

Robert Vannoy, Exodus to Exile, Lecture 3B

Sinai to Law

D. At Sinai, Exodus 19 to Numbers 10:10

1. Establishment of the Sinaitic Covenant – Exodus 19-24:8

a. The Covenant Presented – Exodus 19:3-8

Let's go to D under Roman numeral II, "At Sinai, Exodus 19 to Numbers 10:10." In Exodus 19, the Israelites arrive at Sinai and in Numbers 10:10 they leave Sinai. So the remainder of the book of Exodus, all of Leviticus, and the first ten chapters of Numbers all take place at Sinai. It's about a two-year period. I have on the outline a number of sub-points. One, "Establishment of the Sinaitic Covenant – Exodus 19-24:8 with six sub-points under that. The first, lowercase a is, "The covenant presented – Exodus 19:3-8." They arrive at Sinai in the first 2 verses, and you see they set out from Rephidim and come to Sinai. Then in verses 3-8 we read, "Then Moses went up to God, and the Lord called to him from the mountain and said, 'This is what you are to say to the house of Jacob and what you are to tell the people of Israel: "You yourselves have seen what I did to Egypt, and how I carried you on eagles' wings and brought you to myself. Now if you obey me fully and keep my covenant, then out of all nations you will be my treasured possession. Although the whole earth is mine, you will be for me a kingdom of priests and a holy nation." These are the words you are to speak to the Israelites.' So Moses went back and summoned the elders of the people and set before them all the words the Lord had commanded him to speak. The people responded together, 'We will do everything the Lord has said.' So Moses brought their answer back to the Lord."

Moses had known ever since his call at the time of the burning bush out there in the wilderness in Exodus 3 that Israel would worship the Lord at Sinai. If you go back to 3:12, God said, "I will be with you, this will be the sign to you that it is I who have sent you when you have brought the people out of Egypt you will worship God on this mountain." Now, go back to the beginning of chapter 3—it's at Horeb. Horeb is the same place as Sinai. So this is Mount Sinai. In chapter 6 of Exodus, the Lord told Moses in verse 6 and following, "Therefore say to the Israelites, 'I am the Lord, and I will bring

you out from under the yoke of the Egyptians. I will free you from being slaves to them, and I will redeem you with an outstretched arm and mighty acts of judgment.” But then verse 7, “I will take you as my own people, and I will be your God. Then you will know that I am Yahweh your God, who brought you out from under the yoke of the Egyptians. And I will bring you to the land I swore with uplifted hands to give Abraham, Isaac, and Jacob.” Verses 6, 7 and 8 are really problematic. In verse 6, “I will bring you out of Egypt.” Then in verse 7, “I will take you as my own people at Sinai,” and verse 8 “I will bring you out of Egypt, establish you as my people at Sinai, and bring you to the land.” Verse 7 is being fulfilled when we get to Exodus 19. Because what we read there is in chapter 19 verse 5, “Now if you obey me fully and keep my covenant, then out of all the nations you will be my treasured possession.” That word “treasured possession” really means God’s own property. “You will be my treasured possession.”

1. Conditionality of the Covenant

You notice it is introduced by the conditional statement “if you obey me.” That conditional statement raises a lot of questions about how it is to be understood. Anyone familiar with the Old Scofield Bible notes may be aware that in that Bible, the note for 19:5 “if you obey me” says, “What is under the law conditional is under grace freely given to every believer.” The suggestion of that note is that the basis for God’s relationship with his people in the Old Testament was really law, while the basis for God’s relationship to his people in the New Testament is faith and grace. It is the idea that Israel really should not have said what they did in verse 8 where you read the people responded, “We will do everything the Lord has said” because that same Scofield Bible said that Israel spoke rashly by accepting the Lord. They really shouldn’t have done that.

