

## SOME IMPLICATIONS OF LEGAL PROCESS FOR HERMENEUTICS, FAITH, AND PRACTICE IN THE CHRISTIAN SYSTEM

**Virgil Warren, PhD**

**Basic claim:** law is artificial to interpersonal process and therefore detrimental to Christianity; law impacts interpretation, faith, and practice. We are calling the Christian worldview “interpersonal” because persons in relationship are the most original, eternal, supreme, basic, pervasive, universal, and complex aspect of the whole. Christianity’s prominent vocabulary has to do with persons relating positively to one another: love, faith, grace, mercy, promise, truth (in communication), conscience, heart, mind, blessing, righteousness, reconciliation, joy (vs. happiness), humility, peace (vs. national tranquility), spirit (vs. physical circumcision for naturalization into a physical nation). All the features of interpersonalism contrast with their opposites. The first and second great commandments (cp. golden rule) deal with love, the summarizing, most important, outward-directed pattern of interpersonal action, which produces the other interpersonal actions. Like Micah 6:8 said of old, “What does the Lord require of you but to do justly, love kindness, and walk humbly with your God” (cp. Deut. 10:12-13; Is. 66:2).

### **Christians are under interpersonalism, not law.**

Christians do not operate under the Old Covenant as simply amended by added or subtracted features, nor are they under a different covenant like the one Moses gave. Christians are under a different kind of covenant that came through Jesus Christ (Heb. 8:6-13 < Jer. 31:31-34).

The gospel is alternative to Law: “You that want to be justified by Law have cut yourselves off from Christ; you have fallen from grace” (Gal. 5:4). Interpersonal grace does not take place inside of law, but alternative to it. Law was added to interpersonalism: “the Law, which came 430 years later, did not annul the covenant confirmed beforehand by God. That would make promise of no effect” (Gal. 3:17). hence, interpersonalism is more basic than law, which implies that it better represents God’s intentions. Law could be added to gospel as long as it was not added in a way that vitiated the more basic function.

John 1:17 is one of several texts that make the distinction: “Law was given through Moses; grace and truth came through Jesus Christ [ὁ νόμος διὰ Μωϋσέως, ἡ χάρις καὶ ἡ ἀλήθεια διὰ Ἰησοῦ Χριστοῦ].” “Grace and truth” are a combination, a hendiadys. Grace lies in the interpersonal realm; truth is reality. Consequently, Christ brought interpersonal reality to replace law.

Summary point: Not only did interpersonalism precede law (Gal. 3:9, 15-19), but law predicted its own replacement by the interpersonalism that preceded it (Jer. 31:31).

## Characteristics of law

In general, law has a number of deficiencies. Laws are **abstractions**; hence, they are distinct from the realities they reference, and serve as **approximate** representations of them and how to function in light of them. Laws often become extremely detailed in an attempt to account for every conceivable particular that may arise. Laws rest on the **authority** of the law giver, not directly on truth/reality itself. Note again John 1:17, “grace and truth.” “The Word became flesh and lived among us . . . full of grace and truth” (1:14). Later in 4:23, John represents Jesus as telling the Samaritan woman that the time will come when “true worshipers” will worship the Father in “spirit and truth.” John uses *true/truth* fifty times in his account of the Lord’s ministry, many more times than the other gospels; so truth as reality gets emphasized in his account.

Law tends toward **rigidity**. That is why a legal mentality absolutizes the features of law and does not let qualifying aspects of the real situation affect the application of the abstract rule like it should. The legal mentality treats the social sphere the same way it treats the natural sphere. Flexibility is not easily achieved under law. Nuancing the rule has to come in by appealing to personal capacities—whether the offended person presses charges and how the executive and judicial parts of the full operation come into play in evaluating intentionality, etc.

Law tends toward **externalism** because it  $\mu\theta\sigma\tau$  be actionable. Only when inner factors like love, heart, conscience, trust, motive, and attitude show up in external behavior can they be incorporated into evaluation. But human law has a hard time incorporating such factors into its design for real living. In divine law, a heart-knowing God can override the rule; but when that happens, interpersonalism (as distinct from law) supersedes legal process.

