

Naked Bible Podcast Transcript

Episode 287

Exodus 20, Part 1

August 31, 2019

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Episode Summary

Exodus 20 is familiar to Bible readers for the Ten Commandments. Actually, only Exod 20:1-17 delineates those commands. The rest of the chapter resumes the Sinai theophany whose description began in Exodus 19. The “interruption” of that episode with the Decalogue is actually one of six issues discussed in this episode of the podcast—all preparatory to getting into the listed commands in future episodes. This episode deals with the unusual position of the Decalogue, the legal nature of the commandments, Jewish and Christian disagreement as to their number, the relationship of the Decalogue to ancient Near Eastern treaties, and the question as to why they were written on two tablets of stone.

Transcript

TS: Welcome to the Naked Bible Podcast, Episode 287: Exodus 20, Part 1. I'm the layman, Trey Stricklin, and he's the scholar, Dr. Michael Heiser. Hey, Mike. How are you doing this week?

MH: Pretty good. Hey, we're at the halfway point. What do you know? [laughs]

TS: Oh my gosh. Is it 2020? What year is this?

MH: [laughs] Right.

TS: Is anybody out there getting Exodus...?

MH: I see what you did there. 20 + 20 is 40 chapters. That's clever.

TS: It's a grind, but it's worth it. Don't get me wrong. Nobody's complaining.

MH: Well, that's good. [laughter]

TS: I *hope* they're not complaining. If they are... I mean, this is your wheelhouse. That's your monumental...

MH: Honestly, nobody in our audience is going to sit in church and go through Exodus in this much detail. So yeah.

TS: We'll have over 40+ hours of commentary on Exodus alone. That's a gold mine, in my opinion.

MH: As long as nobody complains, I'm good. [laughs]

TS: When I first discovered you, I would have given *anything* to have 40 hours on anything. It's good stuff!

MH: I've met enough people out speaking that I know a lot of people feel that way. So yeah.

TS: Mike, I watched the *Ten Commandments* movie again the other day for this episode.

MH: Again?

TS: I did. I put it on... I have it recorded. I have it DVR'd. I put it on just because we're here at chapter 20 and 4 ½ hours...

MH: Is that your 2020th time? See what I did there?

TS: What's funny is that my daughter and my wife were there. You put it on and you suck everybody into watching it. Four and a half hours later...

MH: It is.

TS: It's just so good. Such a good movie. It's not accurate or anything. Don't get me wrong. But it's such a good movie.

MH: Yeah, it's iconic. It's one of those movies that you walk by the TV and you sit down and you start watching, and okay, you're going to be there till the end. It's one of those.

TS: Well, Mike, everybody knows that we have swag now, and I just want to give a quick shout-out to Mark who took a picture of his coffee mug in front of his computer. And then also Trey in Louisiana bought a onesie, Mike, and posted the picture in our Facebook group of his baby wearing a Naked Bible onesie with our faces on it.

MH: That's dedication right there.

TS: Oh my gosh, it's so funny. It is so funny. It's awesome. So if you do have some merchandise, I would love to see y'all using it or wearing it. Use the

hashtag #nakedbible. Whatever social media platform you use, post it using #nakedbible. It'd be funny to see y'all out there in the wild using Naked Bible gear.

MH: [laughs] Yeah. See what you can come up with.

TS: Yeah, it's fantastic. I love it. We appreciate that. Thanks to everybody who bought something.

MH: Yeah, it's a good way... Somebody's going to ask you about your T-shirt or whatever, and you say, "Yeah, that's from the Naked Bible Podcast. You ought to listen to it." So it's a good way to promote it.

TS: Well, Mike, I'm so excited about Exodus 20. I'm glad that it's Part 1, too. Are we having 10 parts on this one?

MH: I know we're going to have at least two obviously, but probably... It's going to take a little while to get through the commandments, so I would say at least three. We'll see, but I would think at least three.

Well, this one obviously is going to be a preliminary episode. We're going to cover issues related to Exodus 20 and what we call "The Ten Commandments." We won't actually get into any of the specific commandments on this one. Then you think, "How in the world...? Are there really that many questions? It's just the Ten Commandments. What's so complicated about that?" Well, [laughs] nothing's ever really that simple in biblical studies. And I think you're going to see as we go through this, a lot of these questions are not just stuff that scholars come up with or invent, but they're things that arise from the text. Just even the phrase "Ten Commandments"... We're going to learn that there's some controversy to that.

So the one thing we should say up front is you're going to hear me use the word "Decalogue" as well. That is another way to refer to the Ten Commandments specifically as they appear in Exodus 20 or in Deuteronomy. So if you hear me using that word, that's what it means. It's just another way of referring to the Ten Commandments.