Now, look at your citations, page 19, where it has some paragraphs from Walter Kaiser’s *Old Testament Theology* where he speaks about this conditional statement. He says, “Was this covenant a deliberate change from the promissory covenant of the patriarchs to a conditional covenant in which ‘obedience was the absolute condition of blessing’? Could this be interpreted as a ‘step downward’ and a ‘mistake’ tantamount to

‘rejecting God's gracious dealings with them’? What was the relationship of the “if” statements in Exodus 19:5, Leviticus 26, and Deuteronomy 11 and the command, ‘You shall walk in the way which the Lord your God has commanded you. That Hebrew *lema’an* you may live and that it may go well with you and that you may live long in the land which you shall possess (Deuteronomy 5:33)? The contrast implied in these questions was too sharp for the text. If the alleged obligatory nature of this covenant should prove to be the new grounds for establishing a relationship with the covenantal God, then it should prove possible to demonstrate that the same logic can be applied to the conditional statements noticed in the chapter on patriarchal theology. The ‘if’ is admittedly conditional. But conditional to what? It was a condition, in this context, to Israel's distinctive position among all the peoples of the earth, to her mediatorial role and her status as a holy nation. In short, it could qualify, hamper, or negate Israel's experience of sanctification and ministry to others; but it hardly could effect her election, salvation, or present and future inheritance of the ancient promise. She must obey God's voice and heed his covenant, not ‘in order to’ (*lema’an* as a purpose clause) live and have things go well for her, but ‘with the result that’ (*lema’an* as a result clause) she will experience authentic living and things going well for her in Deuteronomy 5:33.” So I think you have to be careful, we’ll come back to this in a few minutes about how you understand that conditional statement.

A conditional statement is not suggesting that Israel has traded grace for law. Because the only reason Israel is at Sinai is because of grace. “I have delivered you up out of the land of Egypt, I have redeemed you, I have brought you to myself. Now here is what I expect you to do.” So the Lord says to them in this initial presentation of the covenant, “If you obey me fully and keep my covenant, then out of all the nations you will be my treasured possession...you will be for me a kingdom of priests and a holy nation.”

2. Treasured Possession

I want to come back to that expression “treasured possession” because it comes up

elsewhere in the Old Testament as well as with the Septuagint translation of it. It is seen in the Greek of the New Testament following the Septuagint translation displayed in the Old Testament. The word translated “treasured possession” is *segurah*. It is a feminine noun that means “possession” or “property.” It’s a rather rare Hebrew word. But it has turned up in a cognate language, that is another Semitic language, in a Ugaritic letter where it’s used by a Hittite suzerain, a great king, to describe the king of Ugarit, as his *segurah*, his private property. So here’s a great king of the Hittite empire who uses this word *segurah* to describe the vassal king, the Ugaritic king as his own possession or private property. So the basic meaning of the word is to set something aside as one’s own property. It’s also used in Deuteronomy 7:6 where Moses says, “For you are a people holy to the Lord your God. The Lord your God has chosen you out of all the peoples on the face of the earth to be his people (his *segurah*), his own private possession.” That’s Deuteronomy 7:6. Deuteronomy 14:1-2, “You are children of the Lord your God. Do not cut yourselves or shave the front of your head for the dead, for you are a people holy to the Lord your God. Out of all peoples on the face of the earth the Lord has chosen you to be his *segurah*, treasured possession.” Deuteronomy 26:18, “And the Lord declared this day you are his people, his *segurah*, his treasured possession, his private property, as he promised, and that you are to keep all his commands.”

When you get into the New Testament, look at Titus 2:3 which says, “We wait for the blessed hope of the glorious appearing of the great God and our Savior Jesus Christ who gave himself for us to redeem us from all wickedness and to purify for himself,” the NIV says, “the people that are his very own.” The Greek there is identical with the Greek used to translate *segurah* in the Old Testament that we just looked at. So it’s the same word, except the Greek wording “of the people that are his very own, eager to do what is good.” Now it’s interesting, those of you familiar with the King James Version, do you know how that is worded? “Who gave himself for us to redeem us from all iniquity and to purify unto himself a peculiar people, zealous of good works.” Now “peculiar people,” why did King James say “peculiar people”? Well, in old English “peculiar” meant “belonging to an individual” or “privately owned.” There you see an enormous shift in

meaning of a word, and I think at the same time you see the reason why we need more up-to-date translations that use English the way it is used today rather than what it was 400 years ago. Otherwise you would say what many people say, “Christians were peculiar people,” but not “peculiar” in the sense of the word “possession” but peculiar in the sense that we are odd in some way. That is not the meaning of the word at the time of the King James translation.

