

THE

Reformed Presbyterian.

WHOLE NUMBER, . }
Vol. XXVI.—No. 9. }

SEPTEMBER, 1862.

{ NEW SERIES,
Vol. VIII.—No. 9.

ORIGINAL.

HOW MUCH OF THE LAW IS FULFILLED AND ABROGATED?

“Think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfill. For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled.”—MATT. 5:17, 18.

A LAW is not destroyed when it has accomplished its intended purpose, and ceases by its own limitation. It is freely conceded by all Christians, that some portions of the Old Testament law have, in this manner, ceased to be obligatory, since the introduction of the New. Some, indeed, look upon the whole of the Old Testament Scriptures as invalidated, and hold them much in the same relation as an old almanac, containing matters of mere history, but of no practical use. The frequent quotations from the Old Testament, both by Christ and his apostles, indicate very plainly that it is still valid, as a revelation from God, exhibiting his will, and forming a part of the church's foundation, and of the rule of man's faith and duty. John 5:39, “Search the Scriptures.” Eph. 2:20, “Built upon the foundation of the apostles and prophets.”

Accurate theologians divide the law into three distinct codes—the Moral, the Ceremonial, and the Judicial. These codes are distinguished from one another, 1st, By their nature; 2d, By their design; 3d, By the parties to whom they are addressed; 4th, By their fulfillment. These notes of discrimination it will be proper to consider in relation to each code, separately. And

1: *The Moral Law.* This in its nature embraces all the relations, and all the duties of life, marking the distinction between *good* and *evil*, in the manners, customs, habits and acts of men. The term “moral” is derived from a word which expresses manner, custom, or habit, without regard to good or bad qualities; but we use it almost exclusively with relation to these distinctions. Its whole principles are summed up in one word, LOVE. This divides into two branches—love to God, and love to man. In Micah 6:8, we have the threefold cord—justice, mercy, walking humbly with God. In like manner we have the weightier matters designated, Matt. 23:23—judgment, mercy and faith. We find sum-

maries of this law in four, five and six commandments, up to a very extended series, the most complete being the ten delivered on Mount Sinai. The design of this law is to sanctify the soul, regulate the conduct, and prepare us for heaven; and it is addressed to all classes of men in all the world. From its nature and design, it cannot be abrogated while the earth remains; and with a few adaptations, affecting probably the fourth and seventh precepts, it will remain the eternal law of heaven, as well as of earth. Think not that Christ came to destroy the law of love.

2. We have the *Ceremonial Law*. This code regulated the services of religion, and contained particular directions for the priests, the Levites and the people, in their approaches to God. To it belonged the distinctions between clean and unclean food; the various kinds of sacrifices, the sacrificial animals, the sprinkling, washing, anointing, and other like services of that dispensation.

The design of this law was to prefigure the person and work of Christ in our redemption; it was the gospel of that age, although an obscure gospel, directing the sinner where to find a remedy for the transgression of the moral code. This law was addressed chiefly to the priests and Levites, as the administrators of its provisions, and was fulfilled in the coming of the Saviour, when he made the atonement, ascended to heaven, and shed forth the Spirit on the day of Pentecost. Since that event it is entirely abolished. Col. 2:14, "Blotting out the handwriting of ordinances—took it out of the way, nailing it to his cross." This law he came peculiarly "to fulfill."

3. *The Judicial Law* was for the punishment of crime; to it belonged the penalties of theft, striking, killing, idolatry, profanity, blasphemy, and the like.

The design of this code was to protect both the others. Man's moral nature being so wretchedly debased, his spiritual nature dead, the moral law being addressed to the one, and the ceremonial to the other, both were often disregarded, flagrantly and wantonly violated, hence arose the necessity for a law, made, not for "the righteous man, but for the lawless and disobedient, for the ungodly and for sinners, for unholy and profane, for murderers of fathers and murderers of mothers, for manslayers—for *men-stealers*." 1 Tim. 1:9.

It could serve no purpose to address this law to the characters for whom it was made; the lawless would render it all nugatory if left to them, hence it was directed to the officers, civil and military, as its administrators, and to the people in their national capacity.

