as a lawyer, advocate, and judge, but also reinforce that the ultimate purpose of the Law, or Torah, is to lead humans to love both God and neighbor. The lawyers of Jesus' day had lost sight of this. They placed burdens on people that prevented human flourishing and in so doing dishonored God. Jesus, therefore, acted as a legal reformer. He wanted Israel and its leaders to understand that Torah—which is not simply the Ten Commandments or the first five books of the Bible, but rather all of Scripture—reveals God as a God of justice and mercy who loves His world. Additionally, the Bible shows us that God gave us His laws to protect society, families, and individuals. By giving His Law to protect society and help it function well, He teaches morality, showing us the differences between right and wrong, good and evil. That much is clear in commands such as “You shall not murder” and “You shall not commit adultery” (Ex. 20:13–14). Or consider the beautiful gift of sexuality, which God gave to married couples to enjoy and so they may become creators like Him through the procreation of little ones. However, this gift was so potent that God put limits—laws—on it to protect humans from abusing their sexuality. He also gave those limits because He loves us and wants the best for us and our society. Not only that, He gives us the strength to live within those limits.

Yet God's Law does not address all circumstances. In a sense, it is incomplete. How? Some of the issues it addresses transcend all times and cultures, yet other issues were particular to Israel, and the surrounding nations. Just as one size of a garment cannot fit all people and usually cannot accommodate most, so the Law doesn't address all issues for all times. This is not to say that the Torah is unhelpful. The Hebrew Scriptures contain many accounts of human moral failure and success, examples of right and wrong that still guide us today. From Cain and Abel to Joseph to Gideon to Ruth to David to Esther—these narratives were given to teach the Jews, and eventually the Gentiles, how they should live and govern themselves. And these narratives and decrees set forth precedents and principles that can be emulated and applied in different contexts. Consider the account about judges, where Jethro, Moses's father-in-law, urges him to train and delegate to other qualified men the task of resolving disputes (Ex. 18:17–23). This would both relieve Moses of the weight of too many responsibilities and help equip others to administer God's justice and, through explanation of the reasons for a particular decision, educate the people about God, justice, and mercy. One principle we can draw from this is that humans need qualified leaders, and that leaders need to delegate tasks to others because they cannot carry every burden themselves.

Micah 6:8 sums up rather succinctly the open-ended purpose of the “incomplete” Law: “What does the LORD require of you? To act justly and to love mercy and to walk humbly with your God.” I believe God's intended goal for the legal systems of the nations—their constitutions, laws, and legal decisions—parallels the reason He gave Torah to Israel: that they would exemplify God's justice and mercy. But laws are made by humans,

and when men and women forget to walk humbly with God, the laws often do not reflect His character. Such people can be deceived into creating laws that oppress and exploit others because they have neglected, been oblivious to, or disobeyed Torah. In other cases, they simply want to make themselves the ultimate decider of right and wrong. As Law professor Paul wrote, the Law is good *if* used properly (1 Tim. 1:8).

The Law gives humans a measurement for their own conduct. Such standards inform us that we all have fallen short of right conduct, even right attitude, and that we need God's help. That is why God sent the Messiah. Paul writes, "When I understood the commandment 'you shall not covet,' the commandment gave the opportunity to my sinful nature to produce in me all kinds of covetous desire" (Rom. 7:7-9, my paraphrase). He was only potentially covetous before, but when the command came, a dormant covetousness sprang to life. Then Paul goes on to explain that the Law was good because it helped him see his need for a Savior, the Messiah!

But what about people who don't believe in the Bible or maybe never have even heard of it? We all know people who reject the Bible, reject good "secular" law, and even some who go so far as to reject the very idea of truth as a transcendent reality. Others go even further by hating or instinctively rebelling against all law. They don't want anyone else telling them what to do or to clean up the messes they have made. Nevertheless, almost everyone has values of some sort, even if they say, "Your values, your God's values, and your society's values are not my values!" But a life committed to living for truth regardless of the cost will find that Messiah Jesus, the Wonderful Counselor, is the one true path to life. And those who follow Him know that God's justice is perfect and that when

we sin against His laws, His mercy is available. What amazing grace! But Jesus not only forgives law-breakers; He embodies God's Law perfectly as well, showing us what justice and mercy really look like.

HEEDING COUNSEL

At this point in our journey, I trust you have begun to appreciate the legal aspects of Jesus' ministry to Israel in His days on earth. He acted as a law professor and advocate, who strategically taught, rebuked, corrected, and debated the lawyers, judges, law students, politicians, and law professors of His day.

Yet He is not our only Counselor. Jesus Himself said in John 14 and 16 that the Holy Spirit is also our Advocate/Counselor. On the night He was betrayed, Jesus promised His disciples, "I will ask the Father, and he will give you another advocate to help you and be with you forever" (14:16). He also said, "But the Advocate, the Holy Spirit, whom the Father will send in my name, will teach you all things and will remind you of everything I have said to you" (14:26). He further stated that when "he, the Spirit of truth, comes, he will guide you into all the truth" (16:13). Scripture teaches us that both Jesus and the Holy Spirit are teachers of Torah, God's Law. When Jesus said that He was going to send another "Counselor" or "Advocate," He was saying that the Spirit would continue much of the same ministry that Jesus Himself conducted while on earth, and that He would be with us and in us during Jesus' physical absence. And as Jesus' disciples, His Law students, we carry on His ministry by the power of the Holy Spirit, our other Counselor.

So what exactly is our role? As we citizen-disciples seek to advance God's kingdom through engagement in our legal systems, we need to be certain that we ourselves are becoming active,

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discerning receivers and followers of the Holy Spirit's counsel. He is the Spirit of truth, and faithful disciples will be receptive to His teaching. This means that we will seek to understand as best as we can both God's Law and godly human law so that we, like Jesus did, can effectively fight for justice and mercy. In order to become informed students of God's Law, we must study His Word, Torah, submit to it, and embody it. One practical way to be informed students of godly human law is to seek to understand it as best as we can. One way to do this is to develop the traits of a good legal client toward our advocate/lawyer Jesus that will help equip us to get into the fray, legally speaking, and ultimately become better citizen-disciples:

- trusts his or her attorney
- is teachable, humble, willing to listen
- is truthful and candid, even when the truth is embarrassing
- has a clear objective that is good, godly
- has a perspective beyond self-interest
- is realistic, will face consequences, and recognizes his or her own weaknesses
- will not push his or her attorney to unethical actions
- prays for or with his or her attorney
- is courageous in standing for truth

I realize that this is easier said than done. In order to become faithful citizen-disciples who fight for justice and mercy, let us be receptive to the work of the Holy Spirit by turning our hearts to God's Law and to God's lawyers. In doing so, we will be better equipped and will learn effective strategies to win the battles we face today and to win souls.