

An Ode to Law

B Lent 3--Ex 20:1-17, John 2:13-22

There's an old adage that the minister's job is to preach with the newspaper in one hand and the Bible in the other. And I must say that as I sat down to work on my sermon this past Thursday, the New York Times online did offer some pretty enticing material--and not just because anything else becomes enticing when it's time to write. The first headline, and picture on the site, featured the fatefully named Bernard Madoff, heading into court to plead guilty to having "made off" with billions of dollars of other people's money in what may be the largest Ponzi scheme in history.ⁱ The victims include not just banks and financial types, but universities, community foundations, charitable organizations, even a health system. The second article, just below the one on Madoff, made it clear that this is not just a case of one bad apple. It reported that "State attorneys general are preparing for a surge of prosecutions of financial fraud."ⁱⁱⁱ And that was just the *financial* news on the *front page* on *Thursday*! Everywhere we turn, it seems, our cultural landscape is littered with examples of an ethic that says cheating for financial gain is okay--from doping scandals in sports to taxpayer-funded, multi-million-dollar executive bonuses to the massive fraud perpetrated by contractors in Iraq.

Well, there are many causes for this problem of greed gone rampant, this systemic practice of financial sleight-of-hand and the incredible damage it has inflicted. But certainly a major cause has been a failure of regulation, a failure of law. When boards of directors are friends and colleagues of the CEOs they are supposed to hold accountable, when the government hands out no-bid contracts, when regulators adopt a don't-ask-don't-tell policy--in short, when no one is setting and maintaining limits on behavior,

things get out of hand. It's just a fact of human social psychology. People like Madoff are merely a more genteel and massively more damaging version of the looting that ordinary people do during riots or natural disasters when the law is unable to stop them.

So that's the newspaper. How about the Bible readings for this Sunday? Hmm. Well, we have Jesus throwing the merchants and money-changers out of the Temple. Now these were people who made money by exchanging currencies and selling animals that visiting pilgrims, many of them poor peasants, needed to make the proper sacrifices at the Temple. The exchange rates and mark-ups were probably outrageous, which is no doubt what upset Jesus so much. So we have first-century money-changers in the Temple, gouging and fleecing the people apparently with no regulation or legal consequences. And we have twenty-first century money-changers on Wall street, gouging and fleecing the people apparently with no regulation or legal consequences, at least until recently. Same crime, different millennium.

Finally there's our text from Exodus: the ten commandments, the giving of the law by God to Moses for all the people to follow. Now this is interesting. The problem of poorly enforced law and rampant law-breaking runs from our gospel reading right onto the front page of the paper. And the divine prescription for this problem comes to us from our Old Testament passage--especially commandments eight, nine, and ten against stealing, false witness, and covetousness respectively.

Now, look, I'm aware that the law of the Old Testament often gets a bad rap in Christian circles, or at least suffers from benign neglect. There are a variety of reasons for this: some laws simply do not translate to modern times, others have been used selectively as weapons in the culture wars, and of course as Christians we are all about

how the tyrannical and impossible-to-follow law drives us into the waiting arms of grace, where we can all join hands and sing "What a Friend We Have in Jesus!"

But the scholar Terence Fretheim reminds us that the law is not God's way of throwing a wet blanket over the party. It is, in fact, "a gracious gift of God for the sake of the life, health, and well being of individuals in community." It "preserves life" and "promotes good,"ⁱⁱⁱ and God gives it to the people of Israel in the context of God's loving, covenantal relationship with them.

I'm reminded of some friends Nan and I have, a couple who have a very willful little kid. This child can pitch a fit like you wouldn't believe (and I have one of those myself, so I'm very sympathetic). And the parents have been sort of indecisive about how to respond to the clear anxiety and neediness that is fueling this child's behavior, you know, whether to offer love and attention, or limits and consequences. So they took this kid to a therapist, and after a couple of sessions, they told me, she said to them, "You know, you really can set some limits with this child. He won't break. He's not that fragile. In fact, he is looking for those limits, because it scares him to think that he might actually have the power to hurt you or set the terms with you, who are supposed to be the parents. So set up some kind, firm, consistent rules, and follow through with reasonable consequences. Really, it's a way to show him love."

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And you know, that therapist is right. What's more loving than to give your kid the tools to avoid becoming the kind of "business leader" we are reading about in the news these days--the kind that skims a \$40 million bonus from a taxpayer bailout for the company he has driven into financial ruin? So really, as Fretheim points out, as our daily

news illustrates, as the Bible tells us, we *need* the law, and not just because it drives us to grace. We need an accountability to "you shall not steal" and "you shall not bear false witness" and "you shall not covet." We need to rebuild a culture that places limits on acceptable behavior, and provides consequences for breaking those limits. Not punishment, not revenge, not scapegoating, but natural consequences that remove someone from being able to continue damaging others. Consequences that protect the welfare of the many from the selfishness or destructiveness of the few. That's what it means to be in community. That's what it means to live as the people of God.

ⁱ This headline and image accessed at 11:30 am on 3/12/09 at <http://nytimes.com/>. The article is at <http://www.nytimes.com/2009/03/13/business/13madoff.html?hp>.

ⁱⁱ <http://www.nytimes.com/2009/03/12/business/12crime.html?hp>.

ⁱⁱⁱ <http://www.workingpreacher.org/preaching.aspx> accessed at 11:30 pm on 3/12/09.