So one of the things we need to discuss out of the gate (and I'm not going to spend too much time on this) is the source-critical debate. This is the JEDP stuff again. The reason I bring it up, I hope, will become evident. Any scholar who holds to a mainstream view of the authorship of the Torah/Pentateuch (the JEDP stuff—that the Torah is just a patchwork quilt of sources)... Anyone who takes that view would see the laws of Exodus 20 and other places in the Torah (i.e., Deuteronomy but also other places in Exodus) as the result of authorship of varied sources from various time periods. JEDP (this approach to the Torah—the Documentary Hypothesis) is married to the History of Religions school (that's an

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academic term), which presumes an evolutionary development of Israelite religion from the primitive (polytheism) to the more enlightened (monotheism), which we've talked about other times on the show.

Now, as an example of how this thinking affects the Decalogue, consider this trajectory. Since later prophets like Amos focus on ethics and social justice... Amos is famous for this. (See what I did there? I rhymed.) In any study of the book of Amos, you're going to get into ethics and social justice because there's so much content in that book about that stuff. So since that's true, scholars would presume (if you take this evolutionary-trajectory view of Israelite religion) that the principles of the Ten Commandments found somewhere in Amos (when Amos applies the Ten Commandments) would suggest that the principles (the Ten Commandments themselves) come from the time of Amos. That's the 8th century B.C., which is long after the period of Moses. The 8th century B.C. would coincide with (you might think this is circular reasoning, but this is just how people are going to think) the time therefore that the E document (because that's where Exodus 20 is supposedly from) was composed, from which major parts of the book of Exodus derive, hypothetically. Now the essay on the Ten Commandments from the *Anchor Yale Bible Dictionary* notes this:

Many of the early critical studies of the decalogue took issue with the tradition of its Mosaic origins on the basis of a history-of-religions approach to the content of the Ten Commandments. It was argued, for example, that the social ethic expressed in the decalogue is under the influence of the 8th-century prophets (Amos, Hosea, Isaiah, Micah) and that the First Commandment [MH: having no other gods before me] was unthinkable before Hosea. The Mosaic origins of the Ten Commandments were therefore questioned on the basis of a developmental theory with regard to Israel's religion and ethics.

So I'm not creating a caricature here of critical approaches to the Ten Commandments. There it is. That's *Anchor Yale Bible Dictionary*. This is the way that this is thought about. This isn't a graduate Hebrew course, so we're not going to get bogged down in source-critical theory here. I'm more interested in the text as we have it, not hypothesizing about where all the parts came from and when they were created, because I do think (as I've said many times before) a lot of that *is* circular reasoning. So what we're going to do is look at issues that are apparent from the text as received. And we're going to start with the placement of the Decalogue (the Ten Commandments) in the book of Exodus. I'm going to read an excerpt here from the *Dictionary of the Old Testament: Pentateuch* volume as follows:

In Exodus 20, where God gives the law at Sinai, the Decalogue is situated at the beginning of the book of the covenant.

Now let me just stop there. The “book of the covenant” is not a reference to the whole book of Exodus. The book of the covenant is a reference to all of the portions of Exodus that are concerned with laws (crimes, punishment, ethics). Exodus 20 is going to start that, but then what we read in the Ten Commandments is going to get expanded elsewhere in the book of Exodus. That’s what “the book of the covenant” means. So back to the quote:

Source and redaction [MH: editing] critics have argued that the Decalogue interrupts the flow of material between Exodus 19 and 20:18.

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Now I want you to think about that. If you read Exodus 19 all the way through the end of Exodus 20 and then on into 21 and 22 and so on and so forth, it does feel interruptive. The first 17 verses of Exodus 20... If you go back into chapter 19, for instance, you have the scene at Sinai there about, “The Lord said, ‘Come up bringing Aaron with you. Don’t let the priests and people break through to come up here.’” And then all of the sudden, we have the Ten Commandments. Well, what happened in the rest of the scene? It feels interruptive, is the point. Now back to the quote.

With the Decalogue removed [MH: if you actually just plucked it right out of your Bible], the remaining material [MH: after the Decalogue] describes a theophany in which God instructs Moses to set limits around the holy mountain, with only Moses and Aaron allowed to ascend the mountain. The people, frightened by the thunderous theophany, request that Moses be their intermediary so that they will not die from standing in God’s overwhelming presence.

Here’s Exodus 20:18, right after the commandments end:

¹⁸ Now when all the people saw the thunder and the flashes of lightning and the sound of the trumpet and the mountain smoking, the people were afraid and trembled, and they stood far off ¹⁹ and said to Moses, “You speak to us, and we will listen; but do not let God speak to us, lest we die.”

So it just seems like the commandments should come after all the mountain scene setting. Because when you get to Exodus 20:22, we get more laws. There are laws about altars, for instance. Source critics would say, “Why in the world are the first 17 verses (the Decalogue, the Ten Commandments) plopped down right in the middle of this mountain scene? And then the mountain scene resumes before we get to other laws. Wouldn’t it have made more sense to just put all the laws together, beginning with the Ten Commandments?” So when they see that, that raises questions about... “Well, maybe what we have here is just material from a couple of sources that somebody just put together and probably could have been put together more smoothly. It’s evidence of this patchwork kind of thing going on.”

