

Deuteronomy 17:8-13

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“If any case is too difficult for you [i.e., the judge in an Israelite town] to decide, between one kind of homicide or another, between one kind of lawsuit or another, and between one kind of assault or another, being cases of dispute in your courts [unresolved between two persons], then you [i.e., the local judge] shall arise and go up to the place which the LORD your God chooses [i.e., the tabernacle or temple, emphasizing the divine authority in the matter].⁹ “So you shall come to the Levitical priest [a trained expert in the Law] or the judge [שֹׁפֵט *ha shaphat* – the judge – arbiter, legal counsel] who is in office in those days, and you shall inquire of them [priest and judge] and they will declare to you the verdict in the case [cf., Deut 19:16-17].¹⁰ “You [i.e., the local judge] shall do according to the terms of the verdict which they declare to you [i.e., accept their decision as final] from that place which the LORD chooses [i.e., the tabernacle or temple]; and you shall be careful to observe according to all that they teach you.¹¹ “According to the terms of the [written] law which they teach you, and according to the verdict which they tell you, you shall do; you shall not turn aside from the word which they declare to you, to the right or the left [this was the final court of appeal and the decision was divine in nature].¹² “The man [i.e., the local judge] who acts presumptuously by not listening to the priest who stands there to serve the LORD your God, nor to the judge, that man shall die [because of his rebellion against God’s authority]; thus you shall purge the evil [person] from Israel.¹³ “Then all the people will hear and be afraid [a healthy fear], and will not act presumptuously again [the punishment served as a deterrent to crime].

Summary:

This unit of Scripture is part of a larger section in which Moses addresses four leadership offices God would assign in Israel, namely, **judges** (Deut 16:18-17:8), **priests** (Deut 17:9-13; 18:1-8), **kings** (Deut 17:14-20), and **prophets** (Deut 18:15-22). These four leadership offices were bound by the Mosaic Law, which legitimized their authority and was the guide for their rulership.

In this pericope, Moses continues his message to the Israelites who were about to enter the land of Canaan. In addition to judges (שֹׁפֵט *shaphat*) who would serve in local communities (Deut 16:18-17:8), Moses introduces a higher court that consisted of Levitical priests and a judge who would serve at a central location, namely the tabernacle or temple. This higher court was intended to handle legal cases that were too difficult for judges in local communities.

Being a theocracy meant God was their Judge, Lawgiver, and King (Isa 33:22). As King, He was their national leader. As Lawgiver, He was the source of their legislation. As

Judge, He would evaluate His people on the basis of their adherence to His laws. Moses himself had previously served as a judge (Ex 18:13-16), and had instructed others in God's law (Ex 18:17-26). The men Moses selected to serve as judges were to be men of good character, "men who fear God, men of truth, and those who hate dishonest gain" (Ex 18:21a). These men could be selected from any of the tribes in Israel, and their moral integrity was to be the chief quality. Once selected and trained, judges in Israel were to see themselves as subordinate representatives of God, the supreme Judge of Israel. God directed His judges to adhere to His standards, saying, "Justice, and only justice, you shall pursue, that you may live and possess the land which the LORD your God is giving you" (Deut 16:20). This meant knowing and judging according to God's written laws. If a judge in Israel perverted justice, it meant he diminished the character of God. Following the directives in Deuteronomy, King Jehoshaphat (who reigned from 873 to 848 BC) appointed judges in Judah and told them, "Consider what you are doing, for you do not judge for man but for the LORD who is with you when you render judgment" (2 Ch 19:6). He also spoke to the priests in Judah and told them to help execute "the judgment of the LORD and to judge disputes among the inhabitants of Jerusalem" (2 Ch 19:8).¹

In Israel, the priest (כֹּהֵן *kohen*) referred to those who drew near to God on behalf of others, usually in sacred matters of prayer and sacrifice. God originally intended the whole nation of Israel to be a kingdom of priests, saying, "and you shall be to Me a kingdom of priests and a holy nation" (Ex 19:6). However, because of the sin of worshipping the golden calf (Ex 32:1-35), God took that privilege from the nation and confined the priesthood to Aaron and his descendants, and the Levites were to be their assistants (Num 3:1-10; 18:1-7). According to God's law, priests were to:

1. Be holy in their behavior (Ex 19:6).
2. Teach His law to others (Lev 10:11; Deut 33:10).
3. Preserve the tabernacle and temple (Num 18:1-4).
4. Officiate duties in the Holy of Holies once a year (Ex 30:6-10; Lev 16).
5. Inspect people and fabrics for cleanliness (Lev 13-14).
6. Receive tithes (Num 18:21, 26; cf. Heb 7:5).
7. Offer sacrifices for sin (Lev chapters 4, 9, 16).
8. Educate and lead God's people in religious services (Ezra 7:10; Neh 8:1-5, 8).
9. Help judges decide legal matters (Deut 17:8-13).

