LAW AND NARRATIVE IN EXODUS 19–24

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I. INTRODUCTION

James Watts writes, “Lawyers and judges do not usually read law books from beginning to end like novels. Instead, laws are collected, compared, harmonized, codified, and in general arranged systematically so as to preclude the necessity of ever having to read the whole code through from start to finish.”¹ As Watts goes on to note, this is exactly how the regulations of the Pentateuch often have been read by traditional Jewish and Christian readers as well as modern critical scholars. The laws of the Pentateuch have regularly been analyzed by themselves without much consideration to the narrative context in which they are embedded.² Without denying the usefulness of attempts to systemize biblical regulations, this paper stresses the need to read the laws contextually within their narrative and legal-literary frameworks and vice versa.

II. THE RELATIONSHIP BETWEEN LAWS AND NARRATIVES

The laws of Exodus 19–24 interrelate with the narratives of the Pentateuch in a variety of ways.

1. The laws are part of the narrative of God’s graciously establishing a personal relationship with Israel as distinct from other nations. From a formal point of view, the laws (Exod 20:1–17; 20:22–23:33) are part of, and subordinate to, the narrative of God’s establishment of the covenant with Israel at Sinai (Exod 19; 20:18–21; 24). More generally, this address is a continuation of the exodus story (Exod 1–18) in which God graciously initiates a personal relationship with his people, so that Israel will come to know Yahweh as their God (Exod 6:6–7; 16:12).

It is important to note how God first establishes the relationship with Israel by saving them and then subsequently regulates that relationship through the covenant and its laws. In other words, a relationship with God was established not by law-keeping, but as a free gift. Israel’s relationship

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with God originates before the giving of the law in the divine-human encounter between God and Israel at the exodus. Bratcher notes that the “exodus precedes the giving of torah at Sinai. . . . God initiated a relationship with his people by entering history and hearing the cries of oppressed slaves.”

The giving of the Decalogue is prefaced on the assumption that Israel is already “saved” and in personal relationship with God: “I am Yahweh your God who released you from the land of Egypt” (Exod 20:2). The Mosaic law was not, and never was intended to be, the means of establishing a relationship with God. Instead, it was a means of regulating Israel’s relationship with God that had already been established, being guidelines for those already “saved.” Israel’s covenant relationship with God did not come because they were so good, for they were a stubborn people (Deut 9:6). The covenant was not granted to them because they were so great, but because God loved them (Deut 7:7–9). The relationship itself was a matter of grace, not law.

The law, rather than being a means of salvation, was a means of helping Israel to become a “holy people” set apart to God (Exod 19:6), for it defines holy behavior. The laws prohibit things that are destructive to Israel’s relationship with God (e.g. worshiping other gods, moral breeches that offend God). It promotes things that cultivate a proper relationship with God (e.g. festivals, right kinds of worship activities, righteous behaviors that please God). The fundamental obligation of Israel was to love God (Deut 6:4); the law defines what shape a loving response to God should take. Thus obedience to the law was an expression of faith that cultivated Israel’s, and the individual Israelite’s, relationship with God. For Israel, a personal relationship with God “places every facet of life under faithful response to God,” for which reason the laws cover various aspects of life: moral, social, and religious.

The law’s context in the narrative of God’s establishing a personal relationship with Israel explains the frequent use of first and second person personal pronouns, “I-Thou” language, in the laws of Exodus 20–23. This personal language thus shows the laws to be more than a list of “do’s and don’ts.” They are part of God’s personal message to his people meant to deepen their personal relationship with him.

The narrator introduces the Decalogue (Exod 20:1–17) in the context of the theophany at Sinai (Exodus 19). There God employs “I-Thou” language as he offers Israel a covenant with himself on the condition “if you will obey my voice and keep my covenant” (Exod 19:5). The words introducing the Decalogue, “God spoke all these words saying” (Exod 20:1), links back to Exod 19:5 by supplying some of the commands that God expects of a people in covenant relationship with himself to “obey” and “keep.” The words of the

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5 Bratcher, “Torah as Holiness” n.p.
Decalogue that follow are full of “I-Thou” language that shows this to be Yahweh’s personal address to his people: “I am Yahweh your God who released you from the land of Egypt” (v. 2); “You are to have no other gods besides me” (v. 3); “you are not to make for yourself an image” (v. 4); “I Yahweh your God am a jealous God” (v. 5); “You are not to take the name of Yahweh your God in vain” (v. 6), etc. The “you” in each case is masculine singular, referring to national Israel personified in corporate personality, which as a group had been offered the covenant in chapter 19, though no doubt Israelite readers also applied the second person singulars directly to themselves as individuals.

