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Torah As Constitution 2002

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In our generation, we have witnessed a profound growth and expansion of the Messianic movement. Not only have many Jewish people come to a saving knowledge of Yeshua the Messiah, but many non-Jewish Believers have embraced the richness of their Hebraic Roots and heritage in Israel. Many Believers are undeniably awakening to the deep truths of the Torah. Each of us must be disciplined in our Bible study as we apply the Torah's *mitzvot* (מִצְוֹת) or commandments to our lives. We must seek to have a healthy reading of the whole Bible, Genesis to Revelation, in its ancient context and setting. As we do this, issues often pop up that require a little bit of targeted attention.

One area that receives some discussion, in various parts of the Messianic movement, is whether or not the five books of Moses (Genesis, Exodus, Leviticus, Numbers, Deuteronomy)—which we usually refer to as **the Torah**—should ever be called **the Law**. A statement that can be heard from time to time in our Messianic faith community, is: *The Torah is teaching. The Torah is not the law*. It is said that Torah just means Teaching or Instruction, and should never be referred to by the term law.

We should all agree with the fact that *torah* (תּוֹרָה) **must**, as far as our *individual selves* are concerned, be viewed as *personal* teaching or instruction. Was it God's intention to codify a listing of rules and regulations that His people would follow legalistically out of some kind of forced obligation? No. The essence of the New Covenant is that "I will put My Teaching into their inmost being and inscribe it on their hearts. Then I will be their God, and they shall be My people" (Jeremiah 31:33, NJPS; cf. Hebrews 8:10; 10:16).

However, even when we believe that the Torah is Teaching or Instruction, there is still one issue that remains: Why is the Torah frequently referred to as the Law? Concerning the definition of *torah* (תּוֹרָה), the *BDB* lexicon, one of the most widely used for meanings of Hebrew words, says that *torah* means "direction, instruction, law,"¹ leaving some things open for discussion concerning the application of *torah* in theology. It references that the Hebrew word *torah* is derived from the root *yarah* (יָרָה), meaning "throw, shoot," "lead, guide," and "teach."²

¹ *BDB*, 435; cf. *HALOT*, 2:1710-1712; *CHALOT*, 388.

² *Ibid.*, 434.

Torah Translated as *Nomos*

In the Greek Septuagint, the Hebrew word *torah* (תּוֹרָה) was translated with the Greek word *nomos* (νόμος). (Be aware of how νόμος is pronounced properly as *nōmōs*, with a short ō sound. It is more common, although incorrect, to hear it pronounced with a long ō sound, although the *omicron* [o] and not the *omega* [ω] is the vowel used.) *Nomos* is a term that in its strictest sense means “law,” but such law need not always be Biblical instruction. It can also be representative of extra-Biblical Jewish Talmudic rulings, Greek or Roman civil code, and can be indicative of laws of nature that govern the universe. L.A. Jervis indicates in the *Dictionary of New Testament Background* how “The Greek word usually rendered ‘law’ by the translators of the NT is *nomos*. This word meant both ‘law’ and ‘custom’ and so could refer to the laws of a society and to that society’s habits and customs.”³ *Nomos* (νόμος) can also be used in speaking of spiritual laws, more clearly defined as spiritual constants, which may be viewed as something like the law of sin and death or the law of the spirit of life (cf. Romans 7:6; 8:2).

Many evangelical Christians’ apprehension, to following the Torah as today’s Messianics do, is based on some misunderstanding of the concept of “law.” The problem can be compounded by some Messianics who say that *nomos* was an improper rendering of *torah*, because *nomos* does not strictly mean “teaching” or “instruction.” Certainly, one can recognize the fact that “law” has a bad connotation among many people. But then again, being called “lawless” is not a compliment that most Christians like having directed at them.

The usage of *nomos* (νόμος) for *torah* (תּוֹרָה) dates back to three centuries before Yeshua, with the Jewish scholars who produced the Greek Septuagint (LXX) translation of the Hebrew Tanach. According to tradition, seventy translators were split up in separate rooms and they each translated the entire Torah into Greek. When they compared their translations, it is said that they were all the same—and many believed that this translation was inspired of God. Whether what we now call the Septuagint is inspired, to such an extent or not, is unimportant here. What is important here is that the LXX rendered the Hebrew term *torah*, teaching or instruction, as *nomos*, or law. The usage of *nomos* representing the Torah of Moses was carried over into the Greek Apostolic Scriptures or New Testament, which many, Messianic and Christian alike (especially me), believe is inspired of the Holy Spirit.

