

and delight. We submit that only a personal relationship with the Author of such a covenant can elicit a response of love for his authoritative teaching. To reduce the covenantal instruction to a code of ethics or legislation can only lead to a legalism that blurs and destroys the spiritual relationship between the parties in the covenant.

Tôrâ in Juridical Contexts

Three areas come to view when we consider the juridical contexts: first, those where judges render a verdict; second, such civil matters as were needed for the body politic; and, third, the covenant lawsuit (*rib*).⁴³

We have already discussed the judicial function of the High Priest in Deut 17:8. Here we take note that the context (16:18-17:13) deals with judges and officers. The broader context expresses concern for governmental righteousness in the leadership of the covenant community: judges, kings, priests and prophets. It needs to be observed that the judges, however, were more than mere administrators of justice, and this would be especially true for the period of the commonwealth before the establishment of the monarchy.⁴⁴ The specific concern is that in making decisions, judges should base them on carefully-garnered evidence (17:4), and that they will not distort justice, nor be partial, nor take a bribe, but that they judge "righteous judgment" by reflecting on the justice of God (16:18-20). This we submit is a theological basis for judgment, not so much a decision based on a code.

With respect to civil matters, one might mention the laws regarding indentured servants, bodily injury and real property in Exod 21 and 22, but note must be taken that these are within "the Book of the Covenant" and must be interpreted within a covenantal framework.⁴⁵ The same might be said for the laws guaranteeing justice, etc., in Deut 19-25, since these may be considered civil legislation but within the proclamation of covenant renewal. Eichrodt has expressed the idea most cogently:

It is clear that we are dealing neither with a proper *Codex iuris*, concerned with juristic formulations and the fixing of penalties, nor with a mere collection of laws, in which old and new definitions are set down side by side, but with a book of legal instruction, marked throughout by a parenetic tone. Its language is not that of the law, but that of the heart and conscience.⁴⁶

Further on he adds:

Deuteronomy is, therefore, not concerned with refinements of technical, juristic formulation, nor with a casuistic expansion of law; indeed, there is hardly any new legal material, properly speaking. The concern is rather with education in the feeling of justice, with the direction of attention by means of examples to the spirit which must inform any just organization of the people's life.⁴⁷

The first time a distinction is made between cultic and civil matters is in the days of Jehoshaphat (2 Chr 19:5-11). Two groups are distinguished: the judges (possibly the heads of households), and the levites and priests; each with an overseer, the one group to judge "in all that pertains to the Lord," while the other "all that pertains to the king." This division of