First Peter 2:9 gives another use, and I think this shows some of the continuity between the people of God in the Old Testament period and the people of God in the New Testament period. 1 Peter 2:9 says, “You are a chosen people of royal priesthood, a holy nation,” and then the next phrase, “a people belonging to God” and the Greek of that is the translation of *segurah* again. It’s “a people who are God’s own possession.” Now he’s speaking there about the church, the people of God in the New Testament era. But in that first presentation of the covenant to Israel God says, “You are my own treasured possession. And you are also to be a kingdom of priests.” That’s the next expression that’s descriptive of what Israel is to be. What are priests? Priests are mediators between God and human beings. I think the idea here is that Israel is to be that sort of a vehicle, Israel is to have that sort of a function, to the nations of the earth. As subjects of the kingdom of Yahweh Israel is to perform a priestly task among the nations. They are to be mediators between God and other human beings. Then thirdly, the Lord says, “You are to be a holy nation.” A nation set apart from all others. The Hebrew *qadosh*, which is often translated “holy,” has its root meaning as “set apartness,” set apart from all others. So that’s the presentation of the covenant.

b. Arrangements for Declaration of the Foundational Law

Next point, b is, “Arrangements for declaration of the foundational law – Exodus 19:9-25.” Just a few brief comments here. Israel is warned in verse 12 that they are not to touch the mountain, “Be careful you do not go up the mountain or touch the foot of it. Whoever touches the mountain shall surely be put to death.” In verses 16-18, you have a description of God’s appearance on Mount Sinai. There was thunder and lightning. Verse

16 says, “With a thick cloud over the mountain... Everyone in camp trembled. Then Moses led the people out of camp to meet with God, and they stood before the mountain. Mount Sinai was covered with smoke, because the Lord descended on it in fire. The smoke billowed up from it like smoke from a furnace, the whole mountain trembled violently, and the sound of trumpets grew louder and louder. Then Moses spoke and the voice of God answered him. The Lord descended on the top of Mount Sinai.”

So here you have Sinai enveloped in fire, smoke and lightning and thunder. You see a certain continuity here in manifestation of the presence of God. If you go back all the way to Abraham, remember in chapter 15 of Genesis, there were these animal carcasses that were slain and laid out and this smoking fiery furnace passed between the parts of the slain animals, and that smoking fiery furnace was really a symbol that it was God who was taking his self-maledictory oath upon himself. “So be it done to me, if I do not fulfill the promise that I have given to you.” It’s a ritual at the conclusion of the covenant. So you have that smoking fiery furnace covenant with Abraham.

Then with Moses in Exodus 3 you have the burning bush, where God appears to Moses and commissions him to go back and deliver his people and that appearance of the Lord is also connected with fire. Moses is told, “Don’t go near. Take the shoes off your feet for the place you’re standing is holy ground.” It seems like when you get here at Sinai what you have is the burning bush on a much larger scale, and the Lord again appears on Mount Sinai and speaks again. Then in chapter 19 verse 24 the Lord tells Moses, “Go down and bring Aaron up with you. But the priests and the people must not force their way through to come up to the Lord or he will break out against them. Moses went down to the people and told them the words of the Lord,” and that is the foundation law.

c. The Foundational Law Proclaimed – Exodus 20:1-17

That brings us to c, “The foundational law proclaimed – Exodus 20:1-17.” And as I mentioned earlier, we speak of the categories of laws being: moral, ceremonial and civil. I think a better label is “foundational” for the Ten Commandments. I think what

you have in the Ten Commandments are laws that define the eternal principles by which God intends man's life to be governed. I don't think these principles were given to Israel as a means of meritorious salvation; that was not their intent. That's not the way it should be viewed by us today. But, as I mentioned earlier, election is not only a privilege, it's also an obligation. God had chosen Israel as his people, he had redeemed them from spiritual and physical bondage in Egypt, he had brought them to Sinai and now at Sinai he gives his law. I think you can say there's a sense in which the law itself is a revelation of God's grace to his redeemed people. You know often law is set opposed to grace, and I want to say more about that later. But the very fact that God has given these principles to guide man in his life is an act of grace.

