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## A HISTORY OF THE NEW TESTAMENT CHURCH

“Micah’s Prophecy: A Prologue to the New Testament”<sup>1</sup>

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by

Roderick O. Ford, Litt.D., LL.D.

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<sup>1</sup> Roderick O. Ford, *The Apostolate Papers* (unpublished research papers, 2015 to 2022). [www.roderickford.org](http://www.roderickford.org).

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Roderick O. Ford, D.Litt. (Law & Religion)



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<sup>2</sup> Roderick O. Ford, *The Apostolate Papers* (unpublished research papers, 2015 to 2022). [www.roderickford.org](http://www.roderickford.org).

## Introduction

The Prophet Micah lived during the 8<sup>th</sup> century, BC, and he, together with the Prophet Hosea, the Prophet Amos and the Prophet Isaiah, preached during a time of material prosperity in the kingdoms of ancient Judah and Israel.

Significantly, these prophets' exhortations were directed towards both civil and political entities— i.e., the kingdom of Judah; the kingdom of Israel; and (or) the city-states, dominions and kingdoms of the Gentiles. And these exhortations were not simply “religious” but they were also “constitutional” in nature.<sup>3</sup> Indeed, the unique role of the prophet was that of “constitutional interpretation,”<sup>4</sup> that is to say, the interpretation of the *Torah* (i.e., “the domain of the keter torah”).<sup>5</sup>

When Micah preached, Jothan, Aha and Hezekiah reigned as kings in the southern kingdom of Judah.

Micah was active in Judah from before the fall of Israel in 722 BC and experienced the devastation brought by Sennacherib's invasion of Judah in 701 BC. He prophesied from approximately 737 to 696 BC.[citation needed] Micah was from Moresheth, also called Moresheth-Gath, a small town in southwest Judah. Micah lived in a rural area, and often rebuked the corruption of city life in Israel and Judah. The subject's father is not given and likely descended from the common people as the target of his message was towards the privileged classes.

Micah prophesied during the reigns of kings Jotham, Ahaz, and Hezekiah of Judah. Jotham, the son of Uzziah, was king of Judah from 742 to 735 BC, and was succeeded by his own son Ahaz, who reigned over Judah from 735 to 715 BC. Ahaz's son Hezekiah ruled from 715 to 696 BC. Micah was a contemporary of the prophets Isaiah, Amos, and Hosea. Jeremiah, who prophesied about thirty years

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<sup>3</sup> Daniel J. Elazar, “Dealing with Fundamental Regime Change: The Biblical Paradigm of the Transition from Tribal Federation to Federal Monarchy Under David,” *Jerusalem Center for Public Affairs* (Elazar Papers Index) <https://www.jcpa.org/dje/index-apc.htm>

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

after Micah, recognized Micah as a prophet from Moresheth who prophesied during the reign of Hezekiah.<sup>6</sup>

Micah's prophesy provides a very descriptive account of the sins of ancient Judah, during the late 8<sup>th</sup>—and early 7<sup>th</sup> centuries, BC, to wit:

- The rulers demand gifts—Micah 7:3
- The judges accept bribes— Micah 3:11; 7:3
- The merchants attain ill-gotten treasures through means of unjust scales and false weights— Micah 6: 10-11
- The oppressors covet fields and seize them— Micah 2:2
- The oppressors covet houses and take them— Micah 2:2
- The oppressors defraud and cheat men out of their homes and take away their inheritance— Micah 2:2
- The priests teach for money or a price— Micah 3:11
- The prophets tell fortunes for money— Micah 3:11
- One's neighbors cannot be trusted—Micah 7: 5
- “[A] man's enemies are the members of his own household” — Micah 7:7

In a word, the people of ancient Judah, who lived during Micah's time, refused to heed sound doctrine, developed a callous indifference toward morality and truth, and had given into their immediate desires for wealth and pleasure notwithstanding the fact that these were attained, and maintained, through oppression, bribery, and corruption.

Like his contemporaries Amos, Hosea, Isaiah, the Prophet Micah spoke about “the last days” when God would reestablish the “remnant” of ancient Israel, through a promised ruler from Bethlehem Ephrathah.

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<sup>6</sup> “Micah,” Wikipedia (online encyclopedia): [https://en.wikipedia.org/wiki/Micah\\_\(prophet\)](https://en.wikipedia.org/wiki/Micah_(prophet)).

