

Naked Bible Podcast Transcript

Episode 290

Exodus 21-23, Part 1

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Episode Summary

Most listeners will know the Ten Commandments. They might even know that those commandments are in Exodus 20. But few will know that those famous commandments are followed in Exodus 21-23 by a litany of odd, ancient, at times conflicting, “case laws” that apply the Ten Commandments to Israelite life. Scholars have found these case laws difficult to understand. A number of them don’t reflect the Mosaic time period. They don’t seem to have any comprehensible relationship to each other. Nevertheless, they get a lot of attention because they form what scholars call “the Book of the Covenant” – the body of laws and case laws that are the basis for Israel’s covenant relationship with Yahweh. In this episode we explore the problems with Exodus 21-23 and get a foothold on where to start in understanding this portion of Exodus.

Transcript

TS: Welcome to the Naked Bible Podcast, Episode 290: Exodus 21-23, 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. Just lots of house project stuff. We’re into September now, so we have to get serious about putting the house up for sale and doing the things that make it like we want it to be living in it [laughs] now that we’re leaving it.

TS: Yeah. Have y’all had any luck finding a new home?

MH: Drenna looks all the time. We have to wait till we sell this one to... But they have probably 70 or 80 things flagged on Zillow. I stay out of it. All I care about is a fenced-in yard for the pugs.

TS: Good luck with that. Better you than me. Because I’m done. I am not moving for a long time.

MH: We've never sold... This is our first house. We've never sold one before. We've not been on this end of it. So it'll be an interesting experience.

TS: Yeah. And what about the School of Theology? How's that going? Do you have anything you want to say there?

MH: I'm almost through first year prep. I think by the time this episode drops, I'll be pretty close to being ready to go for the entire first year. My goal was to do that before we hit October. I don't know if we'll hit that or not. But maybe a little bit into October. But yeah, it's doing fine.

TS: Awesome. Well, you're going to be covered. I guess we're going to have two parts here of Exodus 21-23. So we've covered all the laws and stuff. But we're going to try to do a regular Q&A after Part 2, which will be after next week. So the week after that will be the Q&A.

MH: Mm hmm.

TS: We're overdue for a Q&A. Also, we will be doing an Exodus Q&A after all of Exodus. So please send me your questions at TreyStricklin@gmail.com if you have any Exodus questions. I'm collecting those as we go. And with that, Mike, I'm ready for Part 1 here.

MH: Yeah, we are going to have two parts here. It was almost no parts. [laughter] Because this is really... I mean, I actually did wonder, "What am I going to do with this?" Because on the one hand, as is our pattern, we don't do strictly verse by verse here. But this is just... It's close to being an incomprehensible mess (Exodus 21-23). That may sound harsh, but I'm using those terms deliberately because that is how scholars talk about Exodus 21-23. [laughs] I think that my goal is that people will get a feel for why that is.

The more I thought about it, though, I thought, "You know, this is probably a good thing to do. Because it will, in some respects, take the audience back to the very first episode of Exodus." Getting into the way we look at how a historical book should be prepared and written is quite different than what anybody was thinking about or caring about in the ancient world. This is going to have us revisit that whole conversation about our expectations of the text versus what God in Providence wanted to accomplish and what's going on with the boots-on-the-ground writers and the people who are the original recipients. So it's actually good for that. So once that clicked in my head, it's like, "Yeah, we're going to jump into this. We'll give it two parts."

This first part, I'll confess, is going to feel a lot like a seminary class. And that's because this is how I'd approach this topic (the section) of Exodus if I were teaching in a seminary. And I'm not going to repent over that. It's just one of those things that makes this podcast unique. We are willing to get into the weeds

and not just do surface stuff. But I thought I would put that disclaimer right up front. That's what it's going to feel like, because we're going to be talking about the problems (kind of like we did with the Ten Commandments)... Here are the issues. Here are the problems.

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And then in Part 2, we'll actually land in a few places in this section of Exodus. Exodus 20-23 really... 21-23 mostly, but we'll throw a lot of Exodus 20 into this because the end of Exodus 20 is actually part of this whole complex. So technically it's Exodus 20:22 and following all the way into Exodus 23, up until the passage where God speaks to Moses and says, "Hey, I'm going to send an angel before you into the land." That section is referred to collectively by scholars as the Book of the Covenant. The reason is transparent. Beginning with the Decalogue in Exodus 20 all the way through into chapter 23, that whole section details various laws that are part of Israel's unique covenant relationship to God—a covenant enacted at Sinai in Exodus 19 and 20 (sort of), but you actually get the formalized covenant ceremony in Exodus 24, which we'll hit in a few weeks.

But that's about where the neatness ends. We've spent the last two episodes discussing the Ten Commandments, which were quite familiar, not only to general Bible students and the general culture (with perhaps the exception of the last 10-15 years), but what follows the Ten Commandments (the stuff that's familiar) is not familiar at all. And frankly, you could look at it and say, "Well, this is kind of a mess when it comes to thematic coherence, at least on the surface." And even attempts to penetrate the surface have not managed to clear up the messiness entirely. By thematic coherence, I'm referring to the difficulty of trying to find some unifying reason or principle as to why these laws (they're really case laws) are included in the Book of the Covenant—why they're even there—and what to make of the fact that they are at times conceptually contradictory to laws in other parts of Exodus and the wider Torah.

So in short, why is any of this stuff here? Why these case laws and not others? We could skip all that and work piecemeal through the chapters and pretend there are no overarching issues here. We could do that (we'll do a little bit of that today toward the end of the episode when we actually get into the end of chapter 20) but I thought it was good to devote some attention to the problems here because it's a good reminder that the Book of the Covenant didn't just drop from heaven, nor was it dictated by God. So this will help us think about a deeply flawed view of inspiration. So for that reason alone, it's worth doing. The Book of the Covenant is what it is, and we have to try to make sense of what it is as it is.