So we're talking about the placement now. We're not going to get into source-critical theory and all that stuff. But this is worth thinking about. And I would suggest, and other people have had this suggestion who are not concerned about source critics and source criticism—"What are the original sources of all of this?"... People who approach the Bible in literary terms propose something different. They would say, "Okay, the placement of the Decalogue at Exodus 20 is indeed interruptive, but that doesn't prove any part of chapters 19 or 20 come from different sources and time periods. There may be (and various scholars have proposed there is) a literary or structural reason for the ordering of the material as we have it. There may be some other reason rather than sources. There may be some literary design going on here, something intentional. Now Durham in his *Word Biblical Commentary* comments on this. I want to highlight a couple of observations he makes. Here's the quote from Durham:

In some ways the single most important point about the canonical form of the Decalogue is not what this section contains but its location. The commandments are given as an integral part of the Sinai narrative sequence, and as an essential segment of the account of Yahweh's presentation of himself to Israel within that sequence... Some literary critics indeed have even suggested [that] the relocation of the Decalogue . . . [is] an uneasy insertion disruptive of the narrative sequence of which it now is a part. Such suggestions are mistaken, however, not alone for the violence they do to an Exodus carefully planned and arranged, for very definite reasons, into the form in which we have received it. The ten commandments must first of all be seen as Exodus presents them, words addressed by Yahweh himself to Israel gathered by his command at the perimeter of holiness about the base of Mount Sinai. They form an essential part of Israel's experience of Yahweh's Advent, and to detach them from the narrative preceding and following them compromises our understanding of both that narrative and the commandments themselves.

With such a point clearly in mind, better consideration can be given to the form of the Decalogue, especially the question whether that form may have been dictated in part by the original purpose of the commandments and in part by continuing application of the principles set forth by them to life lived out in Israel in covenant with Yahweh. At least five aspects of the form the Decalogue has taken [MH: the order of the commands themselves and also where they're situated in the book] need to be considered [MH: I'm going to only mention two here for the purpose of this episode.]: (1) the ANE covenantal/legal form to which the commandments are obviously related... [MH: In other words, maybe the book of Exodus is trying intentionally to mimic the way ancient Near Eastern covenants were ordered in their content.] (2) the connection between the commandments and other OT covenantal/legal collections, in particular the Book of the Covenant [MH: at large, which is] in Exod 20:22–23:33.

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What he's saying is, "Look, there are going to be discernable reasons why the stuff is where it is." We don't flip out and say, "The editor had no idea what he was doing. It's just haphazard. What a goofball." Or if we just say, "Well this is obviously from independent sources." Durham's saying, "You don't really need to draw those conclusions. Those are conclusions that overreach the data." Now we'll be hitting on both of those ideas that Durham listed (the ancient Near Eastern covenantal form and then the bigger picture) as we proceed. But for now, just note that the interruptive feel and sequence of the Decalogue may be due to Exodus 19-20 (really, even beyond that) following ancient Near Eastern covenantal forms and elements.

The second topic we want to say something about... Are the Ten Commandments the actual or original Ten Commandments? You say, "What kind of a crazy question is that?" It sounds odd, but the question arises for two reasons. First, the Hebrew phrase from which "Ten Commandments" as a term derives does not occur in Exodus 20. It actually occurs later in Exodus 34:28. Let me read you verses 27 and 28:

²⁷ And the LORD said to Moses, "Write these words, for in accordance with these words I have made a covenant with you and with Israel." ²⁸ So he was there with the LORD forty days and forty nights. He neither ate bread nor drank water. And he wrote on the tablets the words of the covenant, the Ten Commandments [Ten Words].

It's not until Exodus 34 that we actually get the Hebrew phrase *'aseret ha-devarim* (the Ten Words). So people look at that and say, "Why wouldn't that occur when the list is actually given? That's kind of odd." The Hebrew phrase also occurs in Deuteronomy 4:13 and Deuteronomy 10:4, but does not appear at all in Exodus 20. Now Nahum Sarna... We've been quoting his Exodus commentary periodically through the series. He writes this:

The present chapter [MH: Exodus 20] carries no designation for this document [MH: the Decalogue]. The popular English title "The Ten Commandments" is derived from the traditional, although inaccurate, English rendering of the Hebrew phrase *'aseret ha-devarim* that appears in Exodus 34:28 and in Deuteronomy 4:13 and 10:4. In fact, the term "commandment" (Heb. *mitsvah*, pl. *mitsvot*) is not employed in the present context. [MH: In other words, that word doesn't occur in Exodus 20.] The Hebrew means, rather, "The Ten Words," which the Jews of ancient Alexandria in Egypt translated literally into Greek as *deka logoi*. This gave rise to the more accurate English alternative "Decalogue."

