

(soft organ music) (choir singing in foreign language)

- The scripture lesson for today is taken from Matthew 23rd Chapter Verses 15 through 23. Woe to you scribes and Pharisees, hypocrites for you traverse sea and land to make a single proselyte, and when he becomes a proselyte, you make him twice as much a child of hell as yourselves. Woe to you, blind guides, who say, "If anyone who swears by the temple, it is nothing, "but if anyone swears by the gold "of the temple, he is bound by his oath. "You blind fools for which is greater? "The gold or the temple "that has made the gold sacred? And you say, "If anyone who swears by the altar "it is nothing, but if anyone swears by the gift "that is on the altar, he is bound by his oath. "You blind men. "For which is greater the gift "or the altar that makes the gift sacred? "So he who swears by the altar swears "by it and by everything on it. "And he who swears by the temple swears by it "and by him who dwells in it. "And he who swears by heaven swears by the throne "of God and by him who sits upon it. "Woe to you, scribes and Pharisees, hypocrites "for you tithe, mint and dill "and cummin and have neglected "the weightier matters of the law. "Justice and mercy and faith. "These you ought to have done "without neglecting the others." (organ music) (choir singing in foreign language)

- The Lord be with you. (audience chants indistinctly) Let us pray. All mighty God we come before you now to offer our prayers of gratitude. We thank you for our roofs, which do not leak in a rain. We thank you for airplanes, which don't crash. For ships, which never sink. For air to breathe, which really is not polluted. For parents who actually are not hypocrites. For young people who are not irresponsible or unfaithful. For politicians who are not crooks. Although oh Lord, you have taught us to be concerned about corruption on many sides. We rejoice and give you thanks for that great number who have sincerely responded in faith and obedience to the call of Jesus and who daily seek to realize the meaning of His gospel for their lives. We give you thanks for those newsmen who are more interested in printing the truth than they are in being either popular or sensational. We are grateful for laymen who see themselves as ministers and as a part of the mission of the church in a secular world. We thank you for all who witnessed to the truth, to brotherhood, and to justice in their daily vocations. Oh God, for all surprising blessings, for the blessings which come in unexpected guises. For the blessings we thought at first we didn't want. Even for blessings which made us choose a higher way of life. We give you thanks. And now God, we pray for our fellow men because Christ loves them and has asked that we pray for them. We ask grace and strength for all who are persecuted for righteousness sake. We ask love for those who think they are being persecuted, but who are not. We intercede for those who have lost the awareness of your personal existence and daily love. May they be shown the steps which will lead them to discover you as father and to acknowledge Jesus as Lord. We pray for those who understand themselves as being only high-grade animals. That they may come to see their relationship to you and to know that they have an eternal destiny, which gives a new meaning to this earthly existence. We pray for those whose lifestyle is derived entirely from the animal side of their natures, that they may begin to respond also to the side of their selves which makes them members of your divine family. And now oh Lord, as we pray for ourselves, we do so for the same reason we intercede for our fellow men.