1. Law

Look in your citations, page 22. This is a paragraph from J. A. Motyer's *Old Testament Covenant Theology*. He says, "What does that mean for us as we seek to study these narratives as a covenant document? It means this: that the Word of God to a redeemed people is a word of law. We are enabled by this simple observation of a sequence of events to get in biblical perspective the place of law in the life of the people of God. God brought them to Mount Sinai that he might declare his law to them. In the Old Testament, therefore, the law is not a ladder whereby the unsaved seek in vain to climb into the presence of God. The law is a divinely given pattern of life for those who have been redeemed by the blood of the lamb. These folk, who had rested underneath the sheltering blood and who were committed thereby to pilgrimage, discovered that the immediate objective of their pilgrimage was the place where they might hear God speak his word of law and of commandment. The law is a pattern of life which God sets before and upon a redeemed people. This is the place of law in the Old Testament. Is it not the place of law in the New Testament? Ought we not therefore as believers increasingly to forget the blank page between Malachi and Matthew and to read the Bible as one book proclaiming one message?"

2. Law and Grace

Now that shows that perspective of continuity between the Old Testament and the New Testament when we come to this matter of the law and grace. What's been typical from a dispensational perspective is that the Old Testament is law and the New Testament is grace. The implication is there's little grace in the Old Testament. I think the perspective is that both the law and grace function in the Old Testament in the same way. I want to go further with this because this issue has become a rather large issue in evangelical Christianity.

Look at page 23 of your citations, bottom of the page. This is from an article by Gordon Wenham, "Grace and Law in the Old Testament," where he says, "Throughout the Old Testament, then, law is consistently set in the context of covenant. This means that law both presupposes grace and is a means of grace." Now reflect on that. Law set in the context of covenant. This means that law presupposes grace and is a means of grace. "Law presupposes grace because law is only revealed to those God has called to himself." See, God has told Israel himself that he brought them out of Egypt he bore them on eagles' wings. Now he gives this law. "Law is a means of grace because through obedience to it the redeemed enter into a closer relationship to their divine king and enjoy more of the blessings inherent within the state of salvation." So law presupposes grace and is a means of grace.

Look at page 20. This is another section from Motyer where he says something very similar to what Wenham has said. This is on the nature of Old Testament religion. "Old Testament religion is a complex of grace, law and grace. Let your mind go back over what we have seen together in Exodus; we have seen the grace that brought them out of the land of Egypt, the law that was spoken to them because they were a redeemed people and the grace that was made available for them as they committed themselves to a life of obedience." See that's grace, law and grace. "Notice how this solves thorny problems which have been raised by Old Testament specialists, e.g., the supposition that there was a battle in Israel between those who thought that religion was purely a matter of the cult and the sacrifices and those who thought that religion was purely a matter of

ethical observance. It cannot be so because the Sinaitic Mosaic ground work of Old Testament religion is the binding together of grace, law and grace, the binding together of the commitment to obedience and the blood of sacrifice. Naturally when the prophets found that sacrifices were getting out of place, they countered that by reasserting the priorities for the people of God. The prior call was to holiness and within that context the blood of sacrifice makes provision for the lapses of the people. It is round this point that the totality of Old Testament religion finds its unity.”

Then on the topic of the unity of the Old Testament and the New Testament. “1 John 2:1, 2 reads, ‘My little children, these things I write I to you, that you sin not.’ People of God under the new covenant have no permission to sin; they are summoned to a life of holiness; ‘All that the LORD has said we will do and be obedient.’ ‘But if any man sin we have an advocate with the father, Jesus Christ the righteous, and he is the propitiation for our sins.’ God has made a provision whereby those who are committed to obedience may, in spite of their disobedience, still be kept at peace with God and maintained in the covenant relationship. Is it not so that the whole of the Bible speaks with one voice?”

Look at the next entry at the bottom of page 20, again from Walter Kaiser, this time from his *Toward Old Testament Ethics*. “The most common misconception of the purpose of the law is that Old Testament men and women were brought into a redeemed relationship with God by doing good works, that is, by obeying the commands of the law, not through the grace of God. The truth of the matter is that this reading of the text will not fit the biblical evidence.