So lest you think I'm overstating the problems, I want to quote some summary items from a journal article that tries to deal with the Book of the Covenant. As we'll see, this guy does have some helpful things to say along the way, but he's pretty bluntly honest about it. The article is by Dennis Olson and it's entitled "The Jagged Cliffs of Mount Sinai: A Theological Reading of the Book of the

Covenant.” That is Exodus 20:22 through 23:19. That’s in the journal known as *Interpretation* 50:3 (1996) and it’s about a 12-page article. Now Olson in this article writes the following. And if you think *he’s* overstating the case, just read Exodus 21-23 and look up the cross references in your Bible and you’ll know that he’s not exaggerating. So here’s what he says. This is a lengthy quote, but he really summarizes why scholars just sort of look at this and shake their heads and say, “What in the world do we do with this?”

10:00

THE PENTATEUCH CONTAINS three distinctive collections of laws: the priestly laws in Leviticus, Exodus, and Numbers (including the "Holiness Code," Lev. 17-26) [MH: that’s #1.]; the deuteronomic laws in Deuteronomy [MH: #2], and the Book of the Covenant (also called the "Covenant Code") [MH: #3] in Exodus 20:22-23:19. The Book of the Covenant is widely regarded as the most ancient of these legal collections. Its name derives from the scene where Moses descends from Mount Sinai with the stone tablets containing the Ten Commandments and an additional set of laws: "He took the Book of the Covenant," the text narrates, "and read it in the hearing of the people; and they said, 'All that the Lord has spoken we will do, and we will be obedient'" (Exod. 24:7)...

So that statement actually comes after Exodus 21-23, all this other stuff besides the Ten Commandments.

Most scholars agree that these laws do not date to the Mosaic period...

Now right away, Olson is going to be in the critical JEDP school. We’re not going to rabbit trail on that. People know how I feel about that. I don’t buy into JEDP, but I don’t buy into traditional Mosaic authorship either. I’m somewhere in between. But I want to stop here to draw attention to this, because you’re going to find out as I continue reading through his summary why (not only in this section, but in the whole Torah) single-authorship views are problematic in a number of points. Because he’s going to tell you exactly why, which makes this part of his article certainly valuable.

Most scholars agree that these laws do not date to the Mosaic period of the wilderness but originate for the most part sometime after the settlement in Canaan and perhaps before the rise of the monarchy in Israel.

In my view, that’s a little extreme because a lot of these guys want to push everything really, really, really late. I don’t see the necessity of that. But I digress. Let’s go back to Olson.

The interest these laws exhibit in issues related to farming and domesticated animals presumes a settled agricultural life in the land of Canaan.

Do you realize that? As you read through Exodus 21-23, there are laws about farming and domesticated livestock. That ain’t happening in the Mosaic era.

They're wandering in the wilderness. They're only going to get into the land after Moses is dead. Therefore, we have a problem with Mosaic authorship for that kind of stuff. It's totally out of context for what the laws actually deal with. They're dealing with life in Israel at a time after Moses was long gone. So this is the kind of thing that, if you're a close reader, you're going to notice. And scholars are close readers and they do notice these things. And this contributes to the whole discussion about authorship. Back to Olson:

Some argue that they predate the rise of kingship and the Jerusalem Temple, since no mention is made in them [MH: in the Book of the Covenant] of a centralized government or cult. They pertain to worship, slavery, murder, human violence, death caused by animals, theft of domestic animals, agricultural damage, safekeeping of property, loaning of farm animals, the regulation of sexuality, the treatment of resident aliens and the poor, the practice of justice, and the proper observance of the sabbath and religious festival days...

In their present literary context, the laws of the Book of the Covenant function as an interpretative extension of the Ten Commandments into various details of the community's life. [MH: That's a point we're going to return to.] The Ten Commandments (Exod. 20:1-17) are clearly more comprehensive, broad, and abstract than are the covenant laws (Exod. 20:22-23:19). The polished and timeless qualities of the Ten Commandments have enabled its imperatives to speak directly and immediately to countless generations in diverse cultures throughout the history of both the Jewish and Christian traditions. By the same token, the laws in the Book of the Covenant are much more specific and time-bound. They seem more rooted in their ancient place and culture and less amenable to direct translation into contemporary life.

The jumble of legal forms, functions, themes, and values that make up the Book of the Covenant creates for the reader a sense of tension and thematic fractures that defy easy resolution. Examples abound [MH: and he's going to go into some examples here]. The list of laws that begins in Exodus 20:22 is unexpectedly interrupted by a superscription that seems to mark the beginning of another collection of laws...

So in Exodus 20:22 we read:

²² And the LORD said to Moses, "Thus you shall say to the people of Israel: 'You have seen for yourselves that I have talked with you from heaven.'

This is the scene at the mountain. And that goes on for four verses (Exodus 20:22-26). That's the end of chapter 20. And then we get this verse in Exodus 21:1:

15:00

“Now these are the rules that you shall set before them: When you buy a Hebrew slave...”

In other words, it's this life in this settled land now. Like, “What? We were just on the mountain. Now we're in the land?! What's going on here?” So it just seems like now we're into a different thing, a different collection. Back to Olson:

Religious laws against idolatry (22:20) suddenly intrude into more secular laws about sexual relationships, oppressing the poor, and lending money (22:16-19, 25-27).

So let's do a little reading here. If we go to Exodus 22:16-19. Laws about Social Justice.

¹⁶ “If a man seduces a virgin who is not betrothed and lies with her, he shall give the bride-price for her and make her his wife. ¹⁷ If her father utterly refuses to give her to him, he shall pay money equal to the bride-price for virgins.

¹⁸ “You shall not permit a sorceress to live.

¹⁹ “Whoever lies with an animal shall be put to death.

²⁰ “Whoever sacrifices to any god, other than the LORD alone, shall be devoted to destruction.

And then we get:

²¹ “You shall not wrong a sojourner or oppress him, for you were sojourners in the land of Egypt. ²² You shall not mistreat any widow or fatherless child.

What's the relationship of all these things, just fired off in bullet points all in a row? It just seems to be a jumble of variegated laws that... You would think that if this is some kind of code or legal theory, you'd group similar things. But you don't. You get these things that just sort of overlap and are interspersed in other things. What does “Thou shalt not permit a sorceress to live” have to do with charging interest? What is that? So back to Olson:

The entire sequence of laws in chapters 21-23 appears to many to be a hodgepodge with little overarching coherence or organization. Even such a basic issue as the purpose of these laws seems unresolved. Whereas some laws provide direct and detailed guidelines for adjudication and punishment and appear to be intended for use in a human court of law (21:1-22:17), other laws contain numerous motive clauses that seem more intended for persuading, exhorting,

and teaching a community about its values and actions as a direct and personal word from God (20:22-26; 22:18-23:19)...