Similarly, the book of the covenant (Exod 20:22–23:33), even if more impersonal in formulation than the Decalogue, is bracketed within an “I-Thou” context. The front bracket is its prologue and introductory cultic laws (Exod 20:22–26) that are full of “I-Thou” language. It is introduced as Yahweh’s speech to Israel through Moses: Yahweh said to Moses, “Address the children of Israel as follows: ‘You yourselves have seen how from the sky I have spoken with you [pl.]’” (v. 22). The second person plural is used here in verse 22 and in the law prohibiting images in verse 23, while the second person singular is used in altar law at verses 24, 25, and 26.6 Yahweh refers to himself in first person (“I,” “me,” “my”) throughout (vv. 22, 23, 24, and 26).

The back bracket of the book of the covenant consists of social and cultic laws (Exod 22:17–23:19)7 followed by the epilogue to the book of the covenant (Exod 23:20–33), both of which are also full of “I-Thou” language. “I-Thou” language is less common in Exod 21:1–22:17, perhaps influenced by its civil law genre that in other ancient Near Eastern law collections tend to have impersonal, casuistic formulations.8 Nonetheless, this section begins with “I-Thou” language (21:1: “These are the norms that you [= Moses] are to set before them”) and has just enough “I-Thou” language later (Exod 21:2, 13–14, 23) to keep the reader aware of the context introduced by the prologue that this is God’s personal message to Israel.

“I-Thou” language also occurs elsewhere among the laws. It is common in God’s instruction to Moses [= thou] on how to build the tabernacle (Exodus 25–31). Leviticus 1–7 consists primarily of impersonally formulated laws concerning sacrifice, but like the central core of the book of the covenant,

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6 Why the text switches from plural “you” to singular “you” is not entirely clear. The “you” plural represents Israel as a group of individuals, whereas the “you” singular represents national Israel personified as an individual, as in the Decalogue. This is shown by Dale Patrick, “I and Thou in the Covenant Code,” in SBL Seminar Papers 1978 (Missoula, MT: Scholars Press, 1978) 71–86. Perhaps the making of idols was more likely to be an individual activity, whereas the making of an altar is more likely to be an activity of the collective community, as was the case in Deut 27:5–7 and Josh 8:30–31 where this law is applied.

7 In this paper Scripture references are to the English Bible versifications. Exodus 21:37 in the Hebrew Bible is 22:1 in the English Bible, and thus English Bible references in Exodus 22 are numbered one unit higher than Hebrew Bible references to that chapter.

8 The typical source-critical explanation for the impersonal formulation of the civil laws in the book of the covenant is that these laws were derived from an earlier, non-Israelite law-code and incorporated into the book of the covenant with relatively little modification.
the narrator personalizes these laws by the use of personal pronouns here and there. The second person formulation in the introduction at Lev 1:2\(^9\) shows that the whole corpus is God’s message to Israel mediated by Moses. There is a highly personal section at Lev 4:4–16 where the second person predominates,\(^{10}\) and there are a few isolated cases where the first person is used in reference to God (Lev 6:17; 7:34) or the second person singular is used in reference to Israelites (Lev 6:21). All this serves to remind the reader that this is Yahweh’s personal message for Israel.\(^{11}\)

In addition to “I-Thou” language, there is also implied “Us-Them” language in the law and its surrounding narratives. The “Us-Them” language emphasizes how “we,” the Israelite readers, should be separate from “them,” the nations,\(^{12}\) as a result of their relationship with God as “Thou.” This “Us-Them” dichotomy can be discerned in Exodus 19–24. In Exod 19:5–6, God promised Israel that if they “obey my voice and keep my covenant,” that is, if they maintain the covenant by following the laws, Israel would be set apart from other peoples as God’s special possession, as a “kingdom of priests and a holy nation.” In the Decalogue’s prologue Israel is reminded of how God separated the Israelites from Egypt physically, and the cultic laws emphasize that they must be separate spiritually as well by avoiding idolatry of any sort, and by keeping the Sabbath (Exod 20:2–6, 8). The pagan practices of outsiders, such as sorcery and idolatry, were punishable with death (Exod 22:18, 20). Canaanites in particular must be driven out of the land of promise and their cult objects completely obliterated (Exod 23:23–24, 28–32). The Canaanite “they” were not even to live with the Israelite “us” (Exod 23:33). And yet other foreigners, namely sojourners (Heb. גֶּר), were to be treated decently by the Israelite “us.” They were not to be oppressed or taken advantage of, but the “us”-Israelite readers were supposed to empathize with their plight in view of Israel’s own historical experience as sojourners (Exod 22:21; 23:9). Such laws ultimately allow “them” to integrated into “us,”\(^{13}\) and thereby come to know God as “Thou.”

