

Judges Playing God: A Biblical Warning

What happens when judges become godless? We see arbitrary rulings on constant display. Recently, Federal Judge John Edward Jones III, a George W. Bush appointee, ruled the Defense of Marriage Act unconstitutional.

“We are a better people than what these laws represent, and it is time to discard them into the ash heap of history,” wrote Judge Jones in his opinion.

Jones is supposedly a Lutheran, but he seems to think and act more like a secular humanist. Jones was best known for his presiding role in the landmark *Kitzmiller v. Dover Area School District* case, in which the teaching of intelligent design in public school science classes was ruled unconstitutional.

God has a very direct word for judges that everyone, especially Lutheran jurists, ought to know. Recorded in Psalm 82, this inspired text came through the pen of Asaph. He is no sophist with their speculative categories of autonomous human reasoning. Rather, Asaph brings a divine reminder of God’s call to do true justice to those who would dare to make the law their career.

“God stands in the congregation of the mighty; He judges among the gods” (Psalm 82:1).

The imagery here is striking. God is portrayed as “standing.” Generally God is conceived of as seated on His throne surrounded by the adoring courtiers of heaven. Here Almighty God is standing and ready to strike. Those around Him are described as “the mighty ones.” But, when God takes His feet, it becomes very clear who is the All-Mighty One.

Toward whom will God aim His angry gaze? He judges “among the

gods." Who are these "gods?" The answer is in verse 2. "How long will you judge unjustly, And show partiality to the wicked? Selah." It is the earthly judges who sit in the seat of judgment in Israel who are being referred to as "*elohim*" or "gods." *Elohim* is used most commonly in reference to the One True God. But, we also find *elohim* used in reference to other beings, including judges (Ex. 21:6; 22:7-8). It is in this sense that Jesus uses *god* in response to the false charges of blasphemy (John 10:31-39). It is biblical to refer to earthly judges as "little g" gods.

Recent rulings from our state and federal courts have reinforced that impression that judges seem to fancy themselves unaccountable, "Big G" gods. They have cut themselves off from God's moral law, making decrees based on vacillating public opinion and subjective social sciences rather than "the laws of nature and nature's God." In these cases they rule as tyrants and seem bent on making us "one nation under judges."

All who wield authority have the duty to reflect the just character of God, but especially earthly judges. Why? The courts have been delegated great, god-like powers. They have power to seize your property, deprive you of your freedom and rule over you even in matters of life and death.

All judges, no matter how "supreme," must remember that they are not God. According to our text, Almighty God "judges among the gods." Jehovah is the Judge of judges. The Ever-Blessed Triune God is the real Supreme Court. The proof of this is no one judges God. God answers only to Himself. These "mighty ones," who now enjoy earthly authority as judges, will one day acquiesce to God's final eternal decree; those who obey the gospel unto eternal life, and the others to the lake of fire!

Why is God standing poised to judge these "gods?" "And show partiality to the wicked?" (Ps. 82:2b) Literally, these unjust

judges “lift up the faces of the wicked.” The wicked ought to be ashamed and downcast in the presence of a just judge, but now they are commended by the courts and find favorable friends on the bench. “Those who forsake the law praise the wicked” (Proverbs 28:4). Judge John Edward Jones III praised the plaintiffs as “courageous” who asked him to overturn God’s definition of marriage.

There are many examples of rulings that have “lifted up the face” of the wicked. Courts allow pornographers to fill our media with graphic violence and sex and wonder why our children abuse and kill. Godless judges find “rights” to sodomy and counterfeit marriage. They censor the teaching of any scientific fact that undermines Darwinian state religion. Judges find it perfectly permissible to kill innocent pre-born children, even by the cruelest forms of infanticide.

Specifically, these judges denied justice to the weak and poor. “Defend the poor and fatherless; Do justice to the afflicted and needy. Deliver the poor and needy; Free them from the hand of the wicked” (Ps. 82:3-4). God brings charges of inequity against these so called “mighty ones.” While God does not distribute His gifts in an egalitarian way, when it comes to justice, there is an egalitarian standard. True justice is blind to the socio-economic condition of the plaintiff. The poor, the fatherless and the afflicted must not be disenfranchised.