So Decalogue actually means “ten words.” It doesn’t mean Ten Commandments because the Hebrew word for commandment is an entirely different word than we get in Exodus 34 and Deuteronomy 4 and Deuteronomy 10. Then Sarna adds:

In fact, traditional [MH: Jewish] exegesis derived thirteen, not ten, commandments from [MH: what we know as] the Decalogue.

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We’re going to get into this. It depends on how you group certain statements in Exodus 20:1-17. That’s where we get the “Ten” Commandments. It depends how you group certain statements whether you come out with ten or, in the case of ancient Jewish exegesis, thirteen. And even in the Christian tradition (Protestant and Catholic), this is an issue. We have ten commandments, but how are they worded? So Christian tradition will settle on ten, but depending on what you group with what and what you separate, the wording is going to be different. Now the *Intervarsity Press Dictionary of the Old Testament: Pentateuch*... I’m going to refer to what it says here, because it’s useful.

The Decalogue in Exodus appears to be given a second time in chapter 34. [MH: So when you get the Ten Words in Exodus 34, there’s a lot of overlap between that and Exodus 20.] When Moses discovers that the Israelites began worshipping the golden calf in his absence, he angrily breaks the tablets containing the laws. Moses then ascends Sinai yet again, where God gives a set of replacement tablets. Though Exodus 34:28 says that God “wrote on the tablets the words of the covenant, the ten commandments,” the commands given in Exodus 34 are clearly different from the ones recorded in Exodus 20.

They do not precisely overlap. There’s new material in Exodus 34. And Exodus 34 is the one that actually refers to the Ten Words.

The prohibition against idols and the call to sabbath rest do appear in Exodus 34, but the remaining stipulations pertain to religious festivals and sacrifices.

That material about festivals and sacrifices is included in Exodus 34, and those are the Ten Words.

The Decalogue occurs yet another time in Deuteronomy 5, where its form and content are comparable to the material in Exodus 20. A book of speeches, Deuteronomy has a sermonic, exhortative quality. Here the Decalogue is incorporated into hortatory [MH: exhortational] material by Moses that reminds Israel of its covenantal identity and responsibility in preparation for entering Canaan.

Deuteronomy recalls the giving of these laws at Mount Horeb, a more general name for the locale, rather than Mount Sinai, the more specific name for the

mountain. Apart from that difference of name for the holy mountain, distinct differences between the Exodus version and the Deuteronomy version of the Decalogue are minimal. The commandment to observe a sabbath rest in Exodus is based on God's divine rest on the seventh day. In Deuteronomy, the motivation for a sabbath rest is Israel's memory of its enslavement in Egypt.

It actually gives you an example there of how the commandments in Exodus and Deuteronomy are different. The motivation for the Sabbath rest is different in both accounts. Now is there a discernible reason for these differences and the repetitions of the Decalogue in Exodus and Deuteronomy, and Exodus 34 as well? Most would say, "Yeah, there is." I'm going to limit this to the repetition in Exodus 34. We'll hit later in Part 2 (and maybe we'll have a Part 3 as I said at the beginning) differences between Exodus and Deuteronomy in the Decalogue when we get to the individual commandments. Now Durham writes as follows about Exodus 34 and this whole issue:

Exod 34:10–28 has been woven with some care into the larger narrative whole that is now Exod 32–34, with the express purpose of suggesting the renewal of the covenant relationship between Yahweh and Israel. This section has been pieced together from material taken from several areas of interest (e.g., covenant renewal, the avoidance of syncretistic influence, Yahweh the "jealous God," gifts and sacred festivals due to Yahweh)...

So it's been taken from material from several areas of interest in order...

...to present an overall impression of covenant renewal (1) emphasizing complete loyalty to Yahweh (a deliberate contrast to the terrible sin with the calf) whose justified jealousy is stressed as a warning against the temptation of a divided loyalty, and (2) summarizing, in a deliberate mingling of themes from the ten commandments and what is now called the Book of the Covenant [MH: more fully in Exodus], an array of requirements directed against exactly the kind of disobedience the sin with the golden calf presented.

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In other words, Durham is saying, "Look, some of the differences in Exodus 34 are very obviously due to the incident of the golden calf, which occurred while Moses was up getting the commandments. So when we have to do the commandments the second time around, there are going to be some alterations to reflect this incident and reflect God's attitude toward it. So he's saying, "That's why you're going to get these differences between Exodus 20 and Exodus 34. It's what happens in between." Fair enough. When we get to the individual commands, we'll talk about why there are differences between Exodus 20 and Deuteronomy 5 in the actual commands. But we're going to move on for the sake of this episode to a third consideration: the number of the commands.

We just brought this up a few moments ago, so let's drill down a little bit on it. Are there ten or more than ten? I'm going to share something here I wrote for *Bible Study Magazine*. And on the episode page for this website, you're actually going to see this in chart form. So there'll be a link there to a visualization of what I'm going to say here. This is from *Bible Study Magazine*, which is pitched for the average church-goer, so there's not going to be a whole lot of detail here. But I think it sort of captures the issue here.