3. Three Covenants: Abrahamic, Sinaitic, Davidic

“The history of the Old Testament revolves, for the most part, around three covenants: the Abrahamic, the Sinaitic, and the Davidic covenants. The substance of these three covenants occupy a great deal of the Old Testament writers’ attention and exhibits common material and concerns. However, most Old Testament scholars link the Abrahamic and Davidic covenants with royal grant types treaties. Moshe Weinfeld

demonstrated that the ‘royal [or divine] grants’ made to Abraham and David with their promise of ‘land’ and ‘house’ (dynasty) were unconditional gifts that were protected and assured even if subsequent sins intervened. The gift might then be delayed or individually forfeited, but it had to be passed on to the next person in line. Thus for Abraham and David, God's covenant was an ‘everlasting covenant’ even though there might arise some undeserving rascals who would not be able to participate in the benefits of that covenant though they were obligated to transmit those same gifts on to their children.

“But the Sinaitic covenant is placed on a different footing even though it shares much of the same substance with the Abrahamic and Davidic promises. It is not modeled on royal grant treaties, but on a vassal treaty form. To be sure, the vassal's obligations to obey in order to enjoy the benefits of this covenant are much more prominent.”

Now that’s a discussion, we’ll talk more about the vassal treaty model for the Sinai covenant in a little bit. You have these two types of covenants, sometimes called promissory covenants, the Abrahamic and Davidic; and law covenant, which is the Sinai covenant. Some say the promissory covenants are unconditional, the law covenants are conditional. Some people I think overstate the contrast between these because I don’t think you can say that the Abrahamic and Davidic covenants had no conditions, nor can you say that the law covenant has no promise. In the law covenant, the obligation is emphasized: in the promise covenant, the promise is emphasized but not to the exclusion of the conditional and promissory. But notice where Kaiser goes with it. “Several cautions must be raised at this point.” So you see they weren’t totally unconditional. “First, both the Abrahamic and Davidic covenants also required obedience: obedience was no spiritual luxury which the grace and goodness of the one bequeathing the grant had removed. While the recipients did not earn these benefits, neither did they participate in them if they sinned and fell out of favor with the grantor. The best they could do in that sad event was to pass on these gifts to their children. They would participate in them if they walked in truth, otherwise it would skip their generation also.

Second, obedience to the law is not the source of blessing, but it augments a blessing already given. Only after the historical preface to the covenant document has

affirmed that Yahweh's grace came first, does the list of Yahweh's demands upon Israel begin.” This is the point that both Wenham and Motyer make. “The grace of God is the atmosphere and context into which the Decalogue is cast, for its prologue states: ‘I am the LORD your God, who brought you out of Egypt, out of the land of slavery’ in Exodus 20:1,” that’s grace. “Likewise, before the specifications and stipulations of Deuteronomy 12-26 begin, Deuteronomy 1-11 lays the groundwork for such obedience by recording Moses’ sermons on the great redemptive actions of God in history that brought this covenant into existence. Blessing would indeed come after obedience, but not as a merited legal reward for the achievement of obedience to the law. The pattern in the Sinaitic covenant was, as Gordon Wenham has observed, ‘...God's choice (1) precedes man's obedience (2), but man's obedience is a prerequisite of knowing the full benefits of election (3).’ Each of these three steps can be illustrated, as Wenham has, with a text like Exodus 19:4-5: ‘You yourselves have seen what I did to Egypt, and how I brought you to myself.’ That’s one. What God has done so far—that’s grace. “Now if you obey me fully and keep my covenant,” that’s two, Israel’s obligation—that’s law, “You will be my treasured possession,” three, a promise of fuller benefits is added for obedience, but in the context of a grace already received and begun.

“Accordingly, the priority and absoluteness of God's grace are constantly reiterated. The law, then, must not be viewed as an abstract, impersonal tractate that stands inertly over the heads of men and women. It was, first of all, intensely personal God spoke from heaven so all the people could hear his voice (Deuteronomy 4:32-34, “Has any other people heard the voice of God speaking out of fire, as you have, and lived?”). The ultimate motivation for doing the law was to be like the Lord—in holiness (Leviticus 20:26) and action (Deuteronomy 10:17-19; 14:1-2; 16:18-20). The covenant aims to establish a personal relationship, not a code of conduct in the abstract.” So I think it’s important when we come to this foundational law to understand the way in which it functions and it functions in the context of covenant. It’s not a meritorious means of salvation and Israel did not speak rashly or improperly when they responded, “We will do all the Lord said we should do.” And there is not a contrast between the Old and New

Testament, between law and grace, as if grace does not exist in the Old Testament and the law does not exist in the New Testament.