Was this rendering of *nomos* for *torah* a mistake? Some of today’s Messianics would brazenly say yes. Some would say that *nomos* brings with it the idea of strict law, rules and regulations, and it presents a God who is more concerned about strict obedience by His subjects rather than delivering loving instructions to His children. However, the historical background behind this suggests otherwise. The *Encyclopaedia Judaica*, under its entry for “Torah,” indicates how “The Septuagint rendered the Hebrew *torah* by the Greek *nomos* (‘law’) probably in the sense of a living network of traditions and customs of a people.” However, this same entry goes on and says, “The designation of the Torah by *nomos*, and by its Latin successor *lex* (whence, ‘the Law’), has historically given rise to the

³ L.A. Jervis, “Law/Nomos in the Greco-Roman World,” in Craig A. Evans and Stanley E. Porter, eds., *Dictionary of New Testament Background* (Downers Grove, IL: InterVarsity, 2000), 632.

sad misunderstanding that Torah means legalism.”⁴ Jewish Bible scholar Pamela Eisenbaum further summarizes,

“That Greek-speaking Jews chose to use *nomos* as the equivalent for Torah should not be taken as an indication of a lack of spiritual fervor or that Jews were becoming more ‘legalistic’ in the postbiblical period. It is likely that Hellenistic Jews found *nomos* the most appropriate or natural equivalent because it expressed a quality highly valued throughout the Mediterranean at the time. Both the Greeks and the Romans placed a very high value on ancestral tradition and the rule of law. That Jews described Torah as an ancient constitution, which they cherished, carefully preserved and protected, and to which they strictly adhered, indicates they were presenting themselves as a society that was credible and comprehensible to Greek and Roman rulers, elites, and intellectuals. Ancient Jewish writers also portrayed Torah not just as one particular constitution, but as one founded on universal principles and in which the noblest ideals of human communal life are embodied. Torah contains the ultimate system of morals and values because its origin is divine; it was given to the ancient Israelites by God via Moses.”⁵

The term “law” has never had a negative connotation within Judaism. While the terms “Torah” or “Teaching” may be preferable or more commonplace, you will find the term “law” used in Jewish translations of the Tanach, as well as many Jewish commentaries.

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Placing the Septuagint’s usage of *nomos* (νόμος) for *torah* (תּוֹרָה), in an ancient historical setting is important, as the Greek LXX would be used to spread a message about the Holy One of Israel to many people in the Greek-speaking world, before the arrival of the Messiah. With the Tanach transcribed into Greek, many Greeks and Romans came to a knowledge of the One True God, and it paved the way for the spread of the gospel message. This is self-evident by the fact that there were many Greek proselytes and God-fearers in the Jewish synagogues in the Mediterranean basin, as witnessed throughout the Book of Acts.

The Jewish translators of the Septuagint, undoubtedly wanted to show the pagan Greeks the awesomeness of the God of Israel and of His Torah. In rendering the Hebrew term *torah* by the Greek term *nomos*, they used a word that many of the Greeks were highly respectful of. The five books of Moses composed the *nomos* of Israel, the living, breathing collection of principles, instructions, and directions for how to conduct oneself and one’s community properly—in obedience to the Creator God.

Ancient Greece itself was made up of various city-states, each one known as a *polis* (πόλις). Each *polis* had an official known as a *nomothetēs* (νομοθέτης) or a “lawgiver,”⁶ whose job it was to transcribe and enforce the *nomos* (νόμος) or “law” of that city-state. Historian Oswyn Murray comments, “The figure of the lawgiver (*nomothetēs*) is a response to this double need to curb the power of the aristocracy and maintain the force

⁴ Louis Isaac Rabinowitz, “Torah,” in [Encyclopaedia Judaica. MS Windows 9x](#). Brooklyn: Judaica Multimedia (Israel) Ltd, 1997.