Some of the laws in the Book of the Covenant are closely parallel to laws that have been discovered in other ancient Near Eastern cultures. For example, the law of the goring ox (21:28-32) [MH: somebody has an ox that goes off and gores someone and kills them] resembles laws in the Mesopotamian law codes of Eshnunna 54-55 and the code of Hammurabi 250-252. In contrast, other laws clearly derive from a uniquely Israelite context and history (e.g., Exod. 22:21; 23:9-19). Some scholars argue that this distinction between borrowed Near Eastern laws and native Israelite laws is a sign of a deeper, unresolved conflict between two clashing systems of values embedded within the Book of the Covenant. On the one hand, some of the laws seem to exemplify an alien system of values borrowed from the general, ancient Near Eastern culture outside Israel. Apparently, this alien system sought to maintain [MH: that's a key word: "maintain"] oppressive powers of discrimination and hierarchy...

If we read Exodus 21:20, we read this:

²⁰ "When a man strikes his slave, male or female, with a rod and the slave dies under his hand, he shall be avenged. ²¹ But if the slave survives a day or two, he is not to be avenged, for the slave is his money.

Does that really sound like other places in the Torah about how your slaves or your servants are supposed to be treated so well that they might even love you and want to stay in the family? Eh, not really. [laughs] "...the slave as the owner's property."

On the other hand, there are laws that reflect a native system of values shaped by Israel's distinctive history as slaves liberated from Egypt, one that embodied creativity, equality, and liberation (e.g., 22:9: compassion for resident aliens).

Exodus 22:9-11

⁹ For every breach of trust, whether it is for an ox, for a donkey, for a sheep, for a cloak, or for any kind of lost thing, of which one says, 'This is it,' the case of both parties shall come before God. The one whom God condemns shall pay double to his neighbor.

¹⁰ "If a man gives to his neighbor a donkey or an ox or a sheep or any beast to keep safe, and it dies or is injured or is driven away, without anyone seeing it, ¹¹ an oath by the LORD shall be between them both to

see whether or not he has put his hand to his neighbor's property. The owner shall accept the oath, and he shall not make restitution.

It talks about making restitution as opposed to, "Look, this is mine. Don't worry about it." [laughs] You know? And if you keep going, you get compassion for resident aliens, about how they're not supposed to be abused. It just doesn't seem consistent. This is Olson's point. There are just points of inconsistency here about how certain issues, how certain incidences or legal strata of society... There just seem to be some inconsistencies as to how these things are dealt with and even thought about. So he's like, "What in the world do we do with all that?" So as we go through the laws in Part 2, some of these internal and external tensions that Olson points out we're going to hit and we'll discuss them there.

Just to wrap Olson up, he ends his whole intro with a simple question: What is an interpreter supposed to do with all this? There's been a lot of disagreement as to the answer. Now I'm going to read you something else here from Pete Enns. We've quoted Pete in his Exodus commentary before. He's a little less hard-hitting than Olson. And I want to include his thoughts to try to steer us to what recent commentators have appreciated as a fruitful starting point for at least understanding this stuff. So Enns writes:

We come now to a complex body of laws known as the Book of the Covenant. It covers a wide variety of legal issues, including worship, protection of property, and personal injury. Although many of these laws seem to pertain to mundane social matters, we would misrepresent these laws if we saw them as anything less than closely connected to Israel's redemption from Egypt. Like the Ten Commandments, the Book of the Covenant has to be seen in its redemptive context, as a gift of God to a people already redeemed...

Having said this, however, it is also clear that many of these laws are of a specifically social character; that is, they govern Israel's daily dealings with other Israelites. This yields at least two observations.

(1) Many of the laws are specific, envisioning concrete situations (e.g., 21:22–25). In fact, their very specificity may give us a clue as to the nature of the whole. Since not all variables can be recorded in this (or any other) body of law...

Basically what Pete's saying is that no law code covers every possibility of every event happening. That's just unrealistic.

...presumably the Book of the Covenant is not designed to cover every possible situation the Israelites are likely to encounter. The Book of the Covenant, in other words, seems to be a compendium of laws that are representative of the entire

corpus. There are, it is fair to say, principles that underlie these laws, and the specific instances cited are intended to highlight these principles.

(2) These laws seem to fit a setting in which Israel is settled in the land. For example, 22:5 presumes some type of property ownership and the planting of vineyards, something that would not have occurred in the desert [MH: obviously]. This is not to say, however, that the post-Conquest relevance of these laws necessarily implies a post-Conquest composition...

I think Pete is being as charitable as he can there with the authorship issue.

One further organizational obstacle that must be addressed here concerns the structure of the Book of the Covenant as a whole. It is tempting to subsume the laws under a number of headings, as is done in the NIV. [MH: That's the translation he was using in this commentary.] These headings are indeed helpful in places but hardly adequate in dealing with the complexity of the material, which to a certain extent resists any simple scheme. I have chosen a different set of headings, adapted from those of J. Sprinkle.

I wanted to end the quote there because the reference to Sprinkle is important. Specifically, Pete is referencing this book. The title is *The Book of the Covenant: A Literary Approach*. This is the *Journal of the Study of the Old Testament Supplement* series, Volume 174. It was written in 1994. Sprinkle's work often comes up in recent commentaries and studies on the Book of the Covenant. Enns has a footnote about it as well. He writes:

Sprinkle's work is particularly interesting in that it draws a number of helpful (but not always convincing) conclusions regarding the structure of the Book of the Covenant as a whole.

25:00

Here's how Enns summarizes Sprinkle's breakdown of the Book of the Covenant. So we're going from Exodus 20:22 all the way to Exodus 23:19. And Sprinkle has three groupings. The first one (we'll call it A) is laws concerning worship, specifically idols and altars. That's Exodus 20:22-26 (to the end of Exodus 20). Then you get into Exodus 21 (letter B). Social Responsibility. That's Exodus 21 and the bulk of Exodus 22. You have:

1. Freedom and Servitude for Hebrew Slaves (21:1–11)
2. Humans Injuring Other Humans (21:12–27)
3. Various Injuries Involving Animals (21:28–36)
4. Concerning Matters of Property (22:1–17)

The third section (C) Sprinkle labels Worship and Social Responsibility. [laughs] So the third section combines stuff from the other two. But hey, it's a nice, neat three-grouping system, so we'll go with it. So Worship and Social Responsibility.