The externalism factor is evidently part of what Paul has in mind when he talks about the “flesh” in circumcision for national identity. In the Sermon on the Mount, Jesus teaches that the commandments should include what leads up to what they specifically forbid, what is a lesser degree of the mentality involved. So, by implication, forbidding adultery should forbid the lust that leads to it (Mt. 5:27-28). Forbidding murder should forbid the anger that results in it (Mt. 5:21-22). Jesus likewise teaches that the law forbids what is like it. The prohibition against swearing falsely should prohibit the mentality that wants to taking an oath about everything (kind; Mt. 5:33-37). To accomplish the purpose/spirit of the law, the person has to avoid the inner factors to go with what the law actually says. The lyrics to an old pop song illustrate the difference between legal and real righteousness: “You can’t go to jail for what you’re thinking.” But with a heart-knowing God, “you might ‘go to hell’ for it.”

Laws tend to fall into **quantification** in keeping with their need to be actionable, but in reality many things are degree not category, analog not digital. Laws quantify so consistency can be demonstrated in the judicial process and so the person under law can know how he will be judged. But “consistency, thou art a gem.” The legal mind wants to know how much to give (Mt. 23:23), and how often to pray, forgive (Mt. 18:21-22), or fast (Lk. 18:12). The modifications created by knowledge, motive, and attitude call for more than “one size fits all.”

Law is **straight-line** in its causal flow. It measures out somewhat **artificial** punishments, which in themselves have little or nothing to do with getting rid of a past disobedience and its

impact on other people or with changing a sinner's future behavior. The prospect of fines, incarceration, corporal punishment, execution, banishment, and the like tend by fear to reduce the tendency toward wrongdoing, but they are artificial in that they do not address the positive intent of the offender's lack of love or remove the actual consequences of disobedience. So to speak, life imprisonment does not restore for inhabitants the house the arsonist burned down.

Law tends toward **negativity**; that is, it does a better job of telling what people cannot do than what they should do (cp. the Ten Commandments in the Old Covenant; Gal. 5:22-23). Law does not do a good a job of getting rid of the self-centeredness that characterizes every sinful act there is.

In consequence of these features of law, additional deficiencies of law specifically become evident in contrast to the virtues of interpersonalism. The weaknesses already noted show up particularly in law carried out in the human domain. The New Testament highlights law's insufficiency as applied to divine-human interaction—as noted in the next section.

### **Differences by being under interpersonalism**

Two points about categories as such introduce this section about the interpersonal category vs. the legal one. *The character of a container qualifies the contents within it.* Jesus illustrates that point in the wineskins parable; some kinds of things cannot be put in some kinds of containers—like new wine in old wineskins, like water in a sieve (Mt. 9:17 = Mk 2:22 = Lk 5:37-38), like unshrunk cloth mounted on shrunk cloth (Mt. 9:16 = Mk. 2:21 = Lk. 5:36). In a more subtle way, items put in a container get affected by the character of what now contains them. The nature of the whole has a qualifying effect on the nature of its components.

*The character of the cause determines what kind of results come from it,* “the law of harvest.” The kind of cause determines the kind of result. All the way back in Genesis 1:11, 12, 21<sup>2</sup>, 25<sup>3</sup>, the principle comes out in the expression “after their kind” for physical things. Paul applies the same principle to spiritual things in Galatians 5:16-24; 6:7-8 (cp. Job 4:8; 15:31; Pro. 22:8; Hos. 8:7; 10:12-13). Walking according to spirit results in certain kinds of behaviors that contrast with the kinds that come from walking according to the flesh. To say it another way, “spiritual results” do not come from “fleshly causes.” Jesus told Nicodemus, “*What's born out of the physical is physical; what's born out of the spiritual is spiritual*” (Jn. 3:6). As that principle pertains to relating to God and restoring that relationship, interpersonal results do not come from legal process any more than “people gather figs from thorns or grapes from thistles” (Lk. 6:44; cp. James 3:12). Relating to God and to other people does not come from legal causes. These observations all relate to the fact that a person cannot “play the system,” because there is nothing “artificial” in it to fake the result with.

Interpersonalism is the most complex system there is. That is because the combination of will, emotion, creativity, rationality, self-transcendence, together with other forms of non-determinism occur on both sides of a reciprocating interaction (mutuality). Legalism is awkward, artificial, and inadequate for achieving positive functioning in personal living. That is the subtle

message New Testament writers advance, particularly Paul. 2 Peter 3:15-16 says, “As in *Paul’s* epistles . . . the some things hard to understand, which the ignorant and unsteadfast twist . . . to their own destruction.” Peter says that about relationship to God and restoring it (2 Pet. 3:14-15).