This law ceased with the nationality of the Jews, and, as an entire code, is binding on no other people. There is, however, a general equity pervading most of its requisitions, which makes it the duty and privilege of all nations to adopt the greater part of its provisions; and here lies the difficulty of our present inquiry. How much of this code is abrogated, and how much is available for practical use, under the present dispensation? A careful consideration of the use and design of the law will do much to solve

the problem. In its nature it is penal; its design is to form a defense—a kind of stone wall around the moral and ceremonial precepts. Whatever defense was needful around the ceremonial law, that law being abolished, so much of the judicial law as was based upon it falls as a matter of course. Take the following illustration, Num. 1:51, “When the tabernacle setteth forward, the Levites shall take it down; and when the tabernacle is to be pitched, the Levites shall set it up; and the stranger that cometh nigh shall be put to death.” There is now no such tabernacle, hence this precept ceases to have any object, and is abolished. Chap. 18:7, “I have given your priest’s office unto you as a service of gift; and the stranger that cometh nigh shall be put to death.” The office of priest belonged to the ceremonial law; the penalty to the judicial; but the priest’s office is now fulfilled in the great High Priest himself, and so is abolished on earth; therefore this judicial precept has no object, is fulfilled, and become a dead letter. The moral, or spiritual, or political lessons to be learned from these ancient things, is a very different affair, and foreign to our present argument, though in its proper place, of much value.

Let us now advert to the relation between the judicial and the moral law. The moral precept is, “Thou shalt not steal;” the judicial penalty we have in Ex. 22:1, &c. “If a man steal an ox or a sheep, and kill it or sell it, he shall restore five oxen for an ox, and four sheep for a sheep.” Verse 4, “If the theft be certainly found in his hand alive, whether it be ox, or ass, or sheep, he shall restore the double.” Theft is the same and ever will be; general equity requires some penalty; the penalty here prescribed meets the case, and should be adopted by every nation possessing the Scriptures. Penalties are adapted to every variety of theft. Verse 2 provides that the housebreaker may lawfully be killed, if he enter a dwelling in the night; but not so if the sun be up; and finally, if he have nothing wherewith to pay, he is to be taken and sold, not into perpetual bondage, but till his labor make restitution for his offense.

A very different kind of theft is treated of in Ex. 21:16, “He that stealeth a MAN and selleth him, or if he be found in his hand, shall surely be put to death.” Here the distinction between selling and holding is ignored, and the penalty is duly proportioned to the crime. The value of this judicial provision is just now being tested in these United States. The people of this nation have declared to the world for forty years past, that the slave trader on the high seas should die; but it remained for the present year of grace, 1862, to witness the first execution. But the slaveholder in whose hand the man is found? All the world stands aghast—ghost-stricken, at the idea of putting *him* to death. This is accounted a barbarous law, made in a barbarous age, and for barbarous people; be it so. Whenever the same barbarity recurs, why should we not revive the law of Him who is Judge of all the earth? But—my dear sir—on a planter, a gentleman, a citizen of the United States, a senator, a member of a respectable church! a Baptist deacon!! a Presbyterian minister!!! Bishop Polk!!!! All a

mistake, sir, I assure you. A slaveholder is as innocent as a—pet viper, or a boa constrictor; witness the present deeds and doings of the C. S. A. To view the matter in its calmest aspect: if, instead of Gordon, the first importer of 'Africans had been executed; and instead of Davis and Beauregard, the first slaveholders, what wretchedness, what blood, and what treasure would have been spared to all succeeding generations up to the present time? Thus we will find that the divine laws which men style barbarous, are the very embodiment of mercy, because they furnish a circumvallation to the perfect law of liberty. Men become barbarous where these laws are neglected, not where they are observed.

We are now ready for the question, By what rules can we determine which precepts are of a ceremonial, and which of a moral nature? Few persons have any rule at all on this subject. The following will be found of much practical utility:

1. *Some institutions are formally noted in the New Testament as being superseded.*

CIRCUMCISION is one of these. Acts 15: 24, "Forasmuch as we have heard, that certain who went out from us, have troubled you with words, subverting your souls, saying ye must be circumcised and keep the law," &c. Here we have the repeal of a certain *law* in general, and circumcision in particular, as the badge of keeping that *law*. So also, Gal. 5: 2, "If ye be circumcised, Christ shall profit you nothing."