## Chapter One

### “The Messiah would come from Bethlehem”

In the Prophet Micah’s writings, we find the prophecy that the Messiah would be born in Bethlehem:

‘But you, Bethlehem Ephrathah,  
though you are small among the clans of Judah,  
out of you will come for me  
one who will be ruler over Israel,  
whose origins are from of old,  
from ancient times’

Therefore Israel will be abandoned  
until the time when she who is in labor bears a son,  
and the rest of his brothers return  
to join the Israelites.

He will stand and shepherd his flock  
in the strength of the Lord,  
in the majesty of the name of the Lord his God.

And they will live securely, for then his greatness  
will reach to the ends of the earth.

And he will be our peace...<sup>7</sup>

In the Gospel of Matthew, more than six hundred years later, this prophecy was mentioned to King Herod the Great, who had inquired where the Messiah would be born:

When he had called together all the people’s chief priests and teachers of the law, he asked them where the Messiah was to be born.

“In Bethlehem in Judea,” they replied, “for this is what the prophet has written:

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<sup>7</sup> Micah 5: 2-5 [NIV].

“But you, Bethlehem, in the land of Judah,  
are by no means least among the rulers of Judah;  
for out of you will come a ruler  
who will shepherd my people Israel.’[a]”

Then Herod called the Magi secretly and found out from them the exact time the star had appeared.<sup>8</sup>

More than six hundred years later, the conditions in ancient Judah (then called Judea) had grown progressively worse under the conditions of the geopolitics, whereby the kingdom of Judah was reduced to a province of the Persian, Greek, and Roman empires.

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<sup>8</sup> Matthew 2:4-7 [NIV].

## Chapter Two

### “The Remnant of Jacob to be Disbursed Among Many Nations”

The Prophet Micah proclaimed that God’s holy “remnant of Jacob” shall be disbursed among many peoples and many nations.

Significantly, he describes this remnant as playing leadership role among the nations, as follows:

The remnant of Jacob will be  
in the midst of many peoples  
like dew from the LORD,  
like showers on the grass,  
which do not wait for anyone  
or depend on man.

The **remnant of Jacob** will be among the nations,  
in the midst of many peoples,  
**like a lion** among the beasts of the forest,  
**like a young lion** among flocks of sheep,  
which mauls and mangles as it goes,  
and no one can rescue.<sup>9</sup>

This interpretation of the “remnant of Jacob” leads us to the conclusion that the Messiah, who will lead this “remnant” conquer and rule the nations.

When this rulership over the nations would occur is described as “in that day”<sup>10</sup> and “in the last days.”<sup>11</sup>

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<sup>9</sup> Micah 5: 7-8 [NIV].

<sup>10</sup> Micah 5:10 [NIV].

<sup>11</sup> Micah 4:1 [NIV].

## Chapter Three

### “The Restored Israel Shall Gather All Nations”

Like his contemporary Isaiah, the Prophet Micah does not describe the restored Jerusalem or the restored Israel as the return of the unified kingdom precisely as it had existed under the reigns of kings David and Solomon.

Instead, Micah describes a restored Israel that shall come into existence, “in the last days,” and it shall be global empire that mediates and settles between many peoples and many nations, under the leadership of the LORD Almighty, to wit:

In the last days

the mountain of the LORD’s temple will be established  
as the highest of the mountains;  
it will be exalted above the hills,  
and peoples will stream to it.

Many nations will come and say,

“Come, let us go up to the mountain of the LORD,  
to the temple of the God of Jacob.  
He will teach us his ways,  
so that we may walk in his paths.”

**The law will go out from Zion,  
the word of the LORD from Jerusalem.**

**He will judge between many peoples  
and will settle disputes for strong nations far and wide.**

They will beat their swords into plowshares  
and their spears into pruning hooks.  
Nation will not take up sword against nation,  
nor will they train for war anymore.

Everyone will sit under their own vine  
and under their own fig tree,  
and no one will make them afraid,  
for the LORD Almighty has spoken.



All the nations may walk  
in the name of their gods,  
but we will walk in the name of the LORD  
our God for ever and ever.<sup>12</sup>

According to Augustine of Hippo, the words “mountain of the LORD” is a reference to Christ.<sup>13</sup> The Reformed theologian John Calvin adopted the same interpretation, but with this addition:

It is now easy to see what its elevation was to be, -- that God designed this mount to be, as it were, a royal seat. As under the monarchy of the king of Persia, the whole of the east, we know, was subject to one tower of the Persian; so also, when mount Zion became the seat of sovereign power, God designed to reign there, and there he designed that the whole world should be subject to him; and this is the reason and the Prophet said that it would be higher than all other mountains....