It seems to go without saying that the list of the Ten Commandment is something that Judaism and Christianity have always agreed upon. Well, that is not exactly true.

Historically speaking, Jews and Christians—and even denominations within Christianity—have disagreed on exactly how the Ten Commandments should be listed and expressed. In fact, how to precisely spell out the commandments was an issue of considerable importance during the Protestant Reformation. The difference concerns how many commands are to be found in the first six verses and last two verses of Exod 20:2-17, the initial listing of the commandments received by Moses at Sinai.

The chart that we're going to have linked on the episode webpage illustrates those disagreements.

Interestingly, the Jewish tradition treats the statement in Exod 20:2 (compare Deut 5:6) as a command when the wording has no imperative force to it at all.

I'll read Exodus 20:2.

²“I am the LORD your God, who brought you out of the land of Egypt, out of the house of slavery.

There's nothing commanded there. But the Jewish tradition treats that statement as a command. It's just kind of odd.

This latitude arises from the fact that the Hebrew text of the Old Testament exclusively uses *‘aseret ha-devarim* (“ten words”) instead of *‘asereth hamitsvot* (“ten commandments”) with respect to the contents of Exod 20 and Deut 5. After regarding Exod 20:2 as the first “word” of the ten, verses 3-6 are then thematically understood as speaking to a single prohibition: making idols for worship.

There are actually three imperative statements in this group of verses (“You shall have no other gods before me”; “You shall not make for yourself a carved image”;

“You shall not bow down to them or serve them”), but to consider them as separate commands would move the total beyond ten.

So in other words, Jewish tradition is going to take that first statement in Exodus 20:2 as one of the “Words.” And then these three imperatives that follow in verses 3-6 they’re also going to split out. And what you have here is more than ten words. Just like Sarna said, in Jewish tradition, you actually have thirteen commandments. So if you take verse 2... “Okay, that’s not a commandment, but it’s one of the Words.” (This is going to sound really odd.) “It’s not a command, but it’s one of the Words. But now we’re going to take the three imperatives that follow in verses 3-6 and split them out into separate commands. And if we add that to what’s left, we come out with thirteen. So we have thirteen words—thirteen commands—even though Exodus 34 says ten words.” It gets really odd. But as Sarna noted, in Jewish tradition, the actual number of commands... If you pressed them and said, “Well, what are the commands? How many commandments did Israel get?” they would say, “Thirteen.” [laughs] And then they’d wait for you to have the deer in the headlights look. “Because they’re Jewish and you’re not. They know Hebrew and you don’t. So they’re right and you’re wrong.” It’s that kind of discussion.

So this is how it’s arrived at. It’s thirteen imperatives. But you can see... I’ll just read them again. Here are the three in verses 3-6. You get:

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- 1) You shall have no other gods before me.
- 2) You shall not make for yourself a carved image.
- 3) You shall not bow down to them or serve them.

So those are three different commands, but they all sort of point to the same thing. You say, “Well, we’re not going to split them out. We’re going to put them all together, and now we have ten. So there.” This is how the debate goes. Back to the *Bible Study Magazine* for one more little paragraph here:

Christian perceptions of Exod 20 are not rooted in the Hebrew terminology *‘aseret ha-devarim* (“ten words”), and so Christian formulations do not regard verse one as the first point of the Decalogue. As a result, all of Exod 20:2-6 is considered the starting point, and the imperative wording (“You shall not”) prompted the “commandment” terminology so widely known and used today.

And those three separate imperatives that all point to the same thing are considered essentially one. So the numbering is actually an issue. This is thought about between Jews and Christians. It became an issue between Protestants and Catholics. So if you go to the episode webpage and you look at the chart there, you get a nice visualization of what the disagreements are and why they are what they are.

Sarna comments that Jewish rabbinic tradition numbers the commands as more than ten. You get thirteen, not ten. And this has become part of rabbinic tradition. But at any rate, “ten words” (the actual biblical terminology from Exodus 34:28) seems to settle the number dispute. I’m thinking (this is just me now), “It calls it Ten Words, so what are you doing fiddling around with this thirteen thing? Just forget that.” But I would say Exodus 34:28 should settle that. So it seems best to try to articulate whatever these ten words were as a unit of ten. But that’s just me, and you can look at the chart on the episode webpage.

The fourth consideration for today’s episode: what kind of law are the Ten Commandments (these ten words)? What kind of law? You say, “What do you mean? They’re just laws.” Well, there are two types of law in the Hebrew Bible. And basically everybody knows this and everybody agrees on it. And these are going to be distinctions that even we (in our legal systems in the modern world) are familiar with.