And you'll notice—this goes from Exodus 22:18 all the way through the end of the Book of the Covenant (Exodus 23:19)—it alternates between worship stuff and then social stuff. So you have worship stuff. This is the sorceresses, bestiality, false sacrifices, all that kind of thing. Then it goes from that to oppression of slaves and loans. Then it goes back to worship (offerings, laws about the firstborn, holiness). Then it goes back to social responsibility (testimony in court, an enemy's animal). Then it goes back to worship (Sabbaths and festivals).

So it's like, "Why couldn't we hit that all that together?" Sprinkle's not... We're not going to try to answer that question. It's just that this is a bit of a neat three-group way of grouping things. It might feel a little... Well, it doesn't feel artificial. It's there, but it might not help. You might be thinking, "Well, it still doesn't answer the question of why in the world we don't just do this topically. That would make more sense." And I'll admit, to the modern mind, yeah, it would. But we have to go back to the comment of Olson and Enns. Although Enns didn't use the specific word, Exodus 21-23 is basically a compendium, where you have application of the Ten Commandments to an assortment of situations. And we might think, "Well, why don't you just go by command?" Or "why don't you just go lump similar situations together? That's what a good writer would do." Look, we can't judge an ancient text according to the way we would do things. That's a big lesson to take away from this episode. That's why I said it harkens back to the first episode we did about Exodus. You might do something in a particular way that doesn't align with what you actually find in Scripture. Live with it. Deal with it. There's going to be some underlying reason or logic or maybe not too much logic to it. But this is what it is. It's a compendium. They would have known what to do with it, or they wouldn't have been bothered by it at all. So we have to hold our modern sense of orderliness in check and just go with what we have.

Now Olson (recall he was really critical about the apparent incoherence of the Book of the Covenant, and he has some good reasons) had this to say about Sprinkle's method and its grouping. So he's appreciative of it. He says:

Joe Sprinkle's literary analysis aims to demonstrate the literary coherence and artistry of the present sequence of the Book's laws. Sprinkle posits an intricate series of literary brackets, chiasmas, parallel structures, and verbal allusions to biblical texts and narratives that appear outside the Book.

That is, outside of Exodus 21-23. So ultimately Sprinkle's argument is that the order is what it is because the writer is playing off other things outside of these chapters in Exodus. Okay, if you want to read that, go get Sprinkle's book. It's a literary analysis. That's fine. That's not going to translate well to a podcast. But Olson is pointing this out. This is what Sprinkle is doing. This is sort of his thesis. Back to what Olson says here:

His intent is to present alternative explanations for the tensions and incoherences of the Book's laws, which form- and redaction-critics [MH: source critics] attribute to the process of gradual collection and editing. Certain of Sprinkle's explanations of the thematic arrangement of the laws are plausible, but others seem not to negate the evidence for some editing and development in the growth of these laws. [MH: I think that's fair.]

30:00

In one respect, however, Sprinkle's study is most helpful: in the attention he pays to the ways in which the wider narrative framework of the Book of the Covenant plays a role in helping us to understand the Book's function within Exodus. In its present form, the specific laws and admonitions of the Book serve as illustrative commentary to the more general imperatives of the Ten Commandments. The Ten Commandments are abstract and require translation into concrete circumstances within the life of the community. The laws illustrate such concretization without needing to be comprehensive or overly systematic or polished.

I agree with that. I agree with what Olson's saying there. Look, the Book of the Covenant (this jumble of laws) is going to accomplish its goal. God's goal, the writer's goal, was that, "Well, let's apply the Ten Commandments. Let's see how these work in real life." We might wish they were more systematized. We might wish they were more orderly, according to our modern predilections of order. And Olson, with Sprinkle, is saying, "Live with it." Sprinkle's going to say, "Well, it might be because the writer is looking at things outside of the Book of the Covenant and he's drawing things from other laws." Because remember we have laws in Leviticus. We have laws in Deuteronomy. So maybe someone later on in Israel's history put these case laws together and was drawing from a number of different places. And he puts them here right after the Ten Commandments to make a point. "Hey, all these legal cases, the decisions here, the way that we should think about these instances that could happen in our real life are based on these Ten Words—the Ten Commandments. So that's why I'm putting them right next to them, even though they're just a compendium. It's just a collection that we came up with over time, in different circumstances of our own life—our own history as a people of Israel. We put this in here so that you would know we're applying the Ten Commandments given by God at Sinai."

We might do that job differently. But the question is not, "Does Exodus 21-23 look the way I wish it looked?" The question is, "Does it accomplish its apparent purpose: to apply in real-life situations the principles laid out in the Ten Commandments?" And the answer to that is, "Yeah. It does." And we just have to realize the case laws in this Book of the Covenant that appear to us jumbled and contradictory are what they are because they could be drawn in from different periods of Israelite history that postdate the Mosaic era, different situations about urban dwelling versus non-urban dwelling, different attitudes toward classes in the culture or foreigners, or at different times. Because whoever is doing this

(whatever human hand or hands gave us the final product here) want the reader to know that all of these things are derivative and applications of the ultimately important principles—the Ten Commandments from Sinai. That’s what it’s designed to do. It might look different if we would do it. But we didn’t do it. God didn’t prompt anybody today who has a degree in Library Science or Project Management to produce this. It’s going to look different than what we’re used to. So to wrap up Olson:

The process of concrete ethical reflection tends always to be partial, provisional, and in need of being negotiated among conflicting obligations and values. The Ten Commandments represent a polished and abstract set of norms. But the Book of the Covenant reminds us that the actualization of those norms within the community's life is a fluid and ongoing process of specific applications that are not to be frozen into moralistic absolutes.

