

3-1-25 Message to Roeh Israel Abilene - *Trumah* [contribution]
Torah Portion: Exodus 25:1 – 27:19
Haftarah: 1 Kings 5:26 – 6:13
Suggested Acheron K'tuvim: Matthew 18:15-20

Biblical Dispute Resolution 2 – Origins of Biblical Justice Continued

Central question: Where did G-d's justice system begin, and how did it develop?

Today we are in parasha *Trumah*, which means “contribution.” It takes its name from the sixteenth word of the passage in English, and the twelfth word in the original Hebrew.

Ex 25:1-5

25 Then the L-rd spoke to Moses, saying, 2 "Tell the sons of Israel to raise a contribution for Me; from every man whose heart moves him you shall raise My contribution. 3 And this is the contribution which you are to raise from them: gold, silver and bronze, 4 blue, purple and scarlet material, fine linen, goat hair, 5 rams' skins dyed red, porpoise skins, acacia wood,

25:1

וַיִּדְבֹר יְהוָה אֶל־ מֹשֶׁה לֵאמֹר:
And spake the Lord unto Moses, saying,
1696 3068 413 4872 559

דִּבֹּר אֶל־ בְּנֵי יִשְׂרָאֵל וַיִּקְחוּ־ לִי תְרוּמָה מֵאֵת כָּל־
Speak unto the children of Israel, that they bring me an offering of every
1696 413 1121 3478 3947 3807a 8641 853 3605

אִישׁ אֲשֶׁר יִדְבְּנוּ לְבָבוֹ תִקְחוּ אֶת־ תְּרוּמָתִי:
that man giveth it willingly his heart ye shall take my offering.
834 376 5068 9999 3820 3947 853 8641

וְזֹאת הַתְּרוּמָה אֲשֶׁר תִקְחוּ מֵאֲתָם זָהָב וְכֶסֶף וְנֹחֶשֶׁת:
And this is the offering which ye shall take of them; gold, and silver, and brass,
2063 9999 8641 834 3947 853 2091 3701 5178

וְחִכָּלָה וְאַדְמָן וְתוֹלַעַת שָׁנִי וְשֵׁשׁ וְעֵצִים:
And blue, and purple, and scarlet, and fine linen, and goats' hair,
8504 713 8144 8438 8336 5795 9999

וְעֹרֹת אֵילִם מְאֻדָּמִים וְעֹרֹת תַּחֲשִׁים וְעֵצֵי שִׁטִּים:
And skins of rams' dyed red, and skins, of badgers' and wood, shittim
5785 352 119 5785 8476 6086 7848

Before we go into our material for the continuing series, I want to address one thing. That is the Hebrew word which is translated above as “badger.”

OT:8476 תַּחֲשׁ tachash (takh'-ash); probably of foreign derivation; a (clean) animal with fur, probably a species of antelope:

This word has had a number of different translations. One translator renders it as “porpoise” and another as “badger.” But neither of these animals is kosher.

And there is no mention of Israel collecting, and skinning, porpoises as part of their crossing of the sea. Add to that the fact that the hides of this animal not only made a covering for the Mishkan, but the people of Israel made shoes from that same leather.¹ That would suggest a very large number of porpoises had to be killed and skinned after the crossing of the sea. And what would they do with the carcasses? It is not a kosher animal, and thus not fit for food. Tens of thousands of rotting porpoises, even if thrown back into the sea, would have not been a pleasing aroma for those who were camped by those waters at the foot of Mt. Horeb.

And consider how many badgers it would take to accomplish this same series of tasks. If you have ever encountered a badger, and slain one, you might understand how formidable it is to locate and kill tens of thousands of them to provide a covering for the Mishkan as well as shoes for a couple of million people. And once again, the people would be faced with the daunting task of disposing of all those non-kosher carcasses.

And the central issue that seemed to attract the attention of the Sages was the question of how can a supremely holy place, such as the Mishkan, be covered by the skins of an unkosher animal?

¹ Ezekiel 16:10

What is clear to them, and to us today, is that nobody knew precisely what that animal was, but there is some tradition that it was multicolored, similar to a known unkosher animal called the *tela ilan*. The discussion regarding what it might have been was quite spirited. It is found in Talmud, Shabbat 28a. I will spare you the lengthy back-and-forth between the learned Rabbis, but will suggest to you that the final interpretation given by Rabbi Nehemya seems to be the more sensible one.