There follows, however, a fuller explanation, when he says, that many nations would come He said only before that nations would come: but as David, even in his age, made some nations tributary to himself, the Prophet here expresses something more, -- that many nations would come; as if he had said, ‘Though David subjugated some people to himself, yet the borders of his kingdom were narrow and confined, compared with the largeness of that kingdom which the Lord will establish at the coming of his Messiah: for not a few nations but many shall assemble to serve him....’<sup>14</sup>

The Prophet Micah predicted that Judaism would not remain a provincial religion that would remain confined to one ethnic group, as it had existed during the First Temple period. Instead, Micah described Judaism as an international religion and an everlasting government that would be led by the Messiah who would govern the nations.

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<sup>12</sup> Micah 4:1-5 [NIV].

<sup>13</sup> See, e.g., St. Augustine, *The City of God*, (New York, N.Y.: The Modern Library, 1950), p. 635 (“The prophet Micah, representing Christ under the figure of a great mountain....”)

<sup>14</sup> *Calvin’s Commentaries on the Bible* (Micah, Chapter 4).

## CONCLUSION

The Prophet Micah had preached that social justice was far more important than orthodox religious practice<sup>15</sup>— a theme that Christ himself repeatedly reiterated in the Gospels (see, e.g., Luke 10: 25-37).<sup>16</sup>

The Book of Micah also describes a God who is no respecter of nations or persons, but who punishes and redeems all nations and peoples alike— both Hebrew and Gentile. Hence, the central theme in the Book of Micah prefigures the central themes of the Gospels and the Pauline letters to the New Testament Church, namely that the whole world (i.e., the predestinated elect from every nation) has been redeemed through Christ.

The Prophet Micah’ mission was to speak truth to the powerful within the ancient kingdom of Judah. His message was that God’s divine judgment would soon be executed against several Gentile nations, as well as the kingdoms of Judah and Israel.

The Prophet Micah also prophesied that a Messiah would come out of Bethlehem. He prophesied that because of the kingdom of Judah’s unpardonable sins, God would scatter the Jews amongst the nations; but, also, that God would eventually regather the true and faithful Israelites under a restored “mountain of the LORD.”<sup>17</sup>

This “scattering” and subsequent “regathering” of the Israelites from among the nations and before a restored “mountain of the LORD” are, according to standard Reformed theology, prophetic references to the Christian Church and its head, the Messiah, the Christ, Jesus of Nazereth.<sup>18</sup>

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<sup>15</sup> See Micah 3:1-12; in the Prophet Micah we see an exemplification of the “Office of the Prophet” as interpreter of divine Providence, which naturally includes the law of general equity, constitutional law, political science, and public policy. And as this prophetic office was to the Prophet Amos, so must it also be to the Christian Church— to forewarn and admonish whole nations and peoples; to speak divine truth to religious, civil, and secular powers; and to advocate for the alleviation of oppression of the weak, the poor, and the marginalized. He was joined in this judgment by his brother prophets **Amos** 5:12-24; **Hosea** (Hosea 6:6-7); and **Isaiah** (Isaiah 1:11-17).

<sup>16</sup> See, e.g., Robert F. Cochran and Zachary R. Calo, *Agape, Justice and Law: How might Christian Love Shape Law?* (Cambridge, United Kingdom: Cambridge University Press, 2017).

<sup>17</sup> Micah 4:1-5.

<sup>18</sup> See, e.g., St. Augustine, *The City of God* (New York, N.Y.: The Modern Library, 1950) p. 635; and *Calvin’s Commentaries on the Bible* (Micah, Chapter 4).

## APPENDIX A

### “Social Justice, Torah, and the United States Constitution”

By

Roderick O. Ford, J.D., LL.D.

The prophetic emphasis upon social justice that is found within the books of Isaiah, Hosea, Amos, and Micah became a preoccupation of European Jews, ostensibly owing to their own unique plight going as far back as the destruction of the Second Temple in 70 A.D. and, especially, since the early 20<sup>th</sup> century Holocaust that occurred in Nazi Germany.