¹ Jehoshaphat was a relatively good king who followed after the ways of King David. Jehoshaphat started his reign by committing himself to the Lord and destroying the pagan worship centers throughout Judah (2 Ch 17:3-6). He then directed godly men to teach God's Word throughout the land (2 Ch 17:7-8), and "They taught in Judah, having the book of the law of the LORD with them; and they went throughout all the cities of Judah and taught among the people" (2 Ch 17:9).

Moses opens this section by addressing the judges in local communities, saying, “If any case is too difficult for you to decide, between one kind of homicide or another, between one kind of lawsuit or another, and between one kind of assault or another, being cases of dispute in your courts, then you shall arise and go up to the place which the LORD your God chooses” (Deut 17:8). The word *court* literally means *gate* (שַׁעַר *shaar*) and refers to the gate of the city. The city gate was an open area that served as the place where litigants would meet town elders, other citizens, and judges who helped adjudicate crimes or legal matters. Not only were these cases open to the public, but they were also handled relatively quickly (see Ruth 4:1-11). However, Moses assumed there would arise difficult cases in which local judges could not render a ruling, cases of homicide, lawsuit, or assault. When this happened, the judges could take the matter to a higher court.

The higher court would be at a central location of God’s choosing. At first, this would be the tabernacle and later the temple. Moses directed the local judges, saying, “So you shall come to the Levitical priest or the judge who is in office in those days, and you shall inquire of them and they will declare to you the verdict in the case” (Deut 17:9). It could be that the Levitical priests would select one of their own to serve in a judicial capacity; however, the use of the definite article connected with the word “judge” (הַשֹּׁפֵט *ha shaphat* – the judge) implies a distinction between them. That is, there would be several priests and a particular judge who resided at the tabernacle/temple. These would serve as the court of last appeal. It’s possible the high priest could discern a divine answer by using the Urim and Thummim (Ex 28:29-30; cf. 1 Sam 28:6); however, it seems more likely the theological and experiential wisdom of the priests and judge would decide the case. Once a verdict came down to the local judges, they were instructed:

You shall do according to the terms of the verdict which they declare to you from that place which the LORD chooses; and you shall be careful to observe according to all that they teach you. According to the terms of the law which they teach you, and according to the verdict which they tell you, you shall do; you shall not turn aside from the word which they declare to you, to the right or the left. (Deut 17:10-11)

The local judges who brought the difficult case were bound to adhere to the decision given to them by the priests and judge at the tabernacle/temple. The verdict was declared from the “place which the LORD” chose, which meant Yahweh was involved in the decision, and it was final. The judges who originally brought the case were not free to execute a sentence either with leniency or severity beyond what had been handed to them. The decision of the court represented God’s will, and to reject or deviate from the court’s decision was to reject or deviate from God’s decision, and such an act would be a crime against the Lord. Moses wrote, “The man who acts presumptuously by not listening to the priest who stands there to serve the LORD your God, nor to the judge, that man shall die;

thus you shall purge the evil from Israel” (Deut 17:12). Executing those who rebelled against the Lord’s decision was seen as purging evil from their communities. In this way, the judges would advance God’s directive to administer “justice, *and only* justice” within their communities (Deut 16:20a). If the rebellious person was put to death, it would create a healthy fear that would prevent others from rejecting the Lord’s authority. Moses said, “Then all the people will hear and be afraid, and will not act presumptuously again” (Deut 17:13). It’s noteworthy that this legal system Moses was providing assumed objective standards of law (that everyone could observe) predicated on the integrity of words (that didn’t change or lose meaning) and the reliability of language as a vehicle of communication from one person or group to another.

Moses was providing God’s laws, which were a reflection of His righteous character and the basis for their covenantal relationship with Him. Obedience to God’s directives guaranteed blessing and disobedience guaranteed cursing (Deut 11:26-28). Remember, the exodus generation had seen the Lord’s power and experienced His liberation from Egyptian slavery (Ex 13:3), yet, they rebelled against the Lord ten times—disobeying His commands—and were punished by Him (Num 14:22-23). The result of their disobedience was they were not permitted to enter Canaan, but to wander in the wilderness for forty years until they perished (Num 14:28-35). Though they had the promises of God, “the word they heard did not profit them, because it was not united by faith in those who heard” (Heb 4:2). After the exodus generation died, Moses educated their children, restating the Law (Deuteronomy), and these experienced the Lord’s blessings because they responded positively to the godly leadership of Joshua and followed the Lord’s directives. However, after Joshua’s death (Judg 2:8-9), and the death of the generation of Israelites he’d led (Judg 2:10a), we learn, “there arose another generation after them who did not know the LORD, nor yet the work which He had done for Israel” (Judg 2:10b). Rather than follow in the ways of the Lord, we learn, “Then the sons of Israel did evil in the sight of the LORD and served the Baals, and they forsook the LORD, the God of their fathers, who had brought them out of the land of Egypt, and followed other gods from among the gods of the peoples who were around them, and bowed themselves down to them; thus they provoked the LORD to anger” (Judg 2:11-12).

