

GOD DEMANDS A RIGHTOUS PEOPLE
The Law of God and
The Covenant Code

September 15, 2021

First Three Commandments (Exodus 20:1-3)

And God spoke all these words: I am the Lord your God who brought you out of the land of Egypt, out of the house of slavery; you shall have no other gods before me.

Exodus 19 gives us an in-depth study of YHWH as the name of the God of Israel within the context of the deliverance of the people from Egypt. And then in Exodus 20 there seems to be a need to restate the obvious at the beginning of the Ten Commandments. It is well known that other ancient Near Eastern texts demonstrate similar statements. It was the common way to open a suzerain-vassal treaty or a covenant between a conquering overlord (the suzerain) and a population of subjects (the vassals).

We have a better understanding on the relationship between covenant and law when we study these international treaties of the late second millennium B.C. found chiefly in Hittite archives. On the basis of an analysis of the form and content of these treaties, scholars distinguish two types of covenants: parity and suzerainty. A parity covenant is reciprocal. Both parties are equal in rank and bind themselves to each other by bilateral obligations.

The suzerainty covenant is more unilateral. The suzerain gives a covenant and within the covenant the vassals find protection and security. The vassals are under obligation to obey the commands issued by the suzerain. And yet the covenant is not just an assertion of power over an inferior (as though the vassals were forced into obedience). The most striking aspect of the suzerainty covenant is the great attention given to the king's deeds of benevolence on behalf of the vassals, deeds which evoke a response of grateful obedience.

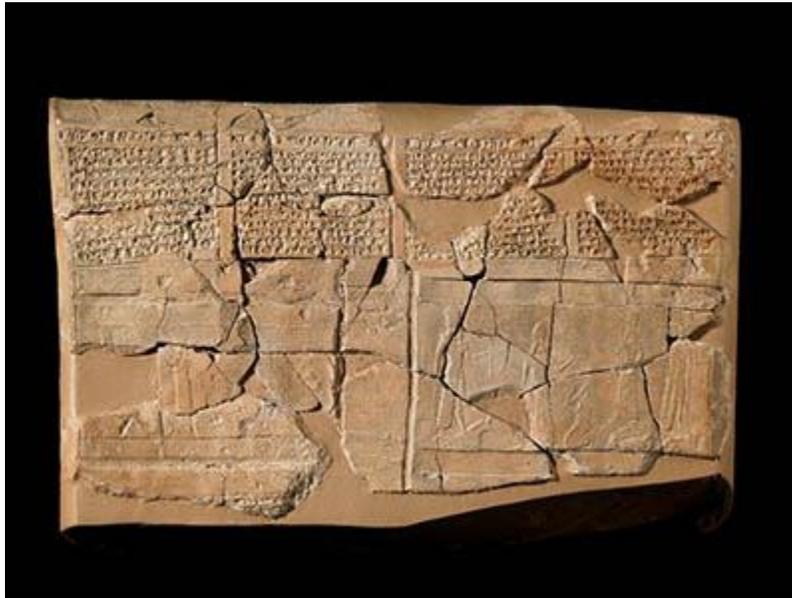
Understanding the genre helps us to contextualize and understand what is usually taken as the First Commandment which contains both a preface and a primary covenant stipulation. The typical suzerainty treaty starts with an introduction of the suzerain, followed by a historical prologue in which the suzerain reminds the vassals of his benevolent deeds towards them and why they owe him loyalty. This is what we have in the introduction and prologue to these opening words in Exodus 20.

These words frame this covenant in political terms that indicate that God is the new king for the Israelites. What follows is the primary stipulation in any suzerain-vassal covenant relationship which is exclusive loyalty from the vassals to the suzerain (you shall have no other gods before me).

A vassal cannot divide his loyalties between overlords but must be faithful to only one. This makes sense in terms of the demands placed on vassals such as sending troops to support the suzerain when he is at war. But in framing the covenant relationship between YHWH and Israel in terms of this treaty, exclusive loyalty to the conquering sovereign acquires a further

dimension: exclusive worship of one god. In equating the God of Israel with the notion of a suzerain, the covenant loyalty sets Israel on a path to monotheism.

In suzerainty treaties, secondary stipulations follow, which typically include the number of supporting troops and taxes that the suzerain expects his subjects to send. In the case of the Ten Commandments, the secondary stipulations contain instead the basic ritual, ethical, and ideals for a community by which YHWH expects his people to govern themselves.



The Esarhaddon's Succession Treaty (seen above) is an example of a suzerain-vassal treaty. In it the Neo-Assyrian king named Esarhaddon (681-669 B.C.) aimed to secure royal succession and the loyalty of his vassals after his death. The treaty has been studied extensively as a major model for the book of Deuteronomy.