That’s an important thing to point out. What Olson is essentially saying is the absolutes of the Ten Commandments are at a different, higher level than these case laws. So we really shouldn’t be treating the case laws like they’re part of the Ten Commandments, like they’re at the same level. One is the absolute principle. The other is an application of how the principle works. They’re two different things. They’re not at the same moral level. There’s one that articulates the moral idea and the other says, “Here’s what it would look like in this given situation, how to apply this, how to put it to use.” Those are two different things. Back to Olson:

35:00

The nature of the Book of the Covenant is such that it promotes ethical reflection in the spirit of dialogue, openness to other positions [MH: and the other positions are different parts of Israel’s history and culture], reasoned argumentation, and the avoidance of a dogmatic or legalistic moralism that presumes to know with certainty the infallible truth about deeply controverted issues.

Basically, life is happening in Israel and as it happens, it doesn’t always happen the same way and for the same reasons. But we’re still going to try to apply the Ten Commandments. The outcomes in different situations might look different, at least to our eye. But the writer (and of course the Israelite boots-on-the-ground) know what they’re trying to do here. They’re trying to live out the Ten Commandments.

Let me just rabbit trail and riff a little bit. We make a big deal about how our Western system of law is derivative of the Ten Commandments. That’s partly true, certainly. But it’s also partly not true, because we have other legal precedents that go into the body of jurisprudence that we call the law. The Ten Commandments play a major part of that, but there is other legal theory that went into producing... And even today, the ongoing production of how we do law. So even if every one of our laws (and of course this certainly isn’t the case) is

consistent with the morals of the Ten Commandments, that wouldn't guarantee that every situation gets talked about in the same way, because in our system there are other ingredients to this.

So that's what Olson is trying to say here, that you can't assume that the law, as clear as the principle of the Ten Commandments might be... "Thou shalt not steal." If you remember our last episode, it never really defines what theft is. So in the last episode we talked about how the community probably didn't need it defined. They would have an intuitive knowledge of what a theft is, if a theft has occurred or not. Alright, well, thinking about a theft in one setting of Israelite life (let's say the wandering in the wilderness)... Is that theft going to be looked at precisely the same way as when you're in an urban setting (when you're living in the land in a house)? It could, certainly. And it probably would in many cases. But you're going to have situations arise in the other setting in which people might disagree. "Well, okay, I think that commandment about theft applies to that situation." And then others, "Ah, I'm not so sure." This is one reason why in the body of rabbinic literature, when the rabbis are debating about laws governing their community, you get lots of disagreement over which principle applies in which way. It's a struggle.

If you think about it, let's humble ourselves here. We're still in a situation, obviously, where new technology has come along in our culture. And they raise ethical/moral questions that you're going to look a long time and fail if you're going to try to find some law or principle about "Should we build artificial intelligence?" You're going to be looking a long time in the Torah for that one. You have to apply ideas—principles. And you're going to have people who have a high view of Scripture and are genuine believers who are actually going to disagree. They really are going to disagree. So this is the kind of thing that Olson is commenting about. He's saying, "News flash: People in Israel in the biblical period who were trying to apply the Ten Commandments... Guess what? They were people and they had disagreements."

40:00

And so the case laws in Exodus 21-23 are not an exhaustive list of every case, everything that could happen to a person. But they're illustrations. They are illustrative of the kinds of things that could happen and how God would want the laws applied in those given situations that are actually included in the Book of the Covenant. You can't be exhaustive. These are illustrations. So in the process, when you encounter in real life as an Israelite even in the biblical period (and certainly as a modern person today)... When you encounter a situation (a topic, an incident) that, "We don't really have one of those really clearly. What should we do here? What would God say?" And you go back to the Ten Commandments and you try to noodle that. "Okay, well, here's this principle that derives from this command, and we've been thinking about this principle, articulating it a certain way. How does that work? Does it work over here with this new thing or not?" Some people are going to say, "Yeah, I think that works." Others are going to say, "Ah, I think we need to think about it a little bit more."

That doesn't really quite work well. Because I can think of this or that exception. It doesn't really address this or that. Or what about this?" That's just a human thing. That's life in reality. That's life in a real world. And it was the same in the biblical period as it is today. People are trying to honor the principles that God gave Moses on Sinai. And what Olson and Enns are saying is, "Look, it was fluid. It wasn't all set in stone. They're trying. And the laws we have here in the Book of the Covenant illustrate a number of scenarios, but it's not exhaustive so we need to know that. And because it's not exhaustive—because these are just illustrations and applications—we probably want to think twice about treating a specific instance, assigning the absolutism to it that we would of one of the Ten Commandments." This is what you're dealing with in the Book of the Covenant.

Specifically now (we're rabbit trailing here), how we as contemporary readers... what we're going to do with this part of Scripture. What does it mean for us? How do we put this into life? How do we put this to use? Well, it's probably best to say, "Look, we need to put a code in our house about what happens if an ox gores somebody." [laughs] No. Maybe the idea of restitution or something to help the victim or the victim's family reflects the morality that God wants. It reflects how we treat fellow imagers. We don't go around creating layers and layers of other commandments, treating the ox goring our neighbor like we would "Thou shalt not commit adultery" or something like that. One is situational; the other is in the absolute category. These are things you just don't do. These are things God wants. And here's the application of that.

So we need to realize what we're dealing with here, both in terms of doing Bible study here on the podcast for this episode and just for life. And recognize, "Yeah, Israelites had to do this too." This is not an exhaustive list. No Israelite (who wanted to be godly, anyway) would say, "Well, I had something happen to me," or "I'm getting accused of something. You know what? I can't find a law in the Torah. It's not in Exodus 20. It's not in the Ten Commandments or over in Deuteronomy. I can't find any case law. So guess what? Discussion over. Go away. Don't bother me. Sorry you were hurt. Go away. I'm untouchable now because there's no verse on that." Nobody should be thinking that if they want to be a godly Israelite. So it can't be exhaustive. I think (I hope) you get the point with what we're dealing with here. We have to make some of these distinctions and realize what it is we're working with.