Present Application:

We are not living in the theocratic age; however, God is still ruling and delegates authority to others. First and foremost, we must understand that God’s authority is supreme and He sovereignly rules over all. Scripture reveals, “The LORD has established His throne in the heavens, and His sovereignty rules over all” (Psa 103:19; cf. 135:6), and “the Most High is ruler over the realm of mankind, and bestows it on whom He wishes and sets over it the lowliest of men” (Dan 4:17; cf. Dan 2:21; 4:34-35; 5:21; 1 Ch 29:11-12; Rom 13:1-2). God has established the governmental systems of the world to promote law and order.

This means He has delegated authority to persons and groups who serve as administrative overseers to others. When functioning properly, government produces harmony by establishing and enforcing laws in society, and by restricting and punishing wrongdoers and promoting and rewarding those who do good.

By definition, *authority* refers to the right that one person or group has to make decisions, give orders, or demand obedience from another. God's authority is intrinsic, whereas human authority is delegated. Human authorities include politicians, police officers, teachers, parents, employers, and so on. However, Satan has introduced counterfeit systems of authority, to which the believer is not to submit. Corrupt leaders—like Satan himself (Gen 3:1-7)—seek to lead people into sin or deprive them of their freedom, and these pseudo-authorities must be resisted.

Paul wrote to Christians in Rome, saying, “Every person is to be in subjection to the governing authorities. For there is no authority except from God, and those which exist are established by God. Therefore, whoever resists authority has opposed the ordinance of God; and they who have opposed will receive condemnation upon themselves” (Rom 13:1-2), and to his friend Titus, he wrote, “Remind them to be subject to rulers, to authorities, to be obedient, to be ready for every good deed, to malign no one, to be peaceable, gentle, showing every consideration for all men” (Tit 3:1-2). And Peter wrote, “Submit yourselves for the Lord's sake to every human institution, whether to a king as the one in authority, or to governors as sent by him for the punishment of evildoers and the praise of those who do right” (1 Pet 2:13-14).² Based on Paul's and Peter's statements, we can say: 1) governing authorities exist by divine placement, 2) to resist those authorities is to resist God Himself, 3) to be subject to rulers and authorities means being obedient, and 4) that we can generally expect punishment from the same when we do wrong, and praise when we obey and do what is right.

The word *submit* is a translation of the Greek verb ὑποτάσσω *hupotasso* which means “to subject oneself, be subjected or subordinated, obey.”³ Submission means that we subordinate our will to the will of another who legitimately holds a place of authority and uses it correctly. New Testament examples of submission include: the young Jesus

² Of special note is the fact that the king—or emperor—in Paul and Peter's day was none other than that rascal Nero, who wrongly blamed Christians for starting a fire that burned much of Rome, and who, according to church tradition, had Paul beheaded and Peter crucified. Both Paul and Peter knew governmental authorities could abuse their power for selfish ends; however, the occasional abuse of power does not necessarily mean their authority is diminished in any way. Paul and Peter called Christians to submit to Rome's emperor as well as those officials he placed in office to serve as overseers and administrators to Roman citizens.

³ William Arndt et al., *A Greek-English Lexicon of the New Testament and Other Early Christian Literature* (Chicago: University of Chicago Press, 2000), 1042.

submitting to Joseph and Mary (Luke 2:51), God the Son submitting to God the Father (1 Cor 15:27-28), the church submitting to Christ (Eph 5:24), believers submitting to God (Heb 12:9; Jam 4:7), believers submitting to their pastor (1 Pet 5:5; Heb 13:17), Christians submitting to governmental authority (Rom 13:1, 5; Tit 3:1-2; 1 Pet 2:13-14), the Christian husband submitting to Christ (1 Cor 11:3)⁴, and the Christian wife submitting to her husband (Eph 5:22, 24; Col 3:18; Tit 2:5; 1 Pet 3:1; 5-6). We submit to authority because it produces harmony in our relationships with those God has placed over us.

As Christians, we hold dual citizenship. We are citizens of heaven (Phil 3:20), and citizens of whatever country in which we live. Our first allegiance is to God, and then to those whom He has placed over us. God's commands are found only in Scripture, which is the basis for the Christian's faith and conduct. This means: 1) our thinking is theocentric, not anthropocentric, 2) that our values are derived from God, not ourselves, or any other source, and 3) that we consciously submit ourselves to do God's will at all times and in all situations.

Though human leaders may fail in their character and commands, this does not invalidate their authority or right to rule. The believer is to reject those commands that direct him/her to sin. If/when a person in authority directs a Christian to disobey the Lord, the believer has not only the right, but the duty to defy that person in authority. However, if/when this happens, it should be because the Christian is saying "yes" to God's authority.

⁴ The word ὑποτάσσω *hypotasso* does not appear in 1 Corinthians 11:3, but the concept is certainly present.