Jesus loves us and encouraged us to bring our needs to you in prayer. Our needs are numerous. We need your help to keep us from thinking that we can mysteriously harvest the fruits of education without planting the seeds of study and self-discipline. Help us to understand how to sow the seeds which will produce a proper harvest. We need your help in maintaining a proper balance in everything. Give us grace to be childlike without being childish. Give us to be simple without being naive. Enable us to be wise as serpents while remaining as harmless as doves. Give us continually a sense of our dignity and importance as children of God, but keep us from acting like arrogant prima donnas. Keep us from becoming damned fools by mistaking lust for love. Help us to be discerning enough not to be misled into accepting obscurity of thought as a substitute for a profundity of meaning. In everything may we have the spirit of Christ and may we truly make our own the prayer, which he has taught us all to pray saying, "Our father who art in heaven, "hallowed be thy name, thy kingdom come. "Thy will be done on earth as it is in heaven. "Give us this day our daily bread "and forgive us our trespasses "as we forgive those who trespass against us "and lead us not into temptation, "but deliver us from evil "for thine is the Kingdom "and the power and the glory forever." Amen. It is indeed an awesome experience for me. The newly appointed Dean of the Duke Law School. A law school and a university whose motto is (speaking in foreign language). To appear in the pulpit of a chapel of this university to deliver the sermon on layman's Sunday. Mixed with this all is a pressing sense of unworthiness because not only am I not what most would call a religious person, but also because as a teacher of tax law, I'm only one step removed from that of a publican. A publican whose inability to love his enemies was used by Christ in his Sermon on the Mount to chide his listeners with a rather invidious comparison. I should add that my sense of unworthiness and awe is not relieved in my case by a willingness on my part to follow the example of that other publican, Zacchaeus, who to gain Christ's favor gave half of his goods to the poor. I'm not about to give half of my goods to the poor and indeed I'm doing well even to measure up to a 10th. I stand before you merely as one who in the discharge of his duties from time to time finds that there is much in the Bible that is very helpful. My purpose then in this sermon is to give some illustrations of this assistance. And the text, as you know, is in the 23rd Chapter of St. Matthew Verse 23, which according to the version I prefer, not the version which was read to you a moment ago, reads woe unto you scribes and Pharisees, hypocrites for ye pay tithes of mint, and anise, and cummin and have omitted the weightier matters of the law, judgment, mercy, and faith. These ought ye have done and not to leave the other undone. Now this indictment of the scribes and Pharisees is but one of the seven charges that Christ made against these representatives of the then religious establishment. In making these charges, Christ was lamenting both the harmful influence of these men on others, as well as their attentiveness to religious details while failing to heed what he describes as the weightier matters. In the preceding chapter of St. Matthew, the Pharisees and the Sadducees that sought my clever questions one of which you may recall was put by a lawyer to entangle Christ in his talk. What they sought were doctrinal contradictions and uncertainties. Things that are near and dear to the heart of all lawyers. But Christ avoided their traps by I might say some rather astute and clever answers. And in this 23rd chapter, he mounts his counter attack. An attack delivered more in sorrow than in anger. The 23rd verse, my text, expresses the substance of his indictments. Christ says the scribes and the Pharisees tithed meticulously offering a 10th of even sprigs of herbs, but neglect the important aspects of law, judgment, mercy, and faith. They are superficial. Form has become more important than substance and they have in short forgotten what they were supposed to do. There is no excuse for this kind of forgetting, although it is a daily failing with most of us. But what of these weightier matters? What is the meaning of law, judgment, mercy, and faith? Is the verse only referring to the