Rabbi Nehemya says: There was only one covering for the Tabernacle, half of which was made of rams' hides and half from the hides of *tehashim*. And *tehashim* were similar to the species of undomesticated animals called *tela ilan*. The Gemara asks: But isn't a *tela ilan* a non-kosher creature? The Gemara emends this statement: This is what Rabbi Nehemya intended to say: It was like a *tela ilan* in that it was multicolored; however, it was not an actual *tela ilan*. There, the *tela ilan* is non-kosher, and here, the covering of the tent was made from kosher animals. Rav Yosef said: If so, that is the reason that we translate the word *tahash* as *sasgona*, which means that it rejoices [*sas*] in many colors [*gevanim*].

So, given this interpretation, it might have been that G-d called for the construction of His dwelling place to have a covering of many colors. In this way, we might have seen a fulfillment of what may have been a prophecy of this covering in the story of Joseph and his particular coat.

Regardless, I think I am satisfied that the covering for the Mishkan was not made of porpoise, badger, or any other unkosher animal skin. To cover the holiest place on earth with something that is not kosher is to me unthinkable.

So, with that being said, let's return to the series, and continue our discussion regarding the origins of G-d's system of justice.

Recap

We saw last week that right and wrong have always existed, and that mankind has known enough of what G-d established as good and evil so that G-d could be a righteous judge when mankind defied Him.

Each time that mankind defied G-d, and turned away from His instructions (which were written on the hearts), G-d Himself came down, and even brought witnesses to confirm every fact. After making a

determination of the guilt or innocence of the people, G-d also became the One to mete out the punishment that was due.

But in every case where punishment was rendered, we saw that G-d showed His mercy as well.

We saw in the actions of the wife of Lot an important lesson. When G-d provides for you a way of escape from His coming punishment, take it, and don't go back. You can reject G-d's provision and His salvation, and that is not a good path forward.

We saw how separate societies which sprung-up from the scattering at Babel, have instituted their own system of right and wrong, and their own justice system. Although each society has laws which are unique to it, and sometimes even the opposite to those of neighboring societies, it seems each has a few commonalities regarding core values, which are still written on the hearts of men.

The Hebrew people seem to have had a closer relationship with G-d, from the time of Abraham forward. And that has led G-d to watch over us a little more closely. We are held to a higher standard of holiness, because we have been given a bit more knowledge of right and wrong than the other peoples of the earth.

Our decline from the heart-instructions of G-d seems to have been closely associated with the times when we were seduced by the G-ds and practices of the other nations, and we were led astray.²

We experienced a national turning point in the exodus from Egypt. G-d reset our national calendar, rescued us from the pursuing Egyptians, and gave us our Constitution.³

He then began the process of giving us detailed instructions on how we were to relate properly to Him, and how we are to relate properly to others. As part of that, G-d began delegating to us some authority in His justice system. And that is where we begin today.

G-d's Standards Codified and the Justice Process Delegated

At Mt. Horeb, G-d would take a bold step toward making Israel a functional society for the remainder of the age. He delegated judicial authority to men.

G-d continued following giving His Constitution with additional instructions, which continue in Exodus, Leviticus, Numbers and

² Numbers 15:39-41

³ Also called "The Ten Commandments" found in Exodus 20

Deuteronomy. Therein we find the framework for the biblical judicial system.

The Jewish people believe that Moses, during the 40 days on the mountain, not only received the entirety of Torah (instructions) from G-d, he also received further information on how to apply these instructions. Moses wrote down the entirety of what he was told to write.

But it is believed that he did not write down what he was taught by G-d of the broader landscape of the biblical judicial system, and how it would work. This body of unwritten instruction is known as the “oral Torah.”

Some in the body of faith today scorn any suggestion of such “additional instructions” being given by G-d. They consider the giving of such “secret knowledge” to be inconsistent with the nature of G-d. But there is some basis for believing that Moses received more instructions than were found in Genesis through Numbers – and that evidence is found in the book of Deuteronomy. Deuteronomy is composed of the words of Moses, and can be described as one long sermon. And we find a lot of “new material” in Deuteronomy. So, the natural implication is that Moses continued giving not only the basic instructions as delivered to him by G-d, but also some additional guidance on application of those instructions.

During the 40 years of wandering in the wilderness, Moses applied G-d's judicial system, and taught others (beginning with Joshua) what he knew. Moses and the subordinate judges rendered good judgment regarding the matters before them, because the Spirit of G-d was upon them.

What Moses taught to Joshua, and to the subordinate judges, was passed down from generation to generation of those elevated to the office of rabbi and judge. Even today the ordination of an Orthodox Rabbi carries with it the unbroken lineage of former rabbis, all the way back to Moses.

As we have already seen, an important concept which has persisted from the beginning and that is mercy. Justice, when applied strictly, results in tyranny and some very unrighteous outcomes. Likewise, mercy, when applied in every situation, promotes chaos and societal standards disappear.

