



St. Andrew's By-the-Sea

*The Episcopal Church
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A homily by the Reverend James J. Popham

Jesus said he did not come to abolish the law, but to fulfill it. What did he mean? What was the law he had in mind? What does it mean for us?

Let me use an example from my previous life in the “swamp” to illustrate what he likely was referring to as the law. The Constitution provides that Congress shall have the power “To regulate Commerce with foreign Nations, and among the several States ...” Pursuant to that authority, the Congress passed and amended the Communications Act of 1934, now 333 pages long. It

[P]rovide[s] for the regulation of interstate and foreign communication by wire or radio...

The Act also established the Federal Communications Commission to execute and enforce its provisions. Section 303 of the Act grants the FCC authority to regulate radio and television “as public convenience, interest, or necessity require.”

That authority is limited by the First Amendment to the Constitution, which provides that Congress shall make no law “abridging the freedom of speech, or of the press.” Thus, Section 326 of the Communications Act states:

Nothing in this Act shall be understood or construed to give the Commission the power of censorship ... and no

regulation ... shall interfere with the right of free speech

...

Pursuant to its authority the FCC has adopted 1052 pages of rules and regulations. So if we were to ask, in the realm of radio, TV, cable, satellites, internet, phone service, etc. -, "what is the law?", how would we answer? The Constitution, the Communications Act, or the myriad regulations adopted by the FCC in the past 89 years.

Now we really will not ask, because this is an illustration not an examination. And let's face it, most of us select the networks and channels and services and programs and providers we like without giving a moment's thought to the laws that govern the media. Or as we on the staff of the National Association Broadcasters used to say, "They can make us defend it, but they can't make us watch it."

At the time Jesus taught on earth, the law had a multi-level hierarchy similar to our Communications law today. God was creator, at the top of the heap. Then there were the two great commandments, love of God and love of neighbor. Then there was the Law and the Prophets, including most prominently the Ten Commandments.

A notch below that was the Scribal law, still an oral law when Jesus spoke, which applied the great, overarching principles of the Law in Scripture to every possible situation in life via thousands of rules and regulations. By the third century, that oral Scribal law had been reduced to a written code, called the Mishnah, which runs some 800 pages. And subsequently, commentaries on the Mishnah, known as Talmuds emerged in multiple volumes, for example, 12 in the Jerusalem Talmud and 60 in the Babylonian Talmud.

At the time of Christ, a truly observant Jew would strive to keep each and every legalistic rule and regulation promulgated by the Scribes. Each and every rule was to them a matter of life and death and eternal destiny.

They were highly detailed rules that drew fine, fine lines. For example, healing was work that was prohibited on the Sabbath, but one could take steps to keep someone ill from becoming worse, but not to improve their condition. One could put a plain bandage on a wound, but no medication. Jesus had no regard for such legalism and often condemned and broke such rules. He hardly could have meant that they never would pass away.

Which arguably leaves Scripture, then the Law and the Prophets, as the permanent, immutable elements of the Law that would never pass away. It never would become irrelevant. It never would be superseded. And Scripture, including the New Testament now, remains for us as Episcopalians, a foundational source of authority.

Indeed, at ordination we must solemnly declare our belief that “the Holy Scriptures of the Old and New Testaments to be the Word of God, and to contain all things necessary to salvation.” For some denominations that is the end of the matter, as, indeed, it was for the reformers of the 16th century. But we hold Scripture in equipoise with tradition and reason, as the sources of authority in the Episcopal Church.

And that leaves us the liberty to interpret Scripture and apply its commands and teachings, often in circumstances never imagined at the time of Christ. Just like the FCC working with authority granted in a law enacted in 1934 when television, satellites, cell phones, and the Internet remained years away. But often with no more guidance than the mandate to regulate in the public interest, convenience, and necessity.

And yet in saying that he was to fulfill the law, Jesus was reminding his listeners in the Jewish community not only to appreciate the permanence of the Law and the Prophets, that is, for us, Scripture, but also refocusing his listeners on its true meaning. Rather than abolish the Law, he wanted to draw the Jewish community back to its real meaning, something he later would make plain in answer to a lawyer's question:

'Teacher, which commandment in the law is the greatest?' ³⁷[Jesus] said to him, ' "You shall love the Lord your God with all your heart, and with all your soul, and with all your mind." ³⁸This is the greatest and first commandment. ³⁹And a second is like it: "You shall love your neighbor as yourself." ⁴⁰On these two commandments hang all the law and the prophets.'

Every commandment, including the Ten Commandments, every injunction of the prophets, every instruction of Jesus, every teaching of the apostles, every letter of Paul, must be seen and interpreted as a particularization of loving God and/or loving our neighbor. It is that simple... and it is that complicated. Because it also admits to applying our reason and experience to interpret laws laid down

thousands of years ago in new times and wildly different circumstances.

Scores of communications lawyers have thrived trying to convince the FCC that their proposed rule or their interpretation of the rules would serve the public interest. One of our inside jokes posits your standing in a square room. There is a pot of gold in the middle. You are in one corner. In the other corners are Santa Claus, the Easter Bunny, and an unemployed communications lawyer. Who gets the pot of gold? You do, because there is no such thing as Santa Claus, the Easter Bunny, or an unemployed communications lawyer.

Since the Old Testament was compiled at the time the Second Temple was built in the sixth century B.C., multitudes of rabbis and theologians and Biblical scholars and bishops and priests and pastors and professors and committees and conventions, using 10 times more words than any lawyer would dare use, have expounded and supported their theses about God's vision for humanity and how we should interpret and apply the God-given commandments and instructions in Scripture. And we could not do without them.

Over time, we will parse and ponder and vet and test their interpretations. We will examine whether the community of the faithful receives them, that is accepts and abides by them. When properly considered and accepted, these interpretations become part of what we call the tradition of the Church, like the creeds.

A prominent example in our more recent Episcopal experience is the acceptance of the ordination of women 46 years ago, which now is firmly rooted in the doctrine and discipline of the Episcopal Church.

The tradition of the Church, therefore, guides and informs us as we continue to interpret and apply the directives of Scripture in a changing world and culture, necessarily facilitated by our God-given intellect, reason, and experience.

Jesus did not abolish the Law, and he did not freeze its interpretation and application. But he did warn us to avoid the trap of legalism that bedeviled the Scribes. And, more importantly, he left to us the challenge of interpreting and applying the overarching standards from Scripture in ways that reflect our love for God and neighbor, even in circumstances unimaginable 2000 years ago. This is the opportunity and challenge to the Church today, and to all of us who claim to be followers of Christ. This is the reason we say, unapologetically, do not leave your mind at the door.