**Freedom** is a major benefit in the Christian system, as argued, for example, in Paul’s letter to the Galatians. His interest in freedom from law has two related aspects: release from the personal perfection requirement (Deut. 27:26; Lev. 18:3) and from law’s inability to make imperfect people into perfect ones again (Acts 13:39). That is a double whammy: the inability to be perfect plus the impossibility to overcoming imperfection once it is in place.

First, regarding the perfection necessity: avoiding unrighteousness. Everyone says, “Nobody’s perfect.” In the shift to interpersonalism, people gain access to the features of personhood from both sides of a relationship. That brings in the possibility of patience on the other side and the possibility of becoming/growing on this side.

Second, regarding the justification possibility: obtaining righteousness. Interpersonalism makes righteousness available through repentance by the offender plus forgiveness by the offended. In interpersonalism there is an objective-subjective variable, which law does not provide. Since law merely defines sin, sensitizes to it, and restrains it (Rom. 5:20; Gal. 3:19), law has no feature in itself for removing guilt once incurred. Consequently, law brings **condemnation**. But interpersonalism says, “by him everyone who trusts is justified from everything the law could not justify someone” (Acts 13:39; cp. Heb. 8:12 < Jer. 31:34). Interpersonalism allows the offended person to “view” the offender as like the ideal/Ideal committed to (righteousness). A person would be “viewed as” righteous if he “was righteous” (“as of debt/owes it to him”; Rom. 4:1-4). But beyond that, in interpersonalism there is a “source” outside the self for being viewed as righteous as opposed to actually being righteous—or somehow having righteousness transferred from someone else (in contradiction to Lev. 18:3: “The one that does them will be righteous by them”). Being viewed as righteous, however, is all that is necessary because the theoretical issue in itself does not undo practical interpersonal reality. What matters is the practical manifestation of the “problem,” that is, alienation and its consequences. To make life work, people do not have to satisfy a principle; they have to satisfy other persons.

This whole interpersonal setup frees the offender from guilt in the interpersonal sense, that is, freedom from being viewed as guilty by the offended person. That in turn frees a person from condemnation in the practical sense, freedom from being treated as guilty. Then the one that has failed has no more consciousness of being a sinner (Heb. 10:2 and other New Testament passages about the conscience).

Under law, righteousness is not available from “inside” because people cannot actually be perfect (pursuant to righteousness). And, righteousness is not available from the outside because it cannot be transferred from someone else or viewed upon the sinner by someone else (subsequent to unrighteousness). Furthermore, repentance has no value under law; being sorry for a crime does not remove the law’s punishment for that crime. But in the real interpersonal situation, actual

righteousness is not the relevant matter; the ultimate reality is the relationship; and there can be a lack of correspondence between the two matters because people can change—repent or forgive.

Third, regarding the nature of the New Covenant: Jeremiah predicted it would internalize what previously was external, written on stone. The New Covenant would be written on people's hearts (Jer. 31:31; cp. 2 Cor. 3:2-9). When persons are impelled from within, they do not feel compelled from the outside. They feel free because they are not kept from doing what they want to do or forced to do what they do not want to do; they have conformed to what they want to do (Rom. 7:13-8:1). They operate by what is real instead of by what authority dictates, which can be artificial and not correspond very closely to reality. Internalizing creates a sense of freedom, because people do not feel a difference between operating from what they have arrived at completely on their own, and what they have accepted from a trusted personal source.

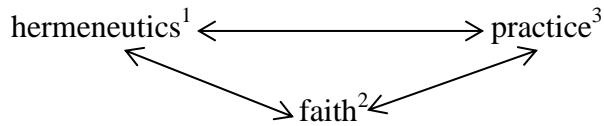
**Power** in this setting is psychological power: the motivation to act, the strength to endure, the willingness to try again. This kind of power comes better from interpersonalism than from law. Being loved by another person provides greater motivational strength than impersonal idea, goal, or pattern does. Love provides greater power than fear, a hallmark of legal process. Legalism tends toward negativity. Law is relatively “weak,” or ineffective, through the flesh as when physical circumcision identified a person with a physical nation.

Interpersonalism involves **holism** because it applies to all interpersonal relations, human and divine. It also addresses the inner (motive and attitude) as well as the outer aspects of persons (practice). Externalism leads to “death” because it leads to separation. (A person may as well be dead if separated from the other person; hence, the terminology.) Addressing the inner means that inner love influences outward to give direction (spirit) to using the physical.