The goal of biblical justice is to balance justice and mercy so that a proper decision is reached, and a righteous outcome accomplished.

Every unique situation will require this balance and it cannot be formulaic, because of the infinite variety of factual situations. Thus, it is essential that the biblical justice system be administered by properly

selected and qualified judges in the court (beit din)⁴ and that those judges actively seek the guidance of G-d in the entire process.⁵

The development of the biblical justice system was not without some struggles. The law did not change over the centuries, as knowledge and technology increased, but the daily challenges of the people did. The Law needed to have a continued application, and so the question became, “How do we apply it to the modern circumstances we have today?”

The Case Method

Learned sages would discuss (and even argue) with one another the finer points of application of a particular law, and challenge one another to reach a different outcome when a crucial fact were changed, or new facts considered. Finally, they would come to a consensus as to how that particular law should be applied, along with a number of variations dependent upon different facts being introduced. Once that consensus was reached, the “settled law” became established among the people of G-d, and was found wide application by judges in the beit din courts. And when the facts of the current dispute differ from those in the exemplar decisions already settled, the wise judges would consider if

⁴ A *beit din* (house of judgment) is a judicial court which hears evidence, and renders a judgment based upon G-d's standards.

⁵ This is the proper understanding of Mt. 18:20

those changed facts also required a change in outcome. Thus, the law remained nimble and able to withstand the infinite variety of fact patterns that seem to present themselves to judges.

This style of legal analysis is known as the “case method” and is taught in reputable law schools today. Analysis of a case begins with the presentation of the facts and the issue they invoke; the legal rule(s) involved; the analysis of how that rule applies to the particular facts; and a conclusion (containing the court’s ruling).

Some of those ancient formative legal discussions between rabbis and judges was finally reduced to writing. The process was lengthy, and the body of work was compiled over a period of several hundred years.⁶

The most prominent of these written records is the Talmud. It is a multi-volume compilation of individual portions of Scripture, the commentary on that segment, and the discussions concerning that passage. The Talmud is given great weight in the modern Jewish community. It is even studied with greater zeal than Scripture itself.⁷

⁶ Relating it to the time of Yeshua (Jesus) walking the earth as a man, it was begun about 500 years before, and finally completed about 200 years after.

⁷ In the Christian community, the Talmud is generally either completely unheard-of or it is actually scorned, because it is seen as being the repository of ancient Jewish thought. The Jews have been rejected by most Christians as well as the bulk of Jewish wisdom.

Talmud has value to the body of faith today because it contains the combined wisdom of learned people who have sought with great intensity the mind of G-d regarding issues of biblical law and application.

Thus, the reasoning presented in Talmud (with some notable exceptions) can be quite valid, and can help modern-day beit din judges analyze the evidence, and then apply the law of G-d. Sometimes a small nuance can make all the difference.

I recommend a study of Talmud for the serious biblical judge. The basic reasoning used to reach final conclusions in Talmudic passages provide some help to those who wish to think-through the issues facing them, whether or not they agree with the end result reached by the Sages who are cited in Talmud as being authoritative in any decision. The thought process used to reach the conclusion is often helpful.

Into the World

The biblical system of justice was only practiced in the limited community of Israel for thousands of years. And then something phenomenal happened.

Yeshua, as His last command, said we are to make disciples of all nations, teaching them what He had taught.⁸ His followers did what they were instructed, and in the world they found many people hungry for the truth of G-d. Yacov (James), the chief Rabbi of the main congregation in Jerusalem heard a report from Paul of this good news, and issued a decree that the new converts be given four commands to start with, each demonstrating a rejection of the defining pagan practices of the day.⁹

Then those new converts were instructed to go to the synagogue where they could find gentle instruction on G-d's ways, as the annual cycle of a weekly reading of the entire Torah, divided into universally-recognized portions, continued as it had for generations. The Jewish community swelled with converts.

New congregations sprung up all over the known world. The teachings of the apostles which helped establish these congregations focused mainly on the concept of integration into the body of faith, not the finer points of biblical justice.

This flood of people from pagan cultures brought with them into those congregations their pagan ideas and practices.¹⁰ This set-up a number of

⁸ Mathew 28:18-20

⁹ Acts 15:19-21

¹⁰ "A pagan flood flowing into the church, carried with it its customs, practices and idols" Gavazzi's Lectures, Page 290.

disputes within the synagogues. The letter of Paul to the congregation at Rome serves to illustrate a deep division between the Jews who were steeped in Torah, and the new converts whose lives were not exhibiting holiness at a level satisfactory to those Jews.

Satan saw in the new congregations an opportunity. He stoked disputes among their members regarding a number of issues, not the least of which was the deity and messiahship of Yeshua as the Jewish Messiah.