Jerold S. Auerbach’s *Rabbis and Lawyers: The Journey from Torah to Constitution*<sup>19</sup> inform us that many European Jews, who came to North America during the 18<sup>th</sup> and 19<sup>th</sup> centuries, closely affiliated with the Calvinistic Puritans of colonial New England, because these Jews were attracted to Puritan “Mosaic” theology, constitutional law, and political theory.

The Puritan church-states of colonial New England were founded upon the belief that “**the house of Israel among all nations**,”<sup>20</sup> as depicted in the prophetic books of the Old Testament, was the “true Israelites”<sup>21</sup> whom God had united under one head,<sup>22</sup> i.e., the Messiah or Christ.<sup>23</sup> As a consequence, the 17<sup>th</sup>-century New England church-states adopted law-codes based upon the Sacred Scriptures

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<sup>19</sup> Jerold S. Auerbach, *Rabbis and Lawyers: The Journey from Torah to Constitution* (New Orleans, La.: Quid Pro, LLC, 2010).

<sup>20</sup> Amos 9:9.

<sup>21</sup> See, e.g., St. Augustine, *The City of God* (New York, N.Y.: The Modern Library, 1950), p. 658 (“... the **true Israelites**, the citizens of the country that is above.”)

<sup>22</sup> See, e.g., Hosea 1:11.

<sup>23</sup> See, e.g., St. Augustine, *The City of God*, supra, p. 660 (“It was given as the chief and most necessary sign of His coming... that every one of them spoke in the tongues of all nations; thus signifying that the unity of the catholic Church would embrace all nations, and would in like manner speak in all tongues.”) and p. 696 (“This heavenly city, then, while it sojourns on earth, calls citizens out of all nations, and gathers together a society of pilgrims of all languages, not scrupling about diversities in the manners, laws, and institutions whereby earthly peace is secured and maintained, but recognizing that, however various these are, they all tend to one and the same end of earthly peace.”)

and, in many instances, ratified verbatim several Mosaic laws.<sup>24</sup> This Puritan legal system, then, was not much distinguishable from the sacred laws of the Jews. At the same time, this Puritan legal system was an extension of English jurisprudence that had developed under the auspices of the Roman Catholic Church and Church of England— of which, the end result was American constitutionalism that was founded upon Puritan covenant theology.<sup>25</sup> For this reason, Jewish lawyers and rabbis were naturally attracted to American constitutional law and jurisprudence:

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<sup>24</sup> See, e.g., Algernon Sidney Crapsey, *Religion and Religion* (New York, N.Y.: Thomas Whittaker, 1905), pp. 242-244, stating:

It was not the purpose of these founders of the Puritan commonwealth to grant either liberty of thought or liberty of action. Their conception of the church and of the state forbade their entertaining the notion of what we call religious liberty. In their estimation it was treason to doubt the plenary inspiration of the Bible, or to question the doctrines of the church. They endeavored to secure the absolute identity of church and state by limiting political privileges to the members of the church. We cannot in this lecture enter minutely into the history of this Puritan state-church. It is easy to speak scoffingly of the bigotry and narrowness of the Puritan, to tell lurid stories of the whipping of the heretics, the hanging of women, and the burning of witches; but it is not so easy to measure the moral value and the spiritual potency of that conception of the state which looks upon it as the instrument of divine justice; which teaches that officers of the state are the vicegerents of God. Such a conception is the only one that can make the state other than a merciless machine. If the state is not divine it is brutal.

And when to this conception you join that other pregnant doctrine of which the Puritan was the exponent, which declares the sacredness and the right of the common man; when you make every man's destiny an expression of the eternal will of God,— then you have a foundation for government which cannot be shaken. Every man in the Puritan conception is a church-state in himself. In the man the spiritual power must be supreme. Conscience, not interest, must be the guide of life. Each man, is a divinely inspired, divinely guided, political and spiritual power, and the state is simply a federation of these political and spiritual units in a general government.... This union of Teutonism and Hebraism; this marriage of Mosaic theocracy to English democracy, is the contribution of English Puritanism to the political life of the world, and the modern state is the offspring of this union.

<sup>25</sup> See, e.g., William Goodell, *The Democracy of Christianity* (New York, N.Y.: Cady & Burgess, 1852), p. 484, stating:

[T]he democracy of Christianity is signally illustrated in the history of the Puritans, and in the effects of their labors, in America.... [T]he people of Great Britain are indebted to the Puritans. What is wanting, both in England and America, to the completeness and the security of human freedom, is an undeviating fidelity to those principles of Christian democracy which the Puritans in some measure restored.