God is no respecter of persons. All mankind, including judges, will account to him and be judged impartially by the same unchanging standard—His eternal, moral law. Money, power and fame cannot save you from God’s certain judgment.

Earthly judges and courts ought to be a living parable. They should reflect God’s character and the coming day of God’s perfect, impartial justice. In a day of moral schizophrenia, when the fickle cannons of humanism pervert justice, we need strong advocates of justice that affirm and defend the only

true source of true justice—God’s unchanging moral law.

There is an obvious, anti-Christian bias coming out of the courts that undermines its authority. According to Judge Jones, God’s definition of marriage belongs on “the ash heap of history.” It was humanistic, German judges that ruled Hitler was just in killing the Jews. It was the corrupt show courts of Stalin and Moa that justified the slaughter of millions. Judges beware! God is not mocked.

Why is the proper administration of the justice so essential?

“They do not know, nor do they understand; They walk about in darkness; All the foundations of the earth are unstable” (Ps. 82:5). Wicked, spiritually blind judges do not know God, their duty or the consequences of their injustice. Their darkened minds perpetuate injustice and wickedness and in doing so destroy the very foundations of society. This will frustrate the people and eventually lead to civic chaos.

Judge Robert Bork writes in *The Tempting of America: The Political Seduction of the Law*, “Politics invariably tries to dominate another discipline to capture and use it for politics’ own purposes, while the second subject—law, religion, literature, economics, science, journalism or whatever—struggles to maintain its independence. But retaining a separate identity and integrity becomes increasingly difficult as more areas of our culture... become more politicized.”

Judge Bork warns about the use of the courts to obtain politically desirable outcomes. The courts have become one of the primary means of advancing humanism.

Asaph continues in verse 6, “I said, “You are gods, And all of you are children of the Most High.” As we have seen, judges were given a very exalted status and afforded great dignities. Here they are called God’s “sons.” Samuel Rutherford argued from this Psalm that judges do not derive their authority from

men, but from God and must execute impartial justice whether the monarch desires it or not. Judges do deserve honor as they have great duties to live up to, but there is no “divine right of judges” to judge wrongly.

God then concludes with a sobering warning. “But you shall die like men, And fall like one of the princes” (Ps. 82:7). God brings down birds even from the highest trees! Even judicial “gods” will die like common men. Though they may enjoy power and title, they still will die like every other man. The scythe of death will cut him down, even as it mows the common grass.

Arrogant unjust judges are further warned they will “fall like princes.” This is not a happy thing. Many princes never lived to ripe old ages. In the Ancient Near East the most common way to ascend to the throne was to murder your rivals. Asaph warns that unjust judges will pay for their hubris.

Psalm 82 ends with a prayer and confession of faith: “Arise, O God, judge the earth; For You shall inherit all nations.” God knows how to deal with injustice and unrighteousness. First, in mercy, God extends the golden scepter of his grace through the Gospel. Jesus, the Innocent One, suffered the greatest injustice the world has ever known. The dampened hands of Pilate gave Him over to death even while admitting that he found no fault in Him. Yet by this gross injustice, our merciful Savior removes the stain of sin, even our acts of injustice and abuses of office. It’s never too late in this life to repent, even for unjust judges.

The great hope of the Christian is one day Christ shall return to receive His inheritance and render justice. “Finally, there is laid up for me the crown of righteousness, which the Lord, the righteous Judge, will give to me on that Day, and not to me only but also to all who have loved His appearing” (2 Tim. 4:7-8).

“For You shall inherit all nations.” Jesus, the righteous Judge of all, will judge our judgments. This is at once a terrible and yet comforting thought. Comforting because Christ will indeed make all the injustices of this world right! Terrible, because we have all abused our authority. Thank God for His grace in Christ.

Do you love his appearing? Those who know His mercy long for his appearing. If you don't, then you are still in your sin and in need of forgiveness. Today, while you still have opportunity, throw yourself on the mercy of the Just Judge Jesus Christ. Do it even now before it is too late.

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