truths of the faith served by these scribes and Pharisees or only to the Christian faith? I think not. Moreover at the risk of condemnation by biblical scholars who I'm sure will not be particularly concerned about what I say in any event. I believe these weightier matters provide assistance in understanding many of our daily problems. Not only in life generally but in our academic life. I shall make my points by reference to a single statement appearing in the bulletin of the law school. Now this is pretty dry business. Bulletins of law schools. The statement is as follows. Second and third year students may also take courses offered in other divisions of the university upon the condition that the student is engaged simultaneously in at least 10 semester hours of courses in the law school. Credit limited to a total of six hours toward the JD degree will be granted for those courses where in the judgment of the Dean the courses contributed to the student's education in the law or professional interests. Now what in the world have law, judgment, mercy, and faith to do with this? Well let me commence with law. To me, law refers to the objectives, the purposes revealed and what follows the thou shalt in a command. My bulletin example reflects a desire to permit, not require, enrichment of a student's law school education by taking courses outside the law school. It also reflects something else. Namely the belief that this enrichment should be just that and not a substitute or surrogate for legal education. Hence the limitations on the number of hours that may be taken and the requirement of the consent of the Dean. The weightier matter of law therefore requires all of us to understand the purposes of the rules by which we're governed without regard to whether the rules are imposed by ourselves or others. Of course, some rules are plain nonsense, and some are directed toward very foolish ends. But Pharisaical adherence to all rules or nihilistic refusal to obey any are equally stupid. What is required in all cases is an intelligent analysis to determine the purposes intended to be served by whatever rule is in question. Such analysis is I believe giving proper regard to the weightier matter, the law. Now understanding the purposes of the law often seems easy in the absence of a concrete situation to which it is to be applied. For example, to return to my bulletin illustration, should a law student who wishes to take a course in Greek history be permitted to do so under the rule we're discussing? Does it make any difference whether he has ever taken the course in the law school in jurisprudence or legal history or whether his undergraduate degree was in the classics? Can the entire matter be disposed of by asserting either that Greek history has no application to the rendering of legal services in a modern society, or on the other hand, the assertion that since much of our cultural heritage was derived from the Greeks, a course in Greek history obviously enriches legal education? I don't think either one of those kind of blanket assertions really solves the problem of how to respond to the request to take Greek history. Thus it seems to me what appeared to be a fairly simple, straightforward rule in the bulletin no longer seems so. And as we multiply the hypothetical or real issues, our sense of direction, our sense of attachment to the purpose of the rule, becomes less dependable. And as it becomes less dependable, there is a temptation to cling to absolutes in a formal manner. So to speak to, as the Pharisees did, tied with respect to herbs rather than to work our way through the problem. And in the context of the rule we are discussing, the bulletin rule, the absolutes would be either to ignore the content of the course altogether and accept basket weaving one were it offered and requested, or to insist that the link between the course being substituted for a law course and an ordinary law course be extremely close. As for example, the connection between labor economics on the one hand and labor law on the other. I don't think either one of those absolutes can be relied upon in the administration of this little rule in the bulletin and it is here that we come to the second of the weightier matters, namely judgment. Judgment, as I am using it, refers to the capacity to avoid absolutes and yet remain faithful to the law and its purposes. To know how to fit a specific situation to the purposes of the rule

in question. Now let me say that in my view, judgment is a gift. It is not a process necessarily. It is a gift which some possess and some do not. It may be thought of as the ability to perceive justice and indeed in one of the translations of the verse you will notice that the term justice is employed. Now with respect to the Greek history requests, to which I was referring, it seems to me on the basis of what I have told you that we cannot really arrive at a satisfactory answer. We need to know more. We would need to ask additional questions regarding the use to which the student sought to put his knowledge of Greek history. We would have to probe his motives and inquire about the quality of the course that he is planning on taking. And only after all of that, would judgements' pointer become loosened from its absolute lock sufficiently to commence its search or what I would call the pull of justice. Now quite obviously this little simple example makes plain that the matter of judgment imposes large economic costs on a system of law. To act justly in applying the law to a specific case requires a large expenditure of human energy, which could be spent on other matters. Each of us at one time or another has concluded that the act of judgment within a particular context the search for justice, if you will, within that context while simply too costly. Put differently, we have concluded that justice in that situation was simply too expensive. Individual situations we say to ourselves must be governed by general rules. Even when the result frequently is neither in keeping with a spirit of the law nor the wishes of the individual's concern. Only in this way, we say, can other tasks considered more important to be accomplished. Now I don't think Christ's teaching invariably condemns this kind of choice. Indeed not to consider the claims of competing needs. Needs competing with reaching justice in an individual case. Would I suggest be to fail. To heed the weightier matter of judgment in this somewhat expanded setting. What is condemned in all events however, is a refusal to engage in judgment. When this is done, we are guilty and must accept the characterization as that of scribes and Pharisees. We have in that situation omitted a weightier matter. But even if we understand that law and its purposes, and even if we possess the gift of judgment, this is not enough. Christ speaks of mercy. And in doing so once more He demands more than most of us can give. Almost angrily we cry out law and judgment yes, but mercy no. That is too much. So one might feel when a student, for example, toward the close of his third year in law school turned up with six hours in Sanskrit for which he had failed to obtain any consent to take. And which at this late hour he sought to have applied to his degree in law. Now neither law nor judgment dictates an ascent to this request. The student neither chose his course wisely, nor did he read his bulletin at all. And after all, we say, lawyers should be able to read and understand fairly straightforward rules. And moreover, a refusal of this request would probably not contribute to any development of outrage on the part of a portion of the student body. And it would help probably in the strengthening of the administration of the rule. So what makes mercy necessary? I'm not sure. A Christian answers because Christ our Lord asks him and for others, the answer is not so clear. But I believe all of us recognize that those upon whom even just burdens fall have a right to expect that their call for mercy often will lead to the easing of that even just load. It is not that they deserve it. It is that a merciful response is necessary to preserve and strengthen our own belief in our capacity to transcend ourselves. In this way, truly do the merciful receive mercy. Nonetheless mercy is an excruciatingly difficult demand. Must every plea for mercy be granted? Are only those which are argued well? Are only those from the most inept and downtrodden? I cannot say. Save only that the latter probably have the best claim. Nor can the merciful accept gratitude or expect gratitude. Very perplexing to the merciful always is the tendency of the recipient of mercy to regard his good fortune as a matter of right. To regard one might say his treatment as the result of judgment rather than mercy. But the heart cannot harden. Mercy is indeed a weighty matter. In fact, it is only by the strength of faith, the last of the weightier