The Ten Commandments belongs firmly to the genre of a political treaty, a known entity in a world of monarchies and expanding empires. But once more it is unique among other such ancient treaties in that the suzerain dictating the terms is divine, and the vassals agreeing to abide by them are the people of Israel. Therefore the covenant symbolized by the Ten Commandments is the basis (not for imperial rule) but rather for a theocracy in which God is conceived as the overlord and the Israelites his subjects. Although moral and religious laws are included in the list, the overall document would have been understood as neither a moral code nor a religious text in the ancient world. Rather, it represented the rules by which a group of people agreed to abide in exchange for the protection and security of the Lord God.

Judaism

The Ten Commandments form the basis of Jewish law and states that they are the universal and timeless standard of right and wrong. Jewish tradition considers them the theological basis for the rest of the 613 commandments found in the Torah. In the more conservative teachings the Ten Commandments are seen as virtually entwined. The breaking of one leads to the breaking of

another. The traditional Rabbinical Jewish belief is that the observance of these commandments and the other laws are required solely of the Jewish people. The laws incumbent on humanity in general are outlined in the Seven Laws of Noah. According to the Talmud, the seven laws were given first to Adam and subsequently to Noah. Six of the seven laws were exegetically derived from passages in Genesis. The seventh law established the courts of justice.

Not to worship idols.

Not to curse God.

Not to commit murder.

Not to commit adultery, bestiality, or sexual immorality.

Not to steal.

Not to eat flesh torn from a living animal.

To establish courts of justice.

Eastern Orthodox Church

It holds its moral truths to be chiefly contained in the Ten Commandments. A confession begins with the Confessor reciting the Ten Commandments and asking the penitent which of them he/she has broken.

Bodies of Legal Material in the Pentateuch

At Sinai

The Ten Commandments	Exodus 20:1-17 and Deuteronomy 5:6-21
Civil and Religious Laws (Covenant Code)	Exodus 20:22-23:33
Another Set of Ritual Laws (Assumed as another Decalogue)	Exodus 34:10-26
Priestly Legislation	
Cultic Instructions	Exodus 25-31 (Executed in 35-40)
Priestly Laws	Leviticus 1-18 and 27
The Holiness Code	Leviticus 19-26
Priestly Supplements	Numbers 1-10

After Sinai

Priestly Supplements	Numbers 28-31 and 33-36
Deuteronomic Code	Deuteronomy 12-26
Laws Sanctioned by a Curse	Deuteronomy 27

Through this chart we see how the Pentateuch in its present form shows how successive generations continued to respond to YHWH's covenant demand in the changing circumstances of their history. The Priestly legislation found in Exodus 25-31 signifies the later times. The Covenant Code shows the interests of an agricultural rather than a wilderness environment. The group of ritual laws in Exodus 34:10-26 reflects a Canaanite background for the most part. Not much is left that may have come from the time of Moses.

Exodus 34:10-26

The Sinai narratives are found in Exodus 19-24 and continues in Exodus 32-34. The chapters in between come from the Priestly tradition. How do we know that? There is a difference in writing style and an overarching concern for cultic matters such as the Tabernacle, the Ark, and priestly ordination. The instructions given in these chapters are carried out in Exodus 35-40 which contains a considerable amount of repetition.

In Exodus 32 the Israelites are restless because of Moses' long absence on the mountaintop. When Moses finally came down the mountain (and saw the wild spectacle) he was overcome with anger and smashed the tablets on which the Ten Commandments were written. It was a visual action that dramatized that the covenant had been broken.

This sets the stage for the narratives that follow (Exodus 33 and 34). Stories show that Israel could not claim to be better than other nations, either morally or religiously. The people displayed the same weaknesses and strengths that were found in the life of other cultures. It was only with the conviction that YHWH, their suzerain, was going before them that the people faced any kind of future. Another unique quality of God was recognized as a result of this event. The covenant that was broken by the Israelites by their rebellion could be renewed only on the basis of divine forgiveness. It went beyond what the people would have expected.

In this context we find the remaking of the covenant in Exodus 34:10-26. Here there are virtually no resemblances to the structure of the suzerainty treaty. Instead of a historical prologue, the covenant is introduced by the promise of miracles that YHWH would perform in the future. A new edition of the covenant is made symbolizing the renewal of the covenant.

As we noted last week the words do not match up with Exodus 20 and are often referred to as the ritual decalogue. It is centered more on cultic matters such as the seasonal festivals or the prohibition against the Canaanite practice of boiling a young goat in its mother's milk. For the most part these laws presuppose the later situation of Israel's settlement in Canaan when agricultural festivals were adopted and some Canaanite practices were renounced. The breaking of the tablets made it possible for this separate set of laws to be included.

From the Hebrew Bible Commentary

Many scholars identify these verses as the Small Book of the Covenant. It replicates much of what is contained in Exodus 21-23. In the aftermath of the Golden Calf episode, this series of injunctions starts with a stern command to keep a distance from the pagans and to destroy their cultic objects.