These disputes, without being properly resolved in the congregations according to G-d's justice system, predictably divided the congregations worldwide. They split synagogues apart, and then eventually those splits became so polarizing that the beautiful tapestry cloth G-d had woven with different people for generations was being ripped apart. Some in the synagogues rejected the good news of Messiah. Others in the synagogues rejected those who had different beliefs.

Those who accepted Yeshua and the good news separated from the synagogue (or refused to attend there in the first place). Then what would today be called the Christian Church was born.¹¹

¹¹ This was done in spite of the word picture found in Romans chapter 11.

These new Christians then met to consolidate their disparate doctrines, and the council of Nicea was assembled. It was made up of a group of early Christians who believed in Yeshua as Messiah, but who despised the cultivated olive tree, and their decisions effectively ripped their branch of faith away from its Jewish roots in the cultivated olive tree.

The “grafting in” process largely halted, and was discarded. Much of the Jewishness of the Messianic faith was discarded by the church, and it gradually became decidedly antisemitic.

Those Jews who denied that Yeshua is Messiah met in a council at Yavneh, where they determined to preserve the Jewish faith by consolidation of all the various sects of that day. They declared that those in the synagogue who did not agree with their anti-Yeshua theology could no longer be Jews, nor continue to be welcome in the synagogue. All of the various sects of Judaism existing at that time were dissolved or marginalized, and the elders decided that Judaism would go forward in the tradition of the House of Hillel, a sect of the Parushim (Pharisees).

Today, the synagogue’s teaching and practice has become in a significant measure calculated to differentiate itself from the church and to increase the separation between the two. Likewise, the teaching and practice of the church has developed as a reaction against anything Jewish. Thus,

the distance between Jew and Gentile has widened, and Satan has clapped his hands in glee.¹² The direction of G-d that the Jewish people be a “kingdom of priests” showing the world what the true worship of G-d should be, has been frustrated by the actions of men. The vision of the apostles of the “one new man” operating in perfect unity was quickly discarded.¹³

This traumatic ripping apart of the community of faith has had far-reaching consequences. Not the least of which is that the Christian church as a whole, despite the warning by Paul, has rejected the root of its own faith. Part of that root is the biblical justice system.

Paul’s warning not to resort to the flawed justice systems of men has gone unheeded.

Today, members of Christian churches, and also members of normative synagogues, regularly resort to the civil courts of men, to resolve disputes between them. In doing so, they each reject the wisdom of G-d in favor of the flawed justice system of their society. The justice system established by G-d is untrusted, and unused by most bodies of faith, except a few among the orthodox Jewish community.

¹² The destruction of the beautiful tapestry that G-d had woven for thousands of years, and destroyed by the hubris of men, will be restored, but it must wait until the reign of Messiah as King in Jerusalem.

¹³ Ephesians 2:15

Today the body of faith lacks widespread acceptance of G-d's system of justice. It lies in the back corner of the locked shed labeled "Old Testament", as an unused tool, gathering dust and rust. There seem to be few, or no, Christian Beit Din courts, nor even a widely-used biblical process for dispute resolution.

Sadly, the greater part of the church does not even recognize that the instructions of G-d and His system of dispute resolution each have universal application for all people of faith, at all times, and in all locations.

Those who suffer an offense often simply leave the congregation and engage in back-biting and gossip as a tool to "even the score." Sin is multiplied upon sin. Love is destroyed, together with the unity of the faith. Satan rejoices.

Those who resort to the courts of society soon discover that there are three important aspects of G-d's system of justice which are glaringly absent from all the man-created systems.

The first is the absence of the application of love. The second is the goal of restored relationships. The third is the guidance of G-d upon the

judges giving them discernment beyond their human abilities. Beyond that, the application of mercy is almost non-existent.

I believe that both arms of the faith – synagogue and church – will one day be reunited. G-d's ancient, unchanging standards of what is right and wrong, as applied by His justice system, will be the norm when He establishes His kingdom on earth and restores His justice system for all nations. That day has not yet come, but we should take advantage of G-d's holy instructions regarding proper biblical justice in this generation.

The recent history of G-d's justice system in practice has thus far been quite tragic, and discouraging. But in these days we can change the path of this decline. We can change the future to make a better history for generations to come. We need only determine to do so, and act on that determination. Satan's victories have dominated this battlefield for far too long. It is time for us to take up our weapons of war and join the battle. As we apply G-d's dispute resolution process, we show His light in a darkening world.

In our next lesson, we will begin discussing the various aspects of evil speech.¹⁴ We will learn how we can sin in a grievous manner by our speech, and the various categories of sinful speech.

¹⁴ Hebrew; "*loshan hara*" evil tongue.