matters, that the springs of mercy can be kept flowing. By this I mean that only with a belief in the necessity of mercy can one tolerate the recipient of mercy who insists he receive not one bit more than he was entitled to as a matter of right. But faith, of course, plays an even larger role. To return to my bulletin example. Only a belief in the soundness and good sense of the rule can sustain the effort that judgment and mercy demand in its application. Without faith of this sort, the hearing of petitions makes no sense. And if an institution insists upon the maintenance of a senseless rule, adherence to it neither can be nor should be expected. In essence, it must be said that faith in the meaningfulness of the human endeavor is necessary for there to be law, judgment, and mercy. At this point, I can lead you no further. What makes the human endeavor meaningful? Is there a larger order into which my little bulletin rule neatly fits? Is there a larger order in which our total life fits? I think so but there are doubts and perhaps more importantly there are doubts about our doubts. In the end, it seems to me, we must both believe in a larger order and accept our human condition. There is no other choice. If there is a larger order, our faith is justified. And if there is not, our faith makes our hapless plight more tolerable. It seems to me we're in the position of the colonial legislator in the pre-revolutionary period in a story that is attributed to Alistair Cooke, but I'm sure he got it from somewhere and one with which you're probably familiar, but it is nonetheless a beautiful story. The story is that the legislators of this particular colony were meeting in the afternoon in their assembly hall and unknown to them an eclipse was scheduled for the afternoon. And as the day became darker and darker, some knelt and wailed that the end of the world was coming and pleaded with God for salvation and forgiveness. And there was in biblical terms weeping, and wailing, and gnashing of teeth. And finally from one corner of the room came a clear voice and said, "Gentlemen, let's consider our plight. "If the end of the world is not coming, "we should go about our duties. "And if the end of the world is coming, "then let the Lord find us doing "the duty that he had assigned to us. "Let there be light and let us do our duty." And so let our faith be our light. Only with it can we see our way to treat properly the weightier matters of law, and judgment, and mercy. Amen. (organ music) (choir sings in foreign language) (gentle organ music) (choir sings in foreign language)

- Oh Lord, here we present our money and ourselves dedicating each through the extension of judgment, mercy, and faith throughout the earth. Now may the grace of the Lord Jesus Christ be with us all. (choir singing in foreign language) (bell chimes) (uplifting organ music)