I was astounded a few years back in this course that after the course there was an older student who came up to me and said he had never realized before that there was grace in the Old Testament. That's a pretty astounding statement but this was not someone who was unread in the scriptures or in knowledge of the Bible, but that was grid he had put on the Bible, that law of the Old Testament had no grace. It seems to me in regard to this whole law/grace debate that it is very difficult to read in the Old Testament and not perceive that there's a tremendous manifestation of the grace of God there.

Let me give you one more citation here. Those of you that have had the Foundations of Biblical History course have read some of Vos' *Biblical Theology* on page 22. This is kind of heavy stuff but he's getting at an issue here concerning the way in which certain statements are made in the New Testament about the way in which the law functions and works, bottom of page 22. Vos says, "This Pharisaic philosophy asserted that the law was intended, on the principle of merit, to enable Israel to earn the blessedness of the world to come. It is true, certain of the statements of the Pentateuch and of the Old Testament on the surface seem to favor the Judaistic position. That the law cannot be kept is nowhere stated in so many words. And not only this, that the keeping of the law will be rewarded is stated once and again. Israel's retention of the privileges of the covenant is made dependent on obedience. It is promised that he who shall do the commandments shall find life through them. Consequently, writers have not been lacking who declared that, from a historical point of view, their sympathies went with the Judaizers, and not with Paul." The law was a meritorious means of salvation.

Only a moment's reflection is necessary to prove that this is untenable, and that precisely from a broad historical standpoint Paul had far more accurately grasped the purport of the law than his opponents. The law was given after the redemption from Egypt had been accomplished, and the people had already entered upon the enjoyment of many of the blessings of the covenant. Particularly their taking possession of the promised land could not have been made dependent on previous observance of the law,

for during their journey in the wilderness many of its prescripts could not be observed.

It is plain, then, that law-keeping did not figure at that juncture as the meritorious ground of life-inheritance. The latter is based on grace alone, no less emphatically than Paul himself places salvation on that ground. But while this is so, it might still be objected, that law-observance, if not the ground for receiving, is yet made the ground for retention of the privileges inherited.” Notice what he is saying here. “Here it cannot, of course, be denied that a real connection exists. But the Judaizers went wrong in inferring that the connection must be meritorious that, if Israel keeps the cherished gifts of Jehovah through observance of his law, this must be so, because in strict justice they had earned them.” Here’s where Vos objects to that connection. He says, “The connection is of a totally different kind.” Yes, there is a connection between obedience and blessing, but it’s not a meritorious connection. The connection is of a different kind. “It belongs not to the legal sphere of merit, but to the symbolico-typical sphere of appropriateness of expression.” Now what does he mean by that? He explains that in the next paragraph.

“As stated above, the abode of Israel in Canaan typified the heavenly, perfected state of God's people. Under these circumstances the ideal of absolute conformity to God's law of legal holiness had to be upheld. Even though they were not able to keep this law in the Pauline, spiritual sense, even though they were unable to keep it externally and ritually, the requirement could not be lowered. When apostasy on a general scale took place, they could not remain in the Promised Land.” Why? Here’s what he says, “When they disqualified themselves for typifying the state of holiness, they *ipso facto* disqualified themselves for typifying that of blessedness, and had to go into captivity.”

So he says, yes, there is a connection between remaining in the land because of obedience and being driven from the land because of disobedience, but that connection of blessing for obedience is not based on a meritorious ground of having earned it, but he calls a symbolico-typical sphere of appropriateness of expression. If they disqualified themselves for typifying this state of holiness they thereby disqualify themselves for typifying of blessedness. Now that’s of course a pretty heavy theological discussion of the issue. But it is a legitimate question to ask: what’s the meaning or what’s the nature of

the connection between blessing for obedience and cursing for disobedience. Now I think you can say if you disobey, you merit punishment. But when Israel obeyed, can you say that the blessing is merited? What Vos is suggesting is you cannot. Whatever measure of obedience there is, it's never going to be perfect anyway.