THE PASSOVER, although not so explicitly, yet is sufficiently set aside, as we read in 1 Cor. 5: 7, "Christ *our* passover is sacrificed for us." This passage indicates that Christ having fulfilled that institution, comes to *us* in its stead; and of course it is abrogated to all who behold the Lamb of God.

THE PRIESTHOOD. The change of priesthood occupies the greater part of the Epistle to the Hebrews, and the object of the argument from Ps. 110, is to show not only that there is a new Priest, but a new *order* of priesthood, one vastly superior to the Aaronic, and intended to stand forever; by this the ancient priesthood and all its laws are fulfilled and done away.

Now observe, we find nothing of this kind in relation to the moral precepts, or the penalties annexed to them, but rather the reverse. Matt. 23: 2, "The scribes and Pharisees sit in Moses' seat (not Aaron's), all therefore whatsoever they bid you observe, that observe and do; but do not after their works, for they say and do not." Besides being a prophet to reveal the will of God, Moses was a civil ruler, a judge in Israel. Ex. 18: 6, "When they have a matter, they come to me, and I judge between one and another." Deut. 33: 4, "Moses commanded us a law, and he was king in Jeshurun." Aaron's seat was vacated at the death of Christ, but the seat of Moses was occupied while the city of Jerusalem stood; and all righteous rulers, whether legislators or judges, occupy much the same place.

2. *Some things were peculiar to the promised land and the inheriting of it.* Lev. 25: 23, "The land shall not be sold forever, for the land

is mine; for ye are strangers and sojourners with me." The whole earth is the Lord's, yet he claimed a special proprietorship in that portion of it given to Israel. To this connection belongs the marrying of a deceased brother's widow, and of an heiress marrying only in her own tribe. The former of these laws the Jews called *yebam* (יבם), and at the present day consider it a heavy grievance. To the same connection belongs the Sabbatical year, the Jubilee, the fruit of the trees in the first four years, with many other agricultural regulations, "the shadow of things to come." On the other hand, the crimes of idolatry, false-swearing, and blasphemy, of theft, murder, and man-stealing, have nothing in them peculiar to any country, nothing shadowy about them; they are the veritable substance of Satan's kingdom, and their penalties are therefore still in force, are needful now, and ever will be till his dominion is eradicated from the earth.

3. *Whatever belonged exclusively to the Priesthood or depended on any abolished institution, is itself Ceremonial, and abolished.* This rule is drawn from Heb. 7:12. For the priesthood being changed, there is a change of necessity in the law. *This necessity* for change could affect no law except that which belonged to the priesthood. In civil matters the old maxim is, "New lords, new laws." Just so here in ecclesiastical affairs. The New Testament introduces not simply a new Priest, but a whole priesthood, and that too of a very different tribe from Levi; of Judah, "of which tribe Moses spake nothing concerning priesthood." Sacrificing belonged to the priests, but the priests of that order are done away, and of necessity the sacrifices of that order. We have a Priest, we have sacrifices, we have an altar; but these are wholly of a different kind from the ceremonial. Heb. 10:8 (quoting the 40th Psalm), "Above when he said sacrifice and offering . . . thou wouldest not . . . which are offered by the law; then said he, Lo I come to do thy will, O God. He taketh away the first (the ceremonial observances), that he may establish the second (that *will* by which we are sanctified)." Let us try the application of this rule. Lev. 23, is "concerning the feasts of the Lord," the passover, the pentecost, and the feast of tabernacles. Are all of these abolished or not? It has already been shown by another rule, that the passover is abolished, and in each of the three, we find an offering made by fire; now this belonged exclusively to the priesthood, but the priesthood itself being abolished, the sacrifices must cease, and all the solemnities depending on them fall together, "of necessity." Let us make another trial. Lev. 24:17, 18, "He that killeth any man shall surely be put to death. And he that killeth a beast shall make it good; beast for beast." Here we find nothing of the priesthood; both are merely civil affairs. One of these judicial precepts is given to protect the sixth commandment, the other defends the eighth; these being moral in their nature, the penalties are valid, belong to general equity, and should form part of the civil code of every Christian nation.