So there are two types of laws in the Hebrew Bible. One is casuistic law. These are “if-then” laws. So if X does this, or X happens to be the case, then Y will happen or Y is the outcome. If-then. X, then Y. This is very common in ancient Near Eastern legal codes. You see this all the time. The other kind of law is apodictic law. These are absolute prohibitions. “Thou shalt nots.” These don’t lay out any conditions like the first kind does. There are no conditions here. These are absolute prohibitions. They are categorical and they usually involve issues of religion and worship or morality. Now *Dictionary of the Old Testament: Pentateuch* points out that:

Even if death is not prescribed, death is the understood penalty for breaking apodictic laws. Some scholars initially argued that the apodictic laws were uniquely Israelite, with the *Sitz im Leben* [MH: that’s a German phrase for the life setting] being Israelite religion. Thus, these laws reflected Israel’s attempt to live completely under the guidance of their God. This argument is no longer credible because apodictic laws have been found in other ancient Near Eastern materials as well. Instead, apodictic law seems to operate in settings that rely upon persuasion for urging compliance with the law rather than upon physical force or structures.

I think this language and this assessment that I just read needs some rewording and, frankly, some rethinking in light of Exodus 19:5-6, which we naturally covered in an earlier episode. Just to remind you, Exodus 19:5-6 says:

⁵ Now therefore, if you will indeed obey my voice and keep my covenant, you shall be my treasured possession among all peoples, for all the earth is mine; ⁶ and you shall be to me a kingdom of priests and a holy nation.’ These are the words that you shall speak to the people of Israel.

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That was God to Moses. So I would say that it doesn't matter that other ancient Near Eastern cultures had apodictic laws. So what? The *reasons* for the apodictic laws are the issue. It's certainly true that Israel's identity was supposed to be distinct from the other nations. I think that is something we should not lose in our discussion here. *Dictionary of the Old Testament: Pentateuch* (that same entry) goes on later to say:

The context for the giving of the Decalogue is a religious one, as God provides a covenant and in some sense a founding charter for the people delivered out of Egypt... [P]enalties need to be stated and enforced when laws are broken if those laws are to be functionally effective. The stipulations of the Decalogue lack any prescribed punishment for those who break these laws, relying on fear of the Lord to promote allegiance to the terms of the covenant.

I would say, "Yeah, there's certainly the element of the fear of the Lord, but there's also the element of being holy and being a kingdom of priests.

Finally, the Decalogue addresses subject matter that is not "culture specific" but that instead has universal relevance and appeals to principles broadly held. For these reasons, the stipulations that form the Decalogue may be legitimately understood as "ordinances" or "principles" rather than as "laws" in the strictest sense.

(Going by these definitions.) So okay, to me that's quibbling a little bit. But I think there's content in there that's worth hearing and making part of our own thoughts in relationship to what we're going to think about as we go through the laws in succeeding episodes.

The fifth issue: the content and structure of the Decalogue. Now it has long been realized that the content and structural elements of the Decalogue (both in terms of where it's positioned and its own order and all that kind of stuff) bear some relationship to Hittite suzerain-vassal treaties. This has long been known in biblical studies. This is because the Decalogue's context is clearly a covenant relationship. So we would expect it to look like covenants that people are going to know from other cultures and other parts of life. Hence, scholars studying the structure of ancient Near Eastern covenants with the Sinai covenant have extended that inquiry to the content of the Decalogue and its placement in the wider book of Deuteronomy as well. (Recall that the Decalogue is repeated in Deuteronomy.) Now usually when you run into studies about the Decalogue and its relationship to Hittite suzerain-vassal treaties, it's going to be like in a commentary on the book of Deuteronomy (not necessarily Exodus). So since the Decalogue is repeated essentially in both places, I wanted to bring this issue up even though it's more pertinent to what we see in Deuteronomy in terms of a covenantal structure. But you still have a covenantal context here in Exodus 20,

very obviously. Now in *Dictionary of the Old Testament: Pentateuch*... I'm going to read from a couple of the different essays here. The "Covenants" essay in that volume says this:

... "suzerain-vassal" types (between a major power and a lesser nation). Parity treaties sought to establish nonaggression between the parties and to guarantee the stability of the respective ruling dynasties. Suzerain-vassal treaties served to consolidate the hegemony of the suzerain [MH: the greater power]; the vassal's interests [MH: the lesser power] were clearly subordinate.

Now the "Form Criticism" essay in the *Dictionary of the Old Testament: Pentateuch* says this. It adds this content:

G. E. Mendenhall [MH: who is a very famous scholar, deceased] maintained that the book of Deuteronomy in its organizational structure and form is very similar to certain suzerain-vassal treaties common in the ancient Near East. In its arrangement Deuteronomy may thus be viewed as reflecting the same core sections, appearing in roughly the same order, as are found in ancient Hittite suzerain-vassal treaties. These sections are as follows: preamble (Deut 1:1–5); historical prologue (Deut 1:6–4:40); general stipulations (Deut 5:1–11:32); specific stipulations (Deut 12:1–26:15); blessings and curses (Deut 27:1–28:68); witnesses (Deut 30:19; 31:19; 32:1–43).