⁵ Pamela Eisenbaum, *Paul Was Not a Christian: The Original Message of a Misunderstood Apostle* (New York: HarperCollins, 2009), 83.

⁶ Cf. James 4:12.

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of customary law. The lawgiver was chosen from among the class of experts, and could therefore be given absolute power to establish a written code."⁷ The *nomos* of the Greek city-state would not at all be "rules and regulations" to be rigidly mandated onto people, but would rather compose the principles that would govern the city, establish an identity for the people, and be concerned with matters of justice. *The nomos would be the constitution.* The *Vine* lexicon indicates that "*nomos* became the established name for 'law' as decreed by a state and set up as the standard for the administration of justice."⁸ The *nomos* would help to establish the government, which would in turn be able to provide for the order and well-being of the people.

In the Apocryphal book of 2 Maccabees, a related term to *nomos*, *nomimos* (νόμιμος), "conformable to custom, usage, or law, customary, prescriptive, established, lawful, rightful" (*LS*),⁹ is used in a depiction of some of the terrible things that occurred during the crisis that ensued, as the identity of the Jewish people was attacked and subverted:

"And the royal privileges granted special favour to the Jews by the means of John the father of Eupolemus, who went ambassador to Rome for amity and aid, he took away; and putting down the **governments** [*politeias*, πολιτείας] which were according to **the law** [*nomimous*, νομίμους], he brought up new customs against the law" (2 Maccabees 4:11, LXE).

This chapter of 2 Maccabees tells us that a Jewish leader named Jason (2 Maccabees 4:10) was responsible for bringing in specific Greek customs and cultural practices (2 Maccabees 4:12-15), which later resulted in sacrifices to pagan gods and apostasy. The source text itself of 2 Maccabees 4:11 indicates something very interesting. 2 Maccabees 4:11 tells us that Jason put down the Biblically mandated form of government derived from God's Law, and brought in anti-Torah practices. The RSV translates it with, "he destroyed the lawful ways of living and introduced new customs contrary to the law."

The Greek term *nomos* (νόμος) or its cognates, do not communicate any negative idea. *Nomos*, representative of God's Torah, is designed to communicate the idea of government, of constitution. Such a constitutional perspective, of the Torah or Law of Moses, was something that was surely opposed by the Syrian-Greeks during the Maccabean crisis of the Second Century B.C.E. Yet, the very promise indicated in 2 Maccabees 2:18 is, "as he promised through the law [*dia tou nomou*, διὰ τοῦ νόμου]. For we have hope in God that he will soon have mercy upon us and will gather us from everywhere under heaven into his holy place, for he has rescued us from great evils and has purified the place" (RSV). Israel will one day be restored, as is promised in His Law.

How important is it to view the Torah as the *nomos*/constitution of God's people? Recognizing the association of *nomimos* with *politeia* (πολιτεία) in 2 Maccabees 4:11 is useful, because of another important location where *politeia* appears. In Ephesians 2:12 the Apostle Paul writes the non-Jews in Asia Minor, that prior to saving faith, that they "at that time [were] separate from Messiah, excluded from the commonwealth of Israel, and strangers to the covenants of promise, having no hope and without God in the world."

⁷ Oswyn Murray, *Ancient Greece*, second edition (Cambridge, MA: Harvard University Press, 1993), pp 181-182.

⁸ W.E. Vine, *Vine's Expository Dictionary of New Testament Words* (Nashville: Thomas Nelson, 1980), 354.

⁹ *LS*, 534.

The CJB renders this admonition with, "You were estranged from the national life of Isra'el." Prior to knowing Israel's Messiah, they were not a part of *tēs politeias tou Israēl* (τῆς πολιτείας τοῦ Ἰσραήλ). The term *politeia* not only means "the right to be a member of a sociopolitical entity, citizenship," but also "behavior in accordance with standards expected of a respectable citizen, way of life, conduct" (BDAG).¹⁰ Attaining citizenship within the Kingdom of Israel via Messiah faith is not enough; it must be followed by the appropriate conduct which responsible citizens are expected to demonstrate.¹¹

Only in post-Apostolic Christianity will you really find the idea that "law" was apparently something that was bad, such as in the context of the Torah being "rules and regulations" designed to bring Ancient Israel into (hopeless) bondage. But even the idea of the Torah being instructions or directions, or more specifically *instructives or directives*, can be viewed in a negative light. The same is also true with law. It can be viewed as "rules and regulations," or it can be viewed as *constitution*: the ruling precepts of a government designed to bring justice to a people or society.