We may now advert to a more complicated case, the cities of

refuge. Num. 35: 13, &c. Is this a ceremonial, a shadowy provision? On the one hand, we observe that it is a guard to the sixth precept of the decalogue; it concerns the life of man; this would argue its moral nature, general equity, and perpetuity. On the other hand, there were but six cities—three on the east side of Jordan, and three on the west,* and these were cities of the Levites. So beautifully do they shadow forth the great Refuge of sinners, that they seem to be ceremonial rather than moral. Might they not be both? A glance at our rule clears the whole matter; they were connected with the priesthood, and that being changed, there is of necessity a change also of the law. Num. 35: 25, "The congregation shall deliver the slayer out of the hand of the avenger of blood, and the congregation shall restore him to the city of his refuge, whither he was fled; and he shall abide in it till the death of the high priest, who was anointed with the holy oil." See also v. 32. It was, then, partly ceremonial, and in form it is abolished; yet in so far as it was a rebuke for homicide, even accidental, all nations should, as they find occasion, adjust their statutes by the principle involved. How many accidental (?) deaths might have been prevented during the first half of the present century, by stringent regulation of steam boats? How many lives might have been saved, of late years, on our western waters, by improved legislation? and yet there is room for advanced legislation in other departments of business.

This rule will be found in practice, a very convenient, and at the same time, a very comprehensive one. These three rules in connection with the known and acknowledged principles of morality, will solve, we think, every case; leaving little if anything more to be desired on this extensive and important subject.

It remains now to notice some of the provisions of the judicial code to which objections are constantly made, although they confessedly belong to moral law.

Every sciolist in law objects, at first sight, to the *lex talionis*—"an eye for an eye, and a tooth for a tooth;" yet it embraces the *only* principle on which a judge can administer justice. This law is recorded in Ex. 21: 23—Lev. 24: 19—Deut. 19: 16 to 21, and embraces three cases, accidental damage, willful injury, and false testimony; the accidental damage, however, is of such a peculiar kind as to put it on a par with the other cases. This law directs the magistrate how to dispose of them all. The Jews had applied this to individual and personal revenge, perverting by their *sayings* the application of the law. Our Redeemer, in Matt. 5: 38, is not treating of the statute *as it is written*, but only as "it hath been said." The law of the Old Testament required kindness to an enemy precisely as the New does. Ex. 23: 4, 5, required the Israelite, if he found his enemy's beast straying, to bring it back; if lying under its burden, to help him in raising it up. 2 Kings 6: 22, "Let them eat and drink, and go to their masters." Prov. 25: 21, "If thine en-

* Brown of Haddington says, "They were commanded to add to these when their territories should be enlarged." But I confess I cannot find the place in my Bible. See his Dictionary, under *Refuge*.

emy be hungry, give him bread to eat; and if he be thirsty, give him water to drink;" v. 22, "for thou shalt heap coals of fire on his head, and the Lord shall reward thee." See also Ps. 7:4. But if a case must come before the judge, he must do justice. Common sense and Scripture agree that justice is a compensation for the damage; and this is expressed here in the best possible language. For first, the question suggested in court is not exclusively, What has the complainant lost? but also, What would the defendant *take* for a voluntary submission to the same injury? and, What would he *give* in order to avoid the same? These three questions afford much help in making up the award. (No jurist dreams of the possibility of administering the law literally. A live eye or tooth cannot be transferred from one possessor to another. See Shakespeare's Shylock.) Again, this form of expression helps much to reconcile both the parties to the award. Say an eye is lost, and the court awards \$500 damages; the plaintiff is much dissatisfied. Well, says the judge, would his eye, taken out, be of more value to you? No, answers the plaintiff; I lost a live eye, and a dead one is worth nothing. The judge responds, All the powers of earth cannot restore you a live eye; \$500 from a poor man to a poor man, is worth something, unless you prefer the dead eye for revenge. Let the award be \$5000, and the defendant is amazed at so large a sum. All right, says the judge; will you give *your* eye rather than pay the sum? Again, set the award at \$2000, and both parties appeal, equally dissatisfied, yet each can see that it is vastly better to abide the decision, than to gouge the eye. The law meets all the cases that can be raised by all the Shylocks; it is perfect in its principles, in its authority, in its very form of enunciation.