So in what remains of today (and we'll do this in Part 2), I'm not going to provide some silver bullet for knowing how to make all of this work at a glance. By definition, it doesn't aim to do that. It's illustrative. It's not exhaustive and prescriptive. And there's no such thing as the silver bullet. So these things are just points to keep in mind as we proceed, and more importantly, the whole issue (basically this whole episode) should remind us of some really important things, points I made before, but to summarize them... How we perceive and think about Scripture, I think, is important. So in no particular order:

1. First, I think we need to dump our X-Files view of inspiration. I've said this many times before. I have lectures on YouTube about this. We need to dump this as soon as possible. And in its place, we need to embrace a Providential view of inspiration. Inspiration is not an event. It's a process guided by Providence knowing that God made his own choices in terms of the hands that would touch the text and produce it in its final form for us. And it has its own goals. All of this occurred under God's watchful eye and produced something *he* was satisfied with, because it accomplished *his* goals. God doesn't care if Scripture as it was inscripturated (as it was written down) specifically addresses all *our* questions. He cares only that it accomplishes his ends. But he does expect us to try and apply it. And he had the same expectation for the Israelites with the Book of the Covenant.

45:00

2. When it comes to inerrancy, everybody needs to admit that we all have our own definition. This is me speaking here. I think we need to distinguish between truth propositions that arise from the text and the means in the text to put forth those propositions. One is the end; the other is the means. Ends and means should not be conflated or confused. The classic example of this, obviously, is Israelite cosmology. It's designed to communicate something, and that something isn't science. It's designed to communicate something about who the Creator is and why he created—all this sort of stuff—who's the master of nature and all of that. So there are theological propositions (truth statements) that we need to affirm. And the means by which those truth propositions are given are just the means. They're not the ends. The ends are the things that we need to factor into the way we talk about inerrancy and not the means by which God is doing this. Because God used people. People are people. And I'm not saying people make mistakes. I don't think they made mistakes in Israelite cosmology. That's the wrong way to think about them. God knew who he was picking. And he knew what they were capable of intellectually. So we have to ask ourselves questions like, "Hey, if God wanted to teach us science in these passages, doesn't it make sense that God would have known these guys couldn't do that, and God would have waited to find somebody who could, or he would have downloaded modern information into their heads?" Well, yeah, that's what he would have had to have done. But it's very evident from the text that God didn't do that. So question #2: "Well if God didn't do that, does that suggest God had a different goal in mind, other than to teach us science?" And I would say the answer to that is, "Yeah. That's eminently reasonable and logical. And it also reflects what you actually find in the text." So as I've said many times before, I would suggest that our definitions of inspiration and inerrancy ought to reflect what's actually in the Bible. Wouldn't that be a good idea?

3. We need to remember God does not endorse a single culture in Scripture. He presumes the culture of the writers because he picked those guys. God expects his people to apply truth propositions to their cultural situations so that the truth propositions are not violated or changed. The Book of the Covenant (which is our topic today) is an actual codified example of doing that. And the differences you

get between Exodus and Deuteronomy (like with Passover) are examples, too. They should not be viewed as, “Well, one is error-free and the other one has errors.” This is just the wrong way to look at these things. We have to realize that these things were written in different times, different places, different occasions. And they have their own things to accomplish. The writers (and I would say, God) presume that you the reader are intelligent enough to figure that out. Now I know atheists aren’t intelligent enough to figure this out, because they just look at this and they want everything to conform to the way *they* would do it and modern ways of looking at a piece of writing. They don’t want to take things in context. And part of the context for Scripture is the fact that God picked the people who did it and God had goals for those people at the time that he picked them. See, we need to not only ask questions like that in our own heads, but we also need to ask questions like that of the people who are critical of Scripture. “Don’t you think, if it doesn’t conform to this thing over here that you think it should be, is it possible that God might have had a different goal? Is that possible, atheist friend? Could God have had something else in mind other than what’s floating around in your head?” And I would say the answer to that is certainly, “Yeah.” When *I* write something, *I* have different goals than what *you* might have if *you* were writing it. So let’s just translate that to the divine sphere, the divine mind, and not elevate ourselves above that. It works the same way.

50:00

4. Another thought. We need to conform to the data of Scripture as we learn how to think about it. The reverse is not true. Scripture should not be bent to our will, to our ways of thinking about things so as to validate our thinking over the text. An example of this flawed propensity is the way people often sit in judgment of Scripture as to the matter of historicity. I recommend people listen to the very first episode we did in the Exodus series. Another example is the Book of the Covenant (which is our topic for today). We define coherence one way... We define what is coherent the way we think of it as. And you know what? God doesn’t really care how we think of it. Because he wanted what’s in the Book of the Covenant at the end of the road of his Providential oversight of the text for his own reasons. He wanted it to accomplish his own goals, specifically illustrations for the believing community to apply the Ten Commandments. If that looks jumbled to us, it’s because of the fact that our expectations don’t align with God’s goals and God’s satisfaction. So let’s just admit that. I hope you get the flavor of this. One of my pet peeves is when people sit in judgment on the text of Scripture and everything that comes out of their head and out of their mouth says, “Well, it doesn’t look like the way I would have done it or the way I expect this should be done.” And you want to engage a person like that and see if they’re teachable. But I’ll be honest with you, my flesh wants to say, “Who cares? Who gives a rip? I don’t.” Really. There are just times I want to say that. But we have to be a little more charitable to our neighbor—to our fellow imager—and say, “Look. You might want to consider the idea that God just had different goals. And the writer that he picked had different goals. And God put him in that certain situation to accomplish those goals, and not the ones that you think he should’ve been shooting for. There could be something different going on here. The content is

what it is for some circumstance that may be escaping you. The arrangement might be for some reason that our eye just can't detect, sometimes because we're reading in English and not Hebrew. We miss intertextual allusions, hooks into other passages that this ancient writer would've just assumed that the readers would pick up on, and we can't. Can we just admit that's a possibility rather than judging it for not being what we think it should've been—what it wasn't really intended to be?

I think we need to think a little more deeply and carefully about what the Bible is—what Scripture is. But unfortunately, we live in a time and a culture (Christian tradition here) that has the Bible literally just dropping from heaven. And very little thought is put into “What do we do when we run into problems?” Or “What do we do when we invent (in some cases) ridiculous explanations for how to make Scripture conform to our idea of what it should look like and the questions it should be answering.” And I could go off on any number... To this audience, I'm sure a lot of those are familiar. But I'm just asking us to judge that enterprise, to evaluate it a little more critically. And maybe just think a little bit better about it.