Vs. 14 – His name is Jealous. The Hebrew word can either mean *jealous* or *zealous*. The appearance of the term here and in Exodus 20 in connection with God banning all cultic rivals suggests that the leading edge of the word here may in fact be jealousy. God does not tolerate rivals to be in the hearts of his people. The God who has chosen Israel represents himself as the husband and lover (metaphors used in Hosea and Jeremiah) and when the Israelites betray him by worshipping other gods, they are unfaithful as is an wayward spouse.

Vs. 21 – The clause that prohibits plowing does not occur in the earlier prohibitions of work on the seventh day. For the agriculturist it is a vivid way of stressing that the obligation of the Sabbath day is binding throughout the annual farming cycle. Even when a farmer might feel the urgent temptation to go on with the plowing of his fields in the early spring or the harvesting of his crops in the fall he is to cease work on the Sabbath.

Vs. 24 – The fact that Israel will have ample and secure borders means that when people leave their holdings to go up to the sanctuary for the pilgrim festivals, they will not have to fear invasions from outsiders.

Vs. 26 – This prohibition would become the basis in rabbinic dietary regulations for the absolute separation of meat and dairy foods. Two different justifications have been proposed for the prohibition. Some say the law is a response to a pagan cultic practice known to the ancients of eating a kid prepared in its mother's milk. There is no clear-cut archaeological evidence of such a practice. The other approach is to explain the prohibition based on humanitarian grounds.

Vs. 28 – This is the first time that what is inscribed on the tablets is designated as the Ten Words or Commandments.

Covenant Code (Exodus 20:22-23:33)

Most scholars believe that the numerous similarities between the Covenant Code and Mesopotamian law collections, especially the Laws of Hammurabi (which date to around 1750 B.C.) are due to oral traditions that extended from the second to the first millennium. It is believed that the Covenant Code is primarily a creative academic work by scribes rather than a repository of laws practiced by Israelites or Judeans over the course of their history.

Code of Hammurabi

- Code of 282 laws inscribed on a stone pillar placed in the public hall for all to see
- Hammurabi Stone depicts Hammurabi as receiving his authority from god Shamash
- Set of divinely inspired laws; as well as societal laws
- Punishments were designed to fit the crimes as people must be responsible for own actions
- Hammurabi Code was an origin to the concept of "eye for an eye..." ie. If a son struck his father, the son's hand would be cut off
- Consequences for crimes depended on rank in society (ie. only fines for nobility)



Scholars believe the text was originally independent but later embedded by the Elohist (E) in their writings. In biblical criticism, the code is understood to be the Elohist's version of the legal code which the Jahwist (J) presents as the Ten Commandments. In the combined JE source these two texts appear together with the Ten Commandments appearing to be a summary version.

Back to the Hebrew Bible Commentary

This collection of laws is conventionally called the Book of the Covenant in accordance with the phrase used in 24:7. The first laws in the group deal with the regulation of slavery, addressed to an audience of newly freed slaves. What is involved is not slavery as property but more indentured servitude. The Bible does not question this institution but sets certain limits on it and (as we see in subsequent laws) the slave retains basic human rights.

21:6 – His master shall pierce his ear with an awl – there is no consensus on the symbolism of such an act although it is possible that the ear might be thought of as the organ of obedience. It simply could mean a way of permanently marking the slave without serious mutilation. The pierced ear might have been used to wear a ring bearing the master's mark or initial.

21:12 – There is a structural parallel to the Ten Commandments. The list of laws starts with regulations about slavery, just as the first commandment starts by mentioning the liberation from slavery. The next group of laws starts with murder, just as the second half of the Ten Commandments does the same.

21:13 – There were places of sanctuary for people who committed involuntary manslaughter. Members of the family bent on redeeming the blood of their dead relative (even if the killing was unintentional) would not be permitted to penetrate these towns of refuge.

21:23-25 – The thought of punishment by equivalent injury has a parallel in the Code of Hammurabi. It is a fragment of an archaic law code stitched into this text. The view of Jewish scholars is that in each of the cases stipulated here, the intention is for the liable party to pay monetary compensation for the loss incurred. Monetary compensation for such losses was a widespread practice in the Near Eastern codes.

22:17 – This marks the start of a second group of laws that are no longer conditional (if-then) but absolute imperatives. Such laws are stated in sharp, terse language. In all probability laws of this kind date back to the wilderness period.

22:29 – The firstborn of your sons you shall give to me – This is not a command to perform child sacrifices. In the Hebrew culture the firstborn officiated as priests. The standard practice then became to *redeem* the firstborn by paying a fixed amount to the priests (compare to Exodus 13:15).

23:1 – You shall not bear a false rumor – This injunction starts a group of laws intended to enforce the concept of equality before the law and equity in social behavior, regardless of social standing. The prohibition on bearing false rumors reminds us of the Third Commandment but instead of pertaining to solemn oaths, it addresses the capacity of ordinary speech to do harm.

23:13 – This is a summary command that reintroduces the obligation of loyalty to the one true God. It serves as a transition from the group of laws bearing on justice and social equity to the laws of the pilgrim festivals.

September 22
The Holiness Code