And the witnesses sort of sign off. So those are the elements of a Hittite suzerain-vassal treaty. And if you look at the way the Decalogue is presented in Deuteronomy, it really pretty closely follows those elements. Now back to the *Dictionary of the Old Testament: Pentateuch* quote:

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When viewed in this light, the structure of Deuteronomy is a mirror reflection of a treaty form borrowed from a neighboring Near Eastern culture. This understanding of Deuteronomy, however, has not met with universal acceptance among scholars.

Elsewhere in the same entry, he's going to say this:

It should be noted here that the "general stipulations" = that part of Deuteronomy where Decalogue falls and the "specific stipulations" comes later.

I'm going to quote Eugene Carpenter here. There are scholars who...

...have attempted to show that the literary structure and content of sections of Deuteronomy form an exposition of each of these Ten Words in order as they are repeated in Deut 5:7–21.

I threw that in for this reason: he cites John Walton and Andrew Hill's *A Survey of the Old Testament*, because they mention this. But another one of his sources is from Stephen Kaufman, "The Structure of the Deuteronomic Law." It's in an Israeli journal (*Maarav*), and it's a very lengthy article. It's 50 pages. Now I bring it up for this reason. I think it's kind of important that we recognize that what is happening in Deuteronomy and also what's happening in Exodus, once you get out of the Decalogue, is that the content that follows (the legal stuff, the law stuff, the commandment stuff) is in fact deliberate. It's intentional, that there is an attempt to apply the principles of the Decalogue to life situations. So it's an exposition of the Decalogue in both of these books—both of these cases. And that's important for realizing that maybe that's why (part of the reason, anyway) we have the Decalogues positioned where they are. They naturally have to precede what's going to follow in terms of an explication or actual situations that Israel is going to find itself in (the people) and they're going to have to be thinking about what to do in light of the ethical principles laid out in the Decalogue. So this is very understandable when you realize what's going on after the commands are given. They're just being unpacked in certain situations—life circumstances, life situations—in both Exodus and Deuteronomy.

Now Sarna... I think it's fair to say probably that the majority of scholars accept some relationship of the Decalogue to the Hittite suzerain treaty idea. Now Sarna is an example who hesitates, though, to embrace the model. I wanted to include him because his reasoning is kind of interesting. Now think of what the Hittite suzerain-vassal treaty was. It was a treaty. It was a covenant between an absolute authority and a lesser entity, where the interests of the lesser entity aren't so much in view. It's the establishment of hegemony by the superior power in that kind of ancient Near Eastern treaty (the Hittite variety). That's kind of what Sarna objects to, the characterization—what a comparison to the Hittite suzerain-vassal model sort of suggests or entails. And he writes this:

A study of these documents, particularly [a suzerain-vassal treaty, where one party transparently imposes its will on the other], leaves no doubt as to the influence of the ancient Near Eastern treaty patterns on the external, formal, literary aspects of the biblical *berit* [MH: covenant]. The affinities are to be expected. In order for the *berit* to be intelligible to the Israelites, it made sense to structure it according to the accepted patterns of the then universally recognized legal instruments.

So he's okay with that part. Sure, it reflects the structure. But he doesn't like the implications. Sarna writes:

The Decalogue and its contents are, however, in a class by themselves. The idea of a covenantal relationship between God and an entire people is unparalleled. Similarly unique is the setting of the covenant in a narrative context. It is the latter that imparts to the covenant its meaning and significance; the covenant would be

devalued were the link between them to be severed. Another major and original feature is the manner in which the content of the *berit* [MH: covenant] embraces the internal life of the “vassal” by regulating individual behavior and human relationships. Such a preoccupation with social affairs is beyond the scope and intent of all other ancient treaties, whose sole concern is with the external affairs of the vassal.

I actually think that’s well said. He’s saying, “Even though the covenant could be modeled by the Hittite suzerain-vassal treaty, structurally, we can see that, but we can’t lose sight of the fact of what makes the Israelite one unique. It’s part of a narrative (the other ones are never part of a narrative). It’s linked to more than an over-lording relationship with Yahweh. There’s a love relationship here going on in the Israelite circumstances, and that is something you don’t find in the suzerain-vassal treaty.” So I wanted it include Sarna because I think there’s substance to his objection.

So our last consideration for our episode here is number 6: why two tablets? Because you get that in the story. Now Sarna writes this:

Several biblical texts testify to the inscribing of the Decalogue on two stone tablets. The practice of recording covenants on tablets was well rooted in the biblical world, as was also the custom, mentioned in Exodus 25:16...

I’ll read that:

¹⁶ And you shall put into the ark the testimony that I shall give you.

So...