But anyway, in the time that remains, I want to hit Enns' summary of Sprinkle's first section. That is the Worship section: Idols and Altars. This is Exodus 20:22-26. So the last few verses of Exodus 20. We'll go through that. And I just want to make a few comments about what we're seeing there, just some items of interest as is our method. So it starts out here in verse 22:

²² And the LORD said to Moses, “Thus you shall say to the people of Israel: ‘You have seen for yourselves that I have talked with you from heaven. ²³ You shall not make gods of silver to be with me, nor shall you make for yourselves gods of gold.

Now not only is the wording a little odd, “You shall not make gods of silver to *be with me*, nor shall you make for yourselves gods of gold.” Not only is the wording a little odd, but you know what? Where this is placed, the scene is still at Sinai. It's *before* the golden calf incident. The line about gods of silver and gods of gold are not in the original Ten Commandments. If we go back up to the beginning of Exodus 20... We're at the end of it. Let's go back up to the beginning.

³ “You shall have no other gods before me.

⁴ “You shall not make for yourself a carved image, or any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the water under the earth.

There's no mention of fashioning gods in silver or gold. Hmm. This looks like an application. Well, what situation might they be thinking of and applying it to? This ought to be obvious. Most scholars' minds are going to go right to the golden calf.

The golden calf episode in the book of Exodus appears later. And I think in real time, it happened later. So what's this section doing here while they're still at Mount Sinai, when the original commandments are being given? Think of what the Book of the Covenant is. Somebody at some point assembled a lot of specific instances, things that either did happen in Israel's history or did happen to people, or would happen or could happen, and they're going to apply the Ten Commandments to those situations. And then they're going to bundle those in Exodus 21-23 and they're going to stick them right in the scene with the Ten Commandments to tell readers—to inform them, to telegraph the notion, the idea—that all these case laws are based on the ten that preceded them.

This is why these things are said and these situations, why they are judged the way they are judged. It's because of something in these ten really important ones—these ten absolute moral life principle things. Now if it does, if that makes sense, if it does have the golden calf in view (and I think a good case can be made for that... when we get to the golden calf incident, we'll talk about that), then we have something here that to our eye is out of historical sequence. We would say, "Oh, this is unhistorical. The writer must absolutely, slavishly, without bending or yielding, give us a linear chronology sequence or else we can't call it historical." *Why?* "Because that's the way I would write it as a historian." Well, good for you. [laughs] Good for you. In other words, judge it for what you think it should be and not for what it is. And you're supposed to be the reasonable person. Right?

I would say let's judge it for what it is. Israel learned this lesson in its history. They learned the lesson of the golden calf. They learned what the first commandments meant to God by virtue of God's reaction to the golden calf, which could easily have been a misguided effort to worship the God of Israel. His covenant name is Yahweh, but his older name (that the patriarchs knew) was El. When we get to the golden calf incident, we're going to realize that one of El's epithets is the bull (this bovine figure) because it's strong and mighty. And so the Israelites by building a golden calf might have thought, "This is a good way to worship God." And God says, "No, no, no. You're not understanding what those original initial commands mean to me. You will bow down to nothing that human hands have made, whether it's a thing that resembles something in heaven or on earth or under the earth. This resembles something on earth. Even though abstractly, you think of me this way and you think it's good, it ain't good. It's a violation." We'll get to that a little bit later.

So I think you can build a coherent case not only for a tie-in here to the later golden calf incident. Why is it here? It's here because the writer, the editors, and God (who is Providentially overseeing the entire process of producing this thing we call the Bible) want the audience (the recipients of the written revelation) to know that these case instances, these specific episodes in Israel's life and the life of its people, the judgments they are derived from, the Ten Words, the Ten Commandments... The application of the commands to that episode works

interestingly, and I think it helps us understand the wording, “You shall not make gods of silver to be with me.” See, if you make an idol, then that idol is going to occupy the place where God (I’m going to use later biblical language here) chooses to set his name, the place where God’s presence, where he chooses it to occupy. God doesn’t want company in the form of this object. “You shall not make gods of silver to be with me, nor shall you make for yourselves gods of gold.” “I’m not interested in the object. Even if you think it represents me, don’t do it.” In the last episode, we talked a little bit more about what the logic was (actually, two episodes ago)—the logic of the first few commands. Let’s go back to Exodus 20. Pick up with verse 24:

²⁴ An altar of earth you shall make for me and sacrifice on it your burnt offerings and your peace offerings, your sheep and your oxen. In every place where I cause my name to be remembered I will come to you and bless you. ²⁵ If you make me an altar of stone, you shall not build it of hewn stones, for if you wield your tool on it you profane it. ²⁶ And you shall not go up by steps to my altar, that your nakedness be not exposed on it.’

Now all of these things... There’s a tie-in with the place God chooses to set his name. “Look, I don’t need company. Don’t make the idol.” There’s a tie-in with what’s going to happen later in Israel’s history when God gives them instructions for an altar and a tabernacle, and then the temple. There are going to be steps that go up to the altar. There’s a way to build it and not build it. So this is applying certain principles to these situations. There’s a logic. The logic might escape us.

But let me just suggest a few things. “In every place where I cause my name to be remembered, I will come to you and bless you.” Did you notice that it says “every place”? That means more than one. Now in Deuteronomy (and once they have a temple) there’s going to be one place. This is a big theme in Deuteronomy. It’s called the centralization of the place of worship—“the place where the Lord shall choose to set (or establish) his name (his presence).” The Place. But here it’s every place. So it reflects the reality that, “Look, you’re going to get into the land. And it’s going to take a while to build that one place, that one temple. So when you build an altar that isn’t that one place, here are the ways I want it done.” And the logic of this would’ve been more apparent to them than it is to us.

But I’m drawing attention here to the fact that we have every place versus one place—different historical circumstances, different conditions. “That’s a contradiction.” No, it’s actually called the flow of time. It’s actually called building a compendium of laws that are drawn from episodes and instances at different times and places and circumstances, just like our laws, Mr. Atheist. Okay? Why is it that we can figure this out, that our laws are what they are because “the Constitution is a living document.” All this which I think is, there’s a lot of

nonsense to that. But you get the idea. Yeah, things change and then you have to apply. What people who say that want to happen is they want to change the Constitution.

