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A Biblical View of Law and Justice by David McIlroy: A Review Article

David McIlroy's *A Biblical View of Law and Justice* (Paternoster, 2004) is the most substantial recent evangelical book on the subject of Scripture, law and justice. Ian Millar's extended review conveys some of its content and the issues it raises.

'What does the Bible say about law and justice?' seems an obvious question for any Christian to address. It is extraordinary that there is not a well-known literature on the subject already. David McIlroy's book, *A Biblical View of Law and Justice,* fills the gap by undertaking a systematic study of these themes throughout the Bible.

There is a popular but misconceived idea that Christianity is simply about keeping a set of rules which make God happy. In common parlance 'thou shalt not…' is often used as a prefix to a command which should not be broken and recalls the Ten Commandments as translated in The Authorised Version. In ethics, apodictic approaches represent a similar emphasis. McIlroy's starting point is different. He begins by looking at the character of God because, as becomes apparent in the rest of the book, God's character is intimately connected to, and reflected in, the biblical understanding of law and justice. The image of God as an angry and law-obsessed God is shattered. Instead, God is a good creator, the ultimate reality, love, sovereign, holy, light, just, merciful, generous and gracious, and he hates evil. The breadth of this perspective contrasts with the limited biblical understanding often found elsewhere.

The emphasis on God's character is in turn elaborated in a theology of creation, fall and salvation. The book does not immediately turn to Mosaic Law but recognizes the scope of the themes in the full biblical narrative. It moves to an examination of what the Bible has to say about law and justice first as part of the creation order. God created a world of order and peace (*shalom*) which was good. He created humans with the gifts of life, dignity, liberty and the capacity for rewarding work and meaningful relationships. Here were established the underlying conditions for justice. The state of *shalom* was disrupted by the fall of man, his rebellion against God. However, God did not put an end to the human race but sustained it and acted to restrain the consequences of sin by, among other things,

investing human governments with authority. David draws the conclusion that in the post-fall world a just society is one in which first, the gifts with which God created humans (life etc.) are upheld, and, secondly, where the government looks after the common good and where there is social solidarity and justice in relationships.

Only after examining God's character and the creation narratives does McIlroy turn to the Mosaic law, the backdrop to which was the Exodus from Egypt. God graciously rescued the Israelites from Egypt and then gave them the law as guidance for their national right living in relationship with God. The Israelites were to be holy because God is holy. The law was to create an order of *shalom*: a positive state of order and harmony based on justice and righteousness which involved amongst other things equality before the law, regulation of economic activity, workers' rights and forms of social justice which go beyond mere economics. He suggests that the family was initially the primary social, economic and religious unit, and also that the extended family was the initial judicial unit. Recourse to justice outside the family unit was to be the exception rather than the rule.

McIlroy then looks at the biblical concept of justice as it developed in the period of the kings and the growth of the state. Kings were to be righteous and were to dispense justice. Righteousness suggested conformity with God's standards as given in the Mosaic Law and were fundamentally concerned with relationships. He argues that the Hebrew understanding of justice reflects the primacy of relationships over material possessions in the moral order. The understanding of kingship was focussed on God. As it was part of God's character to be just, so the king's judgment was to be just. When the prophets speak to both the kings and the people, a central concern is obedience to the law and social justice. God's judgment on the kingdoms is addressed in terms of law and justice. The prophets frequently contrasted the current injustice of the nations with divine justice and, in so doing, looked to a day when God would intervene and establish his just and righteous rule.

The book then turns to look specifically at law and justice in the New Testament. It draws attention to the seeming paradox that Jesus was indisputably a king but not the political Messiah that people hoped for. Jesus did not focus on expelling the Romans but on healing people of sickness, sin, demons and death. He taught that the citizens of the kingdom would be characterised by a thirst for righteousness, mercy, purity and peace-making. What then was the relationship between the kingship of Jesus and the Law of Moses? McIlroy concludes that the ceremonial aspects of the Mosaic Law were no longer binding and the judicial aspects of the Mosaic Law were no longer applicable. When it comes to the Mosaic Law and moral teaching, his view is that mercy and love provide the hermeneutical keys to understanding it and fulfilling its intentions. Jesus went beyond the Old Testament revelation by revealing himself as the embodiment of God's standards. In his relationship with the kingdoms of the world, Jesus used his own power to deliver and demonstrate justice and to serve. Save with regard to demons and sickness, he did not exercise his power in a coercive fashion. McIlroy's conclusion is that the fundamental problems of human existence stem from sin and are not

centrally susceptible to resolution by political means. Government has a limited role to play in God's purposes under the new covenant.

The seventh chapter, 'Law and the Spirit', serves to highlight the limitations of the law: by itself it cannot make human beings truly good, and there are dimensions of living – relationships, thought, motives - which are deeply susceptible to sin. The problem is further exacerbated by the presence of evil in human social structures. Only the Holy Spirit can deal with the problem of the human heart.

Chapter eight brings us to the heart of contemporary controversy as David looks at the role of government. He points out that whilst many Christians would agree that government has an obligation to preserve order, there is much disagreement about the extent to which it is right for it to impose moral conformity and the degree to which its coercive powers should be exercised. He argues that human government should find its justification and jurisdiction in the implications of the creation narratives which lay stress on justice rather than moral conformism. The Torah is to be reflected upon and to be applied where it embodies creation principles of what is good for human beings, including those humans who do not acknowledge God's lordship. In his view, the state should respect the moral autonomy of its subjects and their right to choose how they live. Government should, however, intervene where the 'Life' of one or more of its citizens is threatened by the wrong choices of others. He defines 'Life' as including our home, possessions, and provision for basic needs, such as food, water, shelter, education and health care.

For example, the consequences of an adulterous relationship might threaten the 'Life' of someone in this broad sense. Likewise prostitution, gambling or pornography might well (and often do) lead to exploitation, addiction or emotional damage. There are, however, clear moral matters which concern the human heart which are not for governments to legislate upon (such as covetousness or lustful thoughts). A difficult question therefore is how far a government should go in respecting the morality of the individual and the 'right' to choose how to live. McIlroy provides an insightful critique of modern liberalism which he refers to as 'preference-utilitarianism' - the idea that each person should be free to decide for himself what is good and government should seek to enable as many as possible to achieve what they consider good. One might question whether a government was acting to restrain the effects of the fall or acting justly if, in trying to uphold the moral autonomy of the individual, it actually condoned or encouraged moral choices which derive from our fallen nature.

An interrelated issue is the derivation of a concept of liberty from the creation narratives. God created us with free will. He permitted the exercise of free will in the first law by giving Adam liberty ('You are free to eat from any tree in the garden'); but he also restrained it ('but you must not eat from the tree of knowledge of good and evil, for when you eat of it you will surely die'). When it came to the tree of knowledge of good and evil, Adam had the free will to make the wrong choice but the law actually directed him to make the right one.

David's book ends on a note of hope. There is much injustice and wrong in the world and legal systems not only fail but can themselves be a part of the problem. Jesus himself suffered the worst of injustice at the hands of two of the

most sophisticated legal systems in the ancient world. In so doing he offered us the opportunity of forgiveness for our rebelliousness in taking the punishment we deserve for our sinfulness. We need to turn to him before he returns to reclaim the whole earth as he promised he would. When he comes he will bring salvation for God's people and judgment on his enemies. The second coming affirms that God is in control of history and that there will be a day of reckoning when perfect justice is done. This book is a thoughtful, profound, well-written and inspiring study. I heartily commend it.

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