The practice of recording covenants on tablets was well rooted in the biblical world, as was also the custom... of depositing the document in the sanctuary. A treaty between the Hittite King Shuppiluliumas (ca. 1375–1335 B.C.E.) and King Mattiwaza of Mittani in Upper Mesopotamia noted that each of the contracting parties deposited a copy in his respective temple before the shrine of the deity. Similarly, when Ramses II of Egypt and the Hittite King Hattusilis concluded a treaty around the year 1269 B.C.E., the clauses were inscribed on a tablet of silver, which was placed “at the feet of the god... Why two tablets were needed for the Decalogue is unclear; nor do we know the spatial distribution of the text. The Mekhilta [MH: That’s rabbinic material] assumes that five declarations were incised on each tablet, which is the tradition reflected in Jewish art since the thirteenth-century Spanish illuminated Bible manuscripts. However, such an arrangement would have resulted in a grave imbalance [MH: in Hebrew]; one tablet would have contained 146 Hebrew words and the other only 26. The

Palestinian Talmud has preserved a different tradition, there given as the majority view, that each tablet contained the entire Decalogue.

Now the notion that both tablets held the complete Decalogue... In other words, you don't have five on one tablet and five on the other kind of thing. What we're talking about here is that both tablets had the entire set of commands on them. That idea might derive from Exodus 32:15 which says this:

¹⁵ Then Moses turned and went down from the mountain with the two tablets of the testimony in his hand, tablets that were written on both sides; on the front and on the back they were written.

Which is kind of interesting. We kind of miss that detail, that they were written on on both sides. Now Currid (the trained Egyptologist and Old Testament scholar we consulted a lot with the plagues) writes... And he's quoting Meredith Kline here, who is a now-deceased Old Testament scholar. I like Kline, because he thinks out of the box. Currid thinks that the answer lies in the ancient Near Eastern covenant practices. So here's what he says:

It is now clear that the two tablets did not have different laws written upon each of them, as was previously thought. As Kline comments, 'The two tables were duplicate copies of the covenant. And the correctness of this interpretation is decisively confirmed by the fact that it was normal procedure in establishing suzerainty covenants to prepare duplicate copies of the treaty text'.

He's quoting from Kline's book, *Treaty of the Great King*, where Kline does a lot of this comparison with ancient Near Eastern covenantal structures. So what he's basically saying is, "Look, you have these examples with Ramses and the Hittite kings. They make two copies of the covenant, and then each of them deposits it with their deity at their respective homes or temples." Kline is saying, "Look, the two tablets did the same thing. They're two copies of the complete law, the complete Decalogue." Now the treaty is not made with another deity, so both of the copies get deposited in the ark. That's why we have two. And on each one is the full set.

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Now I would say that's reasonable, though it's a little odd that the people would never see them. [laughs] Okay? Both tablets are kept in the ark. We know that to be the case. Nor is there any indication that they could be taken out and more copies made. So note that there's nothing said about Moses (or somebody else) copying the text of the tablets before they were deposited so as to eventually have them codified in Scripture.

Now this raises a problem. If both of the copies are put into the ark, well nobody's taking them out. The high priest can't do that. He's only allowed in there once a year, and he can't touch the thing. So where do we get the laws? How do we

know? Well, I think we can guess that Moses or some other writer, whoever is actually the one... You could have a later writer taking oral tradition that comes from the time of Moses and putting it down into words. This gets into the authorship issue. Whatever. Somebody before they were deposited within the ark, I think, would have made a copy of them. They would have written it out in some other form so that the people could know them and be taught. And then the two tablets are stuck in there. There's no verse that contradicts that idea. There's no verse that says it, but there's no verse that contradicts that idea. We simply aren't told anything in that regard. So we have to suppose either that that was done or the text was memorized. Maybe it was oral. Maybe somebody memorized it. It's not that long. We have to presume something like that if we are going to presume an actual alignment of what was inscribed on the tablets with what we are reading today in our Bibles. We have to assume something like that happened.

Now those are the six issues I wanted to cover (to introduce) the Ten Commandments (Exodus 20) more properly. So next time on the podcast, we're going to dive into the individual commands. And there's a lot to think about in a number of them, so I think it'll take at least two episodes to go through the Decalogue. But I think all these things are good set-up. We will periodically dip into this content when we're discussing some of the individual commands. But for right now, I think that was a good introduction to the kinds of things that scholars think about when they approach something to us that is apparently as simple as the Ten Commandments. Again, it's not quite that simple. There are issues here that need some consideration and that will matter a little bit down the road.

TS: Alright, Mike. Thank goodness for Jesus.

MH: [laughs] Well there's a lot to think about with Jesus, too. [laughs]

TS: Yeah, that's true. Looking forward to it. Sounds good. Don't forget, Mike, we still have a few conference tickets available. So NakedBibleConference.com. Go get your tickets. And also, as we're moving along in Exodus here, don't forget that we're going to be doing a specific Q&A podcast for Exodus. So if you have Exodus questions, send me those questions to TreyStricklin@gmail.com. I'm collecting them all and we'll go through your questions. I've gotten several already, Mike. So people have questions out there. So don't forget that we're going to do that. And then also, Mike, go get your Exodus T-shirt. I want to see Mike wearing an Exodus T-shirt.

MH: [laughs] I'll do that.

TS: Alright. You go do that, Mike. We will look forward to Part 2 next week. And with that, I just want to thank everybody for listening to the Naked Bible Podcast! God Bless.