And, in the same text, on pp. 376-377, Rev. Goodell writes:

These Puritan and Common Law expositions of Paul, in Romans XIII, are among the most revolutionary maxims we have in modern times, and, as a matter of historical fact, they have wrought two tremendous revolutions already, one in England and one in America, whether they are to be regarded as sound expositions or otherwise. An echo of these expositions we have in our Declaration of Independence. Bracton, in his exposition of Romans XIII, had said:

In a supreme irony of American Jewish history, Jews turned to the Puritans and Pilgrims as the authoritative interpreters of their own biblical heritage. Eager to identify themselves as Americans, they were led back to their own sacred texts as a guide to the American experience. From fragments of seventeenth-century Protestant thought, they constructed a unitary Judeo-American tradition that enabled them, as Jews, to become Americans.....<sup>26</sup>

For Jews who so preferred, and many did, the identification with American law and justice could even provide an escape from Judaism. Among Jews, it has been suggested, ‘one way of hiding is to choose a universal mask’; as defenders of the American rule of law, and **as champions of social justice**, Jews located themselves securely within the prevailing liberal precepts of modern America....<sup>27</sup>

Hence, the American Jewish community embraced the secular American legal system as an avenue for the application, manifestation, and realization of the Jewish religion and their sacred Jewish traditions.<sup>28</sup> The Anglican jurisprudence,

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‘He is called a king for ruling righteously, and not because he reigns. Wherefore he is a king when he governs with justice, but a tyrant when he oppresses the people committed to his charge.’

In nearly the same language our Declaration of Independence abjures the authority of the British monarch:

‘A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.’

These words of Jefferson seem but a paraphrase or application of Bracton’s, and Bracton’s are but his own inference from his own exposition of Paul.

<sup>26</sup> Jerold S. Auerbach, *Rabbis and Lawyers: The Journey from Torah to Constitution* (New Orleans, La.: Quid Pro, LLC, 2010), p. 13.

<sup>27</sup> *Ibid.*, p. 26.

<sup>28</sup> See, generally, Alan M. Dershowitz, *Abraham: The World’s First (And Certainly Not Last) Jewish Lawyer* (New York: N.Y.: Schocken Books, 2015). See, also, Rabbi Lord Jonathan Sacks, “A Word of Torah: Why Are There So Many Jewish Lawyers?” *The Detroit Jewish News* (July 16, 2021), stating:

Justice has seemed, throughout the generations, to lie at the beating heart of Jewish faith.

At the beginning of D’varim, Moses reviews the history of the Israelites’ experience in the wilderness, beginning with the appointment of leaders throughout the people, heads of thousands, hundreds, fifties and tens. He continues:

which had expressly incorporated the Holy Bible into England's fundamental laws and from which Puritan jurisprudence had been extracted, was partially overthrown by the American Revolution;<sup>29</sup> and, following the U.S. Civil War (1861 – 1865) and the rise of the great American corporation and the Gilded Age during the late 19<sup>th</sup> century,<sup>30</sup> that Anglican and Puritan jurisprudence was nearly obliterated from American law.

But the American Jews, perhaps through the necessity of survival and the desire for social justice for themselves, resuscitated and preserved the old Puritan constitutional law and jurisprudence which placed Justice (i.e., God) at the helm of all secular authority.<sup>31</sup> This approach to American constitutional law— whether Anglican, Puritan-Calvinistic, or Jewish— saw a religious and moral objective

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“And I charged your judges at that time, ‘Hear the disputes between your people and judge fairly, whether the case is between two Israelites or between an Israelite and a foreigner residing among you. Do not show partiality in judging; hear both small and great alike. Do not be afraid of anyone, for judgment belongs to God. Bring me any case too hard for you, and I will hear it.’” (Deut. 1:16-17)

Thus at the outset of the book in which he summarized the entire history of Israel and its destiny as a holy people, he already gave priority to the administration of justice: Something he would memorably summarize in a later chapter (16:20) in the words, “**Justice, justice, shall you pursue.**”

The words for justice, *tzedek* and *mishpat*, are repeated, recurring themes of the book. The root *tz-d-k* appears 18 times in *D'varim*; the root *sh-f-t*, 48 times.

Justice has seemed, throughout the generations, to lie at the beating heart of Jewish faith....