It is objected to many of the penalties, that they are too severe, that an air of harshness pervades the code, and the death penalty comes too often; that in fact the judicial law was made for a barbarous people in a barbarous age, and not fit for Christian nations. (1.) Suppose we admit for the time, that it was made for a barbarous age and people, still, as we have observed before, why do these laws not suit us in the present day? Are we a Christian nation or not? What are our mild laws? While I trace these lines, I read that they (we) are making enormous preparations for casting cannon at Pittsburgh, to carry a fifteen inch ball, an era in the history of ordnance. Cannon of larger bore have, to be sure, been cast, but not for such execution. Mild, Christian, cannon, powder, ball, to pierce a mild, Christian, ironside, breathing mild, Christian, fire and brimstone, under the teaching of the mild, Christian, Palmers and Thornwells, with their duplicate Ds. Why is there in *one section* of this mild, Christian nation, 600,000 men in the field, and 200,000 off the field, some to the grave, and some to the hospital? Why is there a like force in the other section, brother against brother, heaping up the coals of fire on the head? The answer is too plain. We are too barbarous to administer in proper time the divine law to the man-stealer. (2.) The objector has never examined the entire structure of the judicial code. When

all is taken together, there is not even the *appearance* of harshness. There is one principle which pervades every statute of it, which unhappily no objector can be persuaded to read; it is contained in Num. 15:27-30, "If any soul sin through ignorance, then he shall bring a she-goat of the first year for a sin-offering. And the priest shall make an atonement for the soul that sinneth ignorantly, when he sinneth by ignorance before the Lord—and it shall be forgiven him.—But the soul that doeth aught presumptuously, whether he be born in the land, or a stranger, the same reproacheth the Lord; and that soul shall be cut off from among his people." For the sin of ignorance there was a church censure, because the Lord's law was infringed, and because the ignorance itself was sinful; but there was no penalty. It was different with the presumptuous transgressor; for him there was a penalty, but no sacrifice—no church censure. In the same chapter, immediately after the law, comes up the case of the Sabbath breaker, who was stoned to death, "as the Lord commanded Moses." It is evident that his was not a mere incidental offense; he was a presumptuous offender, a rebel; and mercy required that he should suffer, as a warning to others. Query, What is the penalty of rebellion in the present advanced state of jurisprudence? Let the rifles, the sabres, the minnie balls, the columbiads, the shells, the mortars, the Monitors, &c. return the mild reply. (3.) The judicial law presents to us the true end of civil penalties—not revenge, neither yet the reformation of the offender, but that others may hear and fear, and do no more presumptuously. See Deut. 13:11, and 17:13, and 19:20, and 21:22. Mercy then is combined with justice in pardoning sins of ignorance; in making restitution to the injured; in giving the fullest possible security to life, liberty and property; in warning the simple against rebellion. This law shows how far a government *may* go; if milder treatment will secure the objects designed, it is well; but these penalties *must* be inflicted, if needful, for securing the objects desired, that nations may be prospered, and that God may be glorified.

R. H.

GROVE HILL, June, 1862.

 SELECTED.

THE AMERICAN CIVIL WAR.

WHILST we are commanded to make the Word of God "the man of our counsel," to take it for "a lamp to our path," and to appreciate it more than gold or honey from the comb, we are no less enjoined to study and to admire his works. The naturalist, the physiologist, the anatomist, the chemist, the astronomer and the geologist, are imitating Moses, and David, and Solomon, if they conduct their researches into the wonderful works of God with a similar spirit of adoring piety. Nor is the study of God's exhibitions of wisdom and goodness to be confined to his word and his works of creation. His works of