

At least the Ten Commandments are God’s revelation, aren’t they? (2)

Law is natural, not supernatural. Even the Ten Commandments. Gerhard Forde writes:

“**Law belongs to earth, not to heaven.** It is natural, not supernatural. It is a servant, not a master. That is why Luther did not speak of law as something static and unchangeable. Laws will and must change in their form as the times demand. Luther, for instance, **refused to grant eternal status even to the laws of Moses.**”¹

Martin Luther also speaks of the law of Moses, including the Ten Commandments, as natural, not supernatural:

- “Indeed, we would make new decalogues, as Paul does in all the epistles, and Peter, but above all Christ in the gospel” (*Luther’s Works* 34:112).
- “This text makes it clear that even the Ten Commandments do not pertain to us” (*LW* 35:165).
- “The Gentiles are not obligated to obey Moses. Moses is the *Sachsenspiegel* for the Jews” (*LW* 35:167).²

Ten commandments or twelve commandments? The Ten Commandments are found in Exodus 20:1-17 and Deuteronomy 5:6-21. But in Deuteronomy 27:9-26 Moses gives **twelve commandments**. The Lord commanded Moses to give these twelve commandments in the covenant with Israel in the land of Moab (Deut. 29:1). These biblical law codes, both the ten commandments and the twelve commandments, date from about **1450 BC**. They are similar to other law codes of the ancient Near East. This is not surprising because these ancient communities were generally in contact with one another and developed similar cultures. A few examples:

The Code of Hammurabi is a Babylonian law code from about **1800-1750 B.C.** and was discovered by archeologists in 1901 in the ancient city of Nippur (modern day Iraq). It is named after King Hammurabi who received the order to write the laws from the sun-god Shamash. Its 282 laws cover everything from property rights and criminal conduct to slavery and divorce. The code forbids incest, puts limits on revenge, “an eye for an eye,” and varies punishment according to one’s social status. It was one of the first law codes to provide justice for the innocent and to establish the principle of innocent until proven guilty.

The Code of Lipit-Ishtar, a Sumerian law code, predates the Code of Hammurabi by about a hundred years (**1850 B.C.**) and was discovered in 1899. Like Hammurabi, Lipit-Ishtar was a king, and his code sets forth laws governing the use of boats, real estate transactions, slavery, inheritance, contracts, marriage, and the regulation of cattle. According to the Code’s inscription, Lipit-Ishtar was chosen by the gods to “establish justice in the land,” “bring well-being to the Sumerians and Akkadians,” and his code would cause “righteousness and truth to shine forth.”

¹ Gerhard O. Forde, *Where God Meets Man. Luther’s Down-to-Earth Approach to the Gospel* (Minneapolis: Augsburg, 1972) 111.

² *Sachsenspiegel* is the “Saxon code of law,” a thirteenth century compilation of economic and social laws which influenced the codification of German law until the nineteenth century.

The Code of Ur-Nammu is the oldest written law code surviving today and dates from **2100-2050 B.C.** It is considered advanced because it instituted monetary fines for bodily injury, as opposed to the later an 'eye for an eye' principle of Babylonian law. Thus, according to the code of Ur-Nammu (Rule 18): "if a man knocks out the eye of another man, he shall weigh out ½ a minu of silver." In contrast, the Code of Hammurabi (Rule 196): "If a man puts out the eye of another man, his eye shall be put out." Nevertheless, in the Code of Ur-Nammu murder, robbery, adultery, and rape were capital offenses.

The Code of Solon (640-560 BC) is named after the Greek philosopher and legislator, Solon, born in 640 B.C. He repealed and revised the harsh laws of Draco under whom small offenses were met with severe (draconian) penalties. He limited capital punishment to a few serious offenses such as murder and treason. He divided the population into four classes of people and established a council of 400, a hundred from each class, thus creating an embryonic democracy in which all people had political rights, albeit still unequal. For this and other aspects of his reforms Solon is often credited with laying the foundation for Western democracy.

God's left-hand kingdom. Luther's understanding of two kingdoms is intrinsic to Lutheran theology. The two kingdoms are simply another way of stating what we mean by law and gospel. As Forde writes: "**Precisely, the proper distinction between law and gospel limits and humanizes the law.**"³ And:

"For faith in the end of the law leads to the view that its purpose is to take care of this world, not to prepare for the next. That means that **we do not possess absolute, unchangeable laws.** If the law no longer takes care of this world, it can and must be changed. As even Luther put it, we must write our **own decalogue to fit the times.**"⁴

By noting commonalities among the Ten Commandments (Exodus 20, Deuteronomy 5), the twelve commandments (Deuteronomy 26), and other ancient law codes we see how ancient Near East societies established laws to protect life. This is what societies do, using the best reason of their day.

The Lord, though hidden, works in his left-hand kingdom to preserve life through **common reason and law**, through human law codes, some better, some worse. Again, Forde:

"It is too much (or perhaps too little?) to say, I think, that **respect for law** must be the political religion of the nation. That seems to imply that law is an absolute before which we must all unquestionably bow. It would be better to say that **care for the proper use of the law must be our constant and never-ending concern in this world.** For we are not called merely to be law-abiding, but to take care of this world, and law must be tailored to assist in that task."⁵

³ Gerhard O. Forde, "Forensic Justification and the Law in Lutheran Theology," *Justification by Faith. Lutherans and Catholics in Dialogue VII.* Eds. H. George Anderson, T. Austin Murphy, and Joseph A. Burgess (Minneapolis: Augsburg, 1985) 300-301.

⁴ Forde, "Lex semper accusat? Nineteenth-Century Roots of Our Current Dilemma," *dialog 9* (1970) 274; *A More Radical Gospel. Essays on Eschatology, Authority, Atonement, and Ecumenism.* Gerhard O. Forde. Eds. Mark C. Mattes and Steven D. Paulson (Grand Rapids: Eerdmans, 2004) 49. *The Essential Forde.* Gerhard O. Forde. *Distinguishing Law and Gospel.* Eds. Nicholas Hopman, Mark C. Mattes, and Steven D. Paulson (Minneapolis: Fortress Press, 2019) 193.

⁵ Forde, "Lex semper accusat?" *dialog 9*, 274; *A More Radical Gospel*, 49; *The Essential Forde*, 193.