In the course of a television program I made for the BBC, I asked Hazel Cosgrove, the first woman to be appointed as a judge in Scotland and an active member of the Edinburgh Jewish community, what had led her to choose law as a career, she replied as if it was self-evident, “**Because Judaism teaches: Justice, justice shall you pursue**”....

In modern times, Jews reached prominence as judges in America: among them Brandeis, Cardozo and Felix Frankfurter. Ruth Bader Ginsburg was the first Jewish woman to be appointed to the Supreme Court. In Britain, between 1996 and 2008, two of Britain's three Lord Chief Justices were Jewish: Peter Taylor and Harry Woolf. In Germany in the early 1930s, though Jews were 0.7% of the population, they represented 16.6% of lawyers and judges.

One feature of Tanach is noteworthy in this context. Throughout the Hebrew Bible some of the most intense encounters between the prophets and God are represented as courtroom dramas. Sometimes, as in the case of Moses, Jeremiah and Habakkuk, the plaintiff is humanity or the Jewish people. In the case of Job, it is an individual who has suffered unfairly.

<sup>29</sup> Algernon Sidney Crapsey, *Religion and Politics* (New York, N.Y.: Thomas Whittaker, 1905), pp. 244-245.

<sup>30</sup> *Ibid.*

<sup>31</sup> Jerold S. Auerbach, *Rabbis and Lawyers: The Journey from Torah to Constitution* (New Orleans, La.: Quid Pro, LLC, 2010).

within the plain text of the American Declaration of Independence and the United States Constitution.<sup>32</sup>

For the Jewish lawyer could just as easily carry out the Jewish prophetic mission of pursuing social justice within an American nonsectarian secular legal system, as though he was practicing or applying Jewish law before a sacred Jewish tribunal. American Jews thus chose the profession of law as an avenue to discharge their sacred obligation to pursue justice:

The euphoric celebration of the rule of American constitutional law... should not obliterate the fact that it was **never law alone, but law as an instrument of justice**, that ostensibly bound the Jewish and American traditions.

Justice was a recurrent theme in the American Jewish discourse of compatibility. It was a necessary insertion, for it enabled Jews to submerge 'arid' legalism, the part of their tradition with which modern Jews felt least comfortable, in the resounding call of the ancient Hebrew prophets for social justice and moral righteousness.

Justice was described as 'the golden thread' that Judaism stitched into the fabric of American democracy. A 'passion for justice' was part of the 'unconscious inheritance' that Jews brought to this country. In the United States they transformed 'the quest for social justice' into the truest expression of 'Jewish orthodoxy.' Jewish 'cultural and theological values,' which make it 'unJewish not to be preoccupied with freedom and justice for everyone,' explained the enduring liberal commitments of American Jews....<sup>33</sup>

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<sup>32</sup> See, e.g., Algernon Sidney Crapsey, "The American Church-State," *Religion and Religion* (New York, N.Y.: Thomas Whittaker, 1905), pp. 297- 326 ("When the Constitutional Convention of 1787 sent forth the Constitution which it devised for the government of the nation it did so in these words: 'We, the people of the United States, in order to form a more perfect union, **establish justice**, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our children, do ordain and establish this Constitution for the United States of America.' Now can any man write a more perfect description of the Kingdom of god on earth or in heaven than is to be found in these words? A government resting upon such principles as these is not a godless policy; it is a holy religion.... A religion having as its basis the principles of individual liberty and obedience to righteous law is really the religion of the golden rule.")

<sup>33</sup> Jerold S. Auerbach, *Rabbis and Lawyers: The Journey from Torah to Constitution* (New Orleans, La.: Quid Pro, LLC, 2010), p. 23.

The other notable American minority group which has come closest to adopting the Jewish emphasis upon social justice and the Jewish conceptualization of American constitutional law and jurisprudence is African Americans. Martin Luther King, Jr.'s *Letter from the Birmingham City Jail* (1963), for instance, represents a plea to the Gentiles to return to the old Anglican or Puritan constitutional methods of subordinating law to the demands of social justice. Citing St. Augustine and St. Thomas Aquinas, and several other examples to demonstrate the differences between “just” laws and “unjust” laws, Martin Luther King, Jr.'s famed essay incorporated the “Jewish” prophetic conceptualization of social justice into the American civil rights movement.<sup>34</sup>