I assume they would come to Moses whenever there was a dispute. They wanted a settlement and in connection with cases of that sort we find that Moses gave the principle that should be followed. I would think they'd recognize that Moses was someone who was a mediator and that what he said had divine authority and they looked to him to settle a dispute. I'm going to come back to that question in another connection shortly, so maybe we can go further with that when we discuss that other issue.

d. The People's Fear – Exodus 20:18-21

Let's move on to d, "The people's fear," that's in Exodus 20:18-21. That's after the giving of those Ten Commandments. When the people saw the thunder and lightning, heard the trumpets, saw the mountain smoke, they trembled in fear, stayed at a distance, and said to Moses, "Speak to us yourself, we will listen. Do not have God speak to us." So they asked Moses to mediate between God and themselves.

e. The Book of the Covenant -- Exodus 20:22-23:33

That brings us to e, "The Book of the Covenant, Exodus 20:22-23:33." If you glance through that material, Exodus 20:22, you see immediately you have a regulation about how to make an altar and what is permissible or not permissible. From that point through the end of chapter 23, you have a body of legal material that I think is to be viewed as specific application of the moral law to particular types of situations. In other words, the material of the Book of the Covenant stands at a different level of specificity or concreteness than does the foundational law. What you get in the legal material of the Book of the Covenant is an application of the foundational law to specific types of situations.

1. Foundational Law and the Book of the Covenant

I think that can be illustrated if you look in your citations at pages 25-27. I don't want to read all this but I want to give you a couple examples taken from D. R. Hiller's book, *Covenant: The History of a Biblical Idea*. For example, you have the commandment in the foundational law, "You shall not commit murder." You see that two-thirds of the way down page 25. That's one of the Ten Commandments. When you get to the Book of the Covenant what you have is application of that principle to specific situations. Exodus 21:12-14 says, "He who strikes a man a fatal blow shall surely be put to death. But he who did not act deliberately, it being an act of God—I will designate a place for you where you may flee. But if a man maliciously plotted against his neighbor to slay him, you shall take him to be executed, even from my altar."

And then Exodus 21:18-25 is another kind of a situation. If you go to the next page, Exodus 21:28-32 says, "If an ox gores a man or woman to death, the ox must be stoned, and its meat must not be eaten" and so on. You get that general principle, you shall not commit murder then you get that applied to specific types of situations in the material of the Book of the Covenant.

Go down a little further on page 26, "You shall not commit adultery," another one of the Ten Commandments. That becomes more specific in Exodus 22:15-16, "If a man seduces a virgin who is not betrothed, and lies with her, he shall make her his wife." Top of page 27, "You shall not steal." You get a couple of examples of that kind of a specific situation. So the Book of the Covenant stands at a different level of specificity or concreteness than those of the foundation law. And that's why I call the moral law of the Ten Commandments the foundation law.

2. Case Law

The content of the Book of the Covenant consists in regulations for Israel to follow in things such as worship, rights of Hebrew slaves, property rights, and social responsibilities of various sorts. Most of them are formulated in what is called "case law" format. The case law format is, "IF such and such happens, THEN this is the way you

deal with that situation.” And case law comes out of a long history of legal tradition of customary practices that have built up over time that deal with certain types of situations and how to handle them. The various kinds of laws were worship, rights of Hebrew slaves, and property rights. I’ll give you some references: worship in 20:22-26; rights of Hebrew slaves in 21:1-11; property rights in 22:1-15; and various other sorts of social responsibility in 22:16-31.

3. Ancient Near Eastern Law Codes

Now, here you have a law code that many call the “Covenant Code” and the interesting thing is there were a number of extra-biblical law codes in the ancient Near East that predate the Mosaic material found in the Book of the Covenant. I want to give you five examples of that. The first is what’s called the **Ur-Nammu law code**, which was a Sumerian law code. It dates from about 2000 B.C. It came from the third dynasty of Ur down in southern Mesopotamia. That site Ur in Sumeria was excavated by the University of Pennsylvania. That’s about the same time of Abraham, so this is the law code basically from Abraham’s time. Second, we have the **laws of Eshunna**, a century later from an Elamite city that’s near present-day Baghdad. The Elamites drove the Sumerians out of Ur, so they had their own kingdom and a law code that comes from them that dates about 1900 B.C. Third, there’s a **Lipit-Ishtar law code** from around 1870 B.C. It’s also Sumerian from southern Mesopotamia. Fourth, the **Code of Hammurabi**, from Babylon about 1700 B.C. Finally, there are the **Hittite laws** from about 1500 B.C. So there are at least five law codes that have been preserved and translated that predate the Mosaic Law code. These are all available in Pritchard’s *Ancient Near Eastern Texts* or in Hallo’s *The Context of Scripture*.