It was never the intention of the Jewish translators of the Septuagint to render *torah* as *nomos*, so as to imply that the Torah should be viewed as burdensome regulations and dictates. Rather, it was probably their intention that the Torah should be viewed as the constitutional law of the community of Israel—something to be looked at in a very positive sense. All Messianic Believers today, when encountering the term "law" in their English Bibles, need to similarly adopt the perspective that the Torah serves as the constitution of God's people Israel. Such Instruction is intended to one day herald a complete reign of global peace, with the Messiah enthroned as King over Planet Earth (Micah 4:1-3; Isaiah 2:2-4).

Responsibly Approaching the Usage of "Law"

For a variety of reasons, not all of today's Messianic Believers approach the Greek term *nomos* (νόμος) from the perspective of *torah* (תּוֹרָה) serving as the constitution of God's people. On the contrary, some Messianics have been told to approach the term "law" with a great deal of negativity, with a few even taking their various English Bible versions and crossing out the term "law," and replacing it with "Torah." **But this is very ill-advised.** Due to the varied usages of the term *nomos* in the Greek Apostolic Scriptures, it would be irresponsible of any Messianic person to simply cross out the word "law" in their New Testament translation and write in "Torah." This can actually create more problems than offer solutions, because sometimes *nomos* does not refer to the Torah of Moses. Context always determines how *nomos* is to be properly applied.

Believe it or not, today's Messianic Believers also need to be a bit more conscious of how they use a term like *torah* (תּוֹרָה), specifically "Torah" without the definite article "the." In much of contemporary Judaism, *torah* does not always refer to the five books of Moses, but also is intended to include the oral instruction of the Jewish Sages as

¹⁰ Frederick William Danker, ed., et. al., *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*, third edition (Chicago: University of Chicago Press, 2000), 845.

¹¹ For a further discussion on Ephesians 2:11-13; 3:6, consult the publication *Are Non-Jewish Believers Really a Part of Israel?*, as well as the commentary *Ephesians for the Practical Messianic*, both by J.K. McKee.

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principally seen in literature like the Mishnah or Talmud. This necessarily requires today's Messianic Believers, who do not consider the Oral Torah to have Divine inspiration and authority, to not exclusively use a term like *torah* in teaching and conversation, and employ a selection of valid synonyms.

While it is likely that today's Messianic movement, in describing the instruction of the five books of Moses, will use the term *torah* (תּוֹרָה) the most, we should not at all be fearful of also speaking of "the Law of Moses." One certainly needs to have a comfort level in reading and using the term "law" for the Torah, if you hope to be able to reasonably engage with Jewish and Christian Bible scholarship. Likewise, we should also be able to use terms like *Chumash* or Pentateuch, which simply mean "book of five."

With my various writings, you will encounter a variety of terms used to describe *torah* (תּוֹרָה). This includes the rather common terms: the Torah (of Moses), the Law (of Moses), as well as the Pentateuch (the five books of Genesis-Deuteronomy). Another description I have learned to employ is taken directly from John Goldingay's *Old Testament Theology: Israel's Gospel*, where he has been most helpful by frequently using the terminology: Moses' Teaching.¹² This is a rather useful and valid term to use for English speakers, for whom only having to use the labels Torah and/or Law can get a little tedious and tiresome at times.

I personally prefer to alternate between Torah, the Law, Moses' Teaching, and Pentateuch. Regardless of which is used, I am most concerned that today's Messianic Believers are allowing themselves to be guided, informed, and molded by the supernatural nature of God's commandments. Such Instruction is to serve as the constitution of the Kingdom of God, and is to teach us about the righteousness and holiness of our Creator.

¹² Goldingay, *Old Testament Theology: Israel's Gospel*, pp 27, 29.