And so, the Old Testament's mandate “to do justice and judgment” (Genesis 18:18-19) throughout ancient Israel is very much alive and well within mainstream American political, legal, and constitutional discourse. But it can only remain alive if American lawyers and judges— such as those committed Jewish jurists and lawyers of the early 20<sup>th</sup> century—continue to honor the sacred Judea-Christian heritage of the Declaration of Independence and the United States Constitution. That sacred heritage honors the inherent worth, dignity, and sovereignty of every individual human soul, regardless of race, color, ethnicity, gender, or religious creed. It promotes the spirit of *agape* within all interpersonal, covenantal, and contractual relations.<sup>35</sup> It holds that law is reason unaffected by untoward desires;<sup>36</sup>

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<sup>34</sup> Unfortunately, the Black Church, due in large measure to its emergence from the adverse condition of slavery and racial segregation, never developed a strong “legal tradition” amongst its clergy that could be considered comparable to the Anglican or Puritan or Jewish lawyers and jurists. While the Black Church served as the backbone of the American Civil Rights movement during the 1950s and 60s, and while the National Association for the Advancement of Colored People (NAACP) led the struggle for social justice in the American courts during that same period, it cannot be said that African American lawyers and judges, as a whole, when measured by the parameters of their voluntary bar associations at the local level, have conceptualized the practice of secular law (including civil rights law) as an extension of the “social justice” mission of Black Church. Nor has the Black Church, in general, endeavored to commission African American lawyers to carry out a “social justice” mission through the courts or otherwise. The undersigned author leads The Methodist Law Centre ([www.methodistlawcentre.com](http://www.methodistlawcentre.com)) in an effort to encourage African American clergy and lawyers to work together for social justice. This is a much-needed development within the African American church and legal community.

<sup>35</sup> See, e.g., Robert F. Cochran and Zachary R. Calo, *Agape, Justice and Law: How might Christian Love Shape Law?* (Cambridge, United Kingdom: Cambridge University Press, 2017). See, also, Galatians 5:15 (“For all the law is fulfilled in one word, even in this; Thou shalt love thy neighbor as thyself. But **if ye bite and devour one another, take heed that ye be not consumed one of another**”). Indeed, civil polity, and civilization, could not exist without *agape*. See, also, Wilfred Parsons, “Lest Men, Like Fishes” *Traditio*, Vol. 3 (1945), pp. 380 – 388. (JSTOR: Univ. of Cambridge Press), stating:

In the second century, A.D. (c. 177), the Christian philosopher and apologist, Athenagoras, inveighing against the pagans for immoralities forbidden by their own codes, incorporated in his harangue an expression which was to have a long and interesting history in Christian literature. These are his words:



and that justice is the end of both law and civil government.<sup>37</sup>

## End of Note

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These adulterers and pederasts defame the eunuchs and the once-married, while they themselves live like fishes; for these swallow up whatever falls in their way, and the stronger pursues the weaker. Indeed, this is to feed on human flesh, to do violence to the very laws which you and your ancestors, with due care for all that is fair and right, have enacted.

In that same century (c. 180), we find St. Irenaeus using the same expression, though in a different context. He is proving that political government does not come from the devil, as some contemporary Christian anarchists apparently held, but from God:

Therefore the earthly kingdom was set up by God for the help of the gentiles (not by the devil, who is never quiet, and who does not want the nations to live in quiet), so that, fearing the human kingdom, men shall not devour one another like the fishes, but by the making of laws may strike down the manifold injustice of the gentiles.

These two passages, using the same proverbial expression about the fishes devouring one another, illustrate two traditions—one socio-moral, the other political—which are important in the history of Christian social ideas....

<sup>36</sup> Perhaps this is why the Roman Senator Cicero was able to so succinctly and accurately describe equity and universal moral law in *De Re Publica*, as follows:

There is indeed a law, *right reason*, which is in accordance with nature; existing in all, unchangeable, eternal. Commanding us to do what is right, forbidding us to do what is wrong. It has dominion over good men, but possesses no influence over bad ones. No other law can be substituted for it, no part of it can be taken away, nor can it be abrogated altogether. Neither the people or the senate can absolve from it. It is not one thing at Rome, and another thing at Athens: one thing to-day, and another thing to-morrow; but it is eternal and immutable for all nations and for all time.

<sup>37</sup> James Madison, *The Federalist Paper*, No. 51 (“Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit.”)

**THE END**