4. Comparison of Ancient Near Eastern Law Codes and the Book of the Covenant

It’s interesting to compare the laws that you find in the Book of the Covenant in Exodus with some of the laws that you find in the extra-biblical law codes. When you do, you find that at certain places there is a remarkable similarity between the laws of the

Book of the Covenant and the laws of some of these other ancient Near Eastern law codes. Probably the most clear law in the Book of the Covenant resembling the law from one of these extra-biblical law codes is Exodus 21:28-32, about ox goring. It says: “If a bull attacks a man or woman the bull must be stoned to death, its meat must not be eaten, but the owner of the bull must not be held responsible. If however, the bull had the habit, and the owner was warned but did not keep penned up and it killed a man or woman, the bull must be stoned, and the owner must also be put to death. However, if payment is demanded he may redeem his life and pay. If the bull kills a male or female slave, the owner must pay 30 shekels of silver to the owner of the slave and the bull must be stoned.” But then verse 35, “If a man’s bull injures the bull of another, and it dies, they are to sell the live one and divide the money and the dead animal equally.” This is a case that doesn’t bother us too much, but it was probably a pretty common occurrence in agriculture. But if you compare verse 35 with law 53 of the Eshunna code on slide 19, look what that says, “If one ox gores another ox and causes its death, both ox owners shall divide the price of the live ox and the value of the dead ox.” So these are basically the same. You can find some other laws where in one or the other of these law codes you find a law quite similar to the formulation in the Mosaic code. So a question arises when you recognize or observe that at the time in which this material was given by Moses to Israel on Mount Sinai, that the formulation of the laws cannot be completely isolated from the existing law of the time as far as the way in which the law was formulated. But the Book of the Covenant seems to fit with the legal tradition of the time.

5. What is the Origin of the Laws of the Book of the Covenant

It raises an interesting question, and the question is: how are we to understand or attribute the origin of the legal material of the Book of the Covenant? Must we say that all the legal material in the Book of the Covenant is entirely new—previously unknown legal formulations? Are all the laws and legal principles embodied in the laws of the Book of the Covenant something that was entirely unknown before the time of Moses, before he gave this material to the people of Israel after coming down from the

mountain? In other words, if we are going to say that the character of these laws is divinely sanctioned laws given by God through Moses to Israel, must we assume that their form has no connection whatever with the legal tradition of their time? I think when you read the Book of the Covenant it becomes apparent pretty quickly that the majority of the laws are in what's called this "case law" form: IF such and such THEN here's what you do about it. That kind of case law format seems to be the codification of prior judicial pronouncements on particular types of legal problems. It is common in all these ancient law codes.

Now with that in mind, when you read in Exodus 21:1, "These are the laws you are to set before them," how do we understand that statement? What are the implications of that? I don't think the emphasis is so much that God dictated these laws to Moses or gave them apart from existing legal tradition. But rather, that God used and included the knowledge Moses had of the legal traditions of his time in the formulation of the body of laws that carried divine sanction as the will of God for his people.

6. Moses as Law Giver

That's why earlier I called your attention to that statement in chapter 18, Jethro's advice in verse 15 where it says, "Because the people come to me to seek God's will, whenever they have a dispute I decide between the parties and inform them of God's decrees and laws." Moses had spoken previously with divine authority in chapter 18 and had given the people statutes of God and his laws. I don't think there's any reason to conclude that in the method of divine inspiration involved in that process that it would not have included the legal knowledge and training that Moses had received from growing up in Egypt in Pharaoh's household and the education he received. He probably would have read these ancient law codes. He would have been familiar with the legal tradition of the time. God takes that up into the formulation of these laws that he then gives through Moses to his people.

Now, I see my time's up. I want to go further with this because you have to put some qualifications there. I don't think that the final conclusion at least is that this

biblical material is borrowed from the extra-biblical law codes, because there are a lot of differences. But there are connections. You shouldn't isolate the formulation of these laws from the historical and cultural context. There are lots of illustrations of that in the Old Testament.

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