Interpersonalism brings **meaningfulness** in that it brings “life” in contrast to law, which brings “death” (Gal. 5:22-24). Law leads to a “dead” end because it does not bring about the desired results. Life is meaningful existence; life is more abundant when propelled by love for and from another person than it is by fear of the artificial consequences of disobeying law. Feeling accepted by another is more fulfilling than trying to feel good about ourselves on the basis of whether we have done everything all the time that is expected of us (Deut. 27:26). Christ has given us “the new and ‘living’ way” (Heb. 10:20). Truly, then, Jesus came to give us “life,” and give it more abundantly (Jn. 10:10), not only by teaching what but by being Who.

**Influence** becomes the means of extending the “system” and upgrading the quality of its operation. The Great Commission outlines an influence (via “teaching”) approach to expanding the “kingdom” in place of dissemination by authority or force (warfare). As a result, nobody in the system is ignorant of its Leader or its method of functioning: “People will not teach their fellow citizens to know the Lord. They will all know me” (Jer. 31:34); their being in the system cannot be on any other basis than interpersonal response to influence (knowing). Christianity is a voluntary system into which people are willingly drawn by positive personal relations, evidence, and demonstration.

## Hermeneutical effects of legalism



How people understand scripture (hermeneutics) leads to what they believe (faith) they should do (practice). A further, more subtle aspect of the situation is the impact of personality on interpretation, a factor that moves from (3) to (1) in the diagram above. Having a rigid personality fosters legalism by projecting onto language usage what truth feels like to a rigid person, something more akin to being correct in physical nature and metaphysical logic. Truth-as-rigid contributes toward requiring literal interpretation whenever possible instead of looking for authorial intent as the primary universal guiding principle. Authorial intent is recognized by contextual, natural, and rational considerations relevant to the text.

The drive for exactness and consistency in legalism fosters restrictive vs. non-restrictive reading of clauses, phrases, adjectives, and adverbs. It assumes that being more exact is being more correct, a feature of natural and metaphysical categories. It tends away from natural flexibility and toward abstract rigidity, and shows itself in linguistic positivism, where terms are assumed to mean the same thing if possible wherever they are used. Terms get decontextualized; they are not limited or qualified by the subject at hand, etc. It overdoes—as per the nature of things—the idea that related words have the same meaning instead of seeing a word’s word picture as suggesting various nuances depending on context and subject matter. It tends to take lists, for example, as homogeneous, sequential, exhaustive, and parallel. Words are dealt with aside from the nature of their referents and associated realities—as if the words have a “metaphysical existence” of their own. They are handled as formal logic handles them; it confuses validity with truth.

## ADDENDUM: PROLEGOMENA

Difficulty in properly thinking about issues often lies at the level of intuitive preunderstandings such as the following:

### Intuitive Claim #1: Four Systems

- A. Nature, driven by force
- B. Legal, driven by authority
- C. Interpersonal, driven by influence
- D. Metaphysics, driven by form

### Intuitive Claim #2: Three Components of Reality

Being (“stuff”)

Action (the action that being does)

Relationship (of being to other being in the process of action)

Intuitive Claim #3: Types of Causal Series

Straight-line: direct, indirect, and combinational (domino effect, etc.) [Lev. **18:3**]

Occasionalism [Job **1 + 42**]; see Intuitive Claim #8: Aspects of a Condition

Reciprocity [“love one another”]

Hegelianism [thesis, antithesis, synthesis]

Intuitive Claim #4: Ways of Changing Other People (in descending order of preference)

Influence

Authority

Force

Intuitive Claim #5: Types of Formal Sets

Category

Continuum (degree) NOTE: paradigm shift, category change

morphing continuum into a category shift: when a category can no longer accommodate an issue as required by practical reality, the next higher more inclusive category takes over, because there is a kind of “tipping point” that gets crossed.

Intuitive Claim #6

(Linguistic) Positivism (decontextualization)

Contextualization, Sanctified Imagination

Intuitive Claim #7: Continuity of Kind as Shown in

Cause and Result,

Whole and Part

Intuitive Claim #8: Aspects of a Condition (cp. Jn 3:14-15)

Dependent First Person (unable to solve one’s need)

Sovereign Second Person (under no obligation to help)

Free Promise (by the second person to the first)

Predicated Obedience (appropriate expectation required of the needing person)

Bestowed Result (given by the sovereign to the dependent)