But I digress. The goal here isn't to change the law, it's to recognize the fact that the law is going to apply in different ways to different situations. Because time goes on. Things change. So here we have "every" versus "one." We don't have to look at that and say, "Contradiction!" and wave the contradiction flag. No, it's just, recognize it for what it is. It's a compendium. It's a comment about something that someone after the Mosaic era put together, put the case laws together, plopped them right here so that you would know that there's a link between these things and the original Ten Commandments.

So the principle (regardless if it's every place or one place) is actually the same. In Exodus God says he will reveal where to build an altar of earth "in every place where I cause my name to be remembered." See that has God showing up and sanctifying places. And then the Israelites would go, "Hey, you know what? God showed up there. So let's build an altar there. That's the place where God chose to be remembered." So God still does the choosing. Whether it's every place or one place later on, God still does the choosing. So the principle is the same. God makes the rules.

It's unclear whether this altar in Exodus includes any stone at all... In other words, it's not clear that we're talking about sifted dirt. When it says you're supposed to build... Let's go back up to verse 25.

If you make me an altar of stone, you shall not build it of hewn stones...

1:05:00

Okay. Well, okay, does that mean that there can be stones in there? Does it have to be...? Later on, you're going to have altars of dirt and so on and so forth in different passages. The point here is that the things you build it out of... Altars to Yahweh, wherever they are, are to be made from material not fashioned by human hands. They are to be made from material fashioned by the Creator himself. Now that's going to change again when we get to the temple, which is a more permanent structure. So there's kind of a practical side to this, too. But the idea is that you worship *where* God tells you to and you build an altar the *way* God wants it built. And the way God wants it built is going to change. But for this setting and this situation right now before we have the temple, the idea is that, "Look. You build it from material not fashioned by human hands." And this is designed to teach something. "I don't want you bowing down to a thing that people make. I want you bowing down to a thing that I made"—that God made. And God made stone. He made dirt. So use that. Don't fashion it by your own hands. Just use that. And we could go on.

Let me just have one other thing here. The principle of correct worship in these few verses is not contradicted. When you go to a passage like Exodus 20:26:

You shall not go up by steps to my altar, that your nakedness be not exposed on it.

And then you go to Exodus 28:42-43, where it says, taking about the garments for the priests:

⁴²You shall make for them linen undergarments to cover their naked flesh. They shall reach from the hips to the thighs; ⁴³and they shall be on Aaron and on his sons when they go into the tent of meeting or when they come near the altar to minister in the Holy Place, lest they bear guilt and die. This shall be a statute forever for him and for his offspring after him.

Leviticus 6:10

¹⁰And the priest shall put on his linen garment and put his linen undergarment on his body, and he shall take up the ashes to which the fire has reduced the burnt offering on the altar and put them beside the altar.

So he's going up and down.

Leviticus 9:22

²²Then Aaron lifted up his hands toward the people and blessed them, and he came down from offering the sin offering and the burnt offering and the peace offerings.

So again there's the staircase. Okay, in the Exodus passage, we don't have that yet. We don't have this fancy temple/tabernacle sort of setting, and later we do. So there's not a contradiction here. These are different circumstances. But the same idea is being expressed in the variant circumstances. So Sprinkle and others (he's not the only one here) have argued that the whole logic about covering the nakedness when you're doing the religious stuff, going up and down the stairs and whatnot... That the logic there is part of a wider polemic against Canaanite religion. Sprinkle actually devotes 14 pages to this. That's just... I want to say mind-numbing detail, but I'd probably actually be interested in it. [laughs] Fourteen pages of this! But anyway, he says it's part of a wider polemic against Canaanite religion. If that's the case, then these sorts of regulations that distinguish what priests of Israel wear and what they cover on their bodies is done to distinguish them from priests in Canaan, because oftentimes nudity was part of that. There could be some sexual stuff going on, depending on what aspect of the religion we're talking about. So something as simple as that (cover up your body) is actually an application of "You shall have no other gods before

me.” In other words, you don’t worship like the Canaanites. We don’t do things that they do to honor their gods. “You worship no other gods before me.” Enns comments on this, and with this we’ll wrap up.

As for the specific regulations [MH: here in Exodus 20], a fair degree of speculation must accompany any comments. [MH: And again, that’s understandable.] Why only altars of earth or uncut stone? And why no steps? The most reasonable explanation is that these stipulations are anti-Canaanite. By building their altars this way, the Israelites are making a definitive statement that the worship of their God is different from the practices of their neighbors. Moreover, the problem with stepped altars is that those walking up the steps would have their “nakedness ... exposed” (v. 26). This is not simply a matter of prudishness or social embarrassment; it may also be a polemic against Canaanite cultic practices, which sometimes included sexual rituals. Later in Israel’s history, stepped altars were used, but God had instructed the priests to wear linen undergarments to avoid indecent exposure (cf. Lev. 6:10; 9:22).

1:10:00 I wanted to read that to reinforce to the audience that it’s not just Mike. I’m not trying to make stuff up here, but this is part of an academic discussion about these particular laws. And if this is true, isn’t that funny? All of Exodus 20:22-26 about “proper worship” (as Sprinkle calls it) is all derivative. It’s all an application of things like “You shall have no other gods before me.” “You shall make no graven image.” So this weird stuff about making gods of silver and gold and “I don’t want any gods with me” and “cover yourselves” and “don’t use hewn stones when you build an altar” are actually applications. These rules are derivative of and applications of some very simple absolute commands. And this is what the Book of the Covenant does. It may not do it in the way that you wish it would do it, that it would make more sense to *your* mind. Just live with that. Go with it. We’re going to see more of this kind of thing as we proceed in Part 2, because these are the goals that the writer and God had for this material. And it may confuse us at points and irritate us at points. But we just have to let it be what it is and then we can get something out of it.

TS: Alright, Mike. That sounds good. Anything more specific on Part 2 that you can mention that we’ll be getting into?

MH: No, I haven’t decided yet what things I’m going to cherry pick out of there.

TS: Alright, Mike. I just want to remind everybody, if you can’t make it to the Naked Bible Conference here in a couple of weeks, livestream it. Go to NakedBibleConference.com. We can’t wait to meet everybody and see everybody there. With that Mike, I want to thank everybody for listening to the Naked Bible Podcast! God Bless.