2. Laws are a means for the narrator to portray the character of God. A second purpose of the laws within the narrative is to paint the character of God for the reader. One technique narrators (biblical and non-biblical) can use to paint a mental portrait of a character is through the character’s own words.\(^{14}\) So from the narrative point of view, the law contributes to the characterization of God. Watts states, “Pentateuchal law not only characterizes

\(^{9}\) [Yahweh to Moses:] “Speak to the children of Israel and say to them, ‘When a man from among you [pl.] wishes to present an offering to Yahweh from the livestock, you [pl.] may present your offerings from the herd or the flock’” (Lev 1:3).

\(^{10}\) You [sing.] occurs in Lev 2:4, 5, 6, 7, 8, 12, 13, 14, 15; you [plural] in v. 12.

\(^{11}\) After Watts, Reading Law 63.


\(^{13}\) Jackson, “The Literary Presentation of Multiculturalism” 204.

\(^{14}\) Adele Berlin, Poetics and Interpretation of Biblical Narratives (Bible and Literature 9; Sheffield: Almond Press, 1983) 38–39.
its speakers in order to validate the law, but... promulgates law in order to characterize its speakers.”

The use of civil laws to characterize the lawgiver is not unknown outside the Bible. The Laws of Hammurabi (ca. 1750 BC) serve a similar function, as is made clear by their prologue. There Hammurabi boasts that he is a pious provider and protector of the holy city of Nippur, as well as other cities and their gods (Prologue 1.50–5.13), and just before the laws he claims that “When the god Marduk commanded me to provide just ways for the people of the land (in order to attain) appropriate behavior, I established truth and justice as the declaration of the land, I enhanced the well-being of the people” (Prologue 5.14–24). After the laws, in the epilogue, he claims the justice of his laws reflects on his “just” and “able” and “wise” character as a king whose benevolence is for the purpose that “the mighty not wrong the weak, to provide just ways for the waif and the widow” (Epilogue 47.9–78). Thus one purpose of the Laws of Hammurabi is to show the reader what a good and righteous king Hammurabi is.

In Exodus 20–23, God is characterized by the narrator through the law-speeches of the Decalogue and the book of the covenant. God introduces his laws by first reminding Israel that he is their redeemer from Egypt and has offered them a personal covenant relationship with them as “your God” (Exod 20:2). He is a God who can dramatically communicate from heaven to his people (Exod 20:22). He seeks to meet with them and bless them in sacrificial worship (Exod 20:24), though he is opposed to all sexual impropriety in worship (exposure of genitals on steps to an altar; Exod 20:26), as he is opposed to sexual impropriety otherwise (adultery, seduction of virgins, bestiality; Exod 20:14; 22:16–17, 19). God declares himself a jealous God who tolerates no other gods as rivals (Exod 20:2, 23; 22:20). He does not even tolerate quasi-religious practices such as sorcery (Exod 22:18).

God claims in the Sabbath law to be the unimaginably powerful and intelligent force that made the universe, and on that basis he claims authority to order the lives of his creatures religiously by decreeing the Sabbath rest after his own creative pattern (Exod 20:11). He also prescribes the other festivals: the Sabbath Year, Unleavened Bread (Passover), the Feast of the Harvest (Weeks), and the Feast of Ingathering (Tabernacles) (Exod 22:29–30; 23:10–19).

The law-speeches show God to be a moral, law-giving king who structures not only the religious aspects of his people’s lives, but all aspects of their lives. God is so righteous that he punishes iniquity to the third and fourth generations with those who hate him and is offended when his name is taken in vain, but to an even greater degree he is a loving God who shows faithful love to the thousandth generation to those who love and obey him.

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15 Watts, Reading Law 90.
16 The translations of the Laws of Hammurabi are from Martha T. Roth, Law Collections from Mesopotamia and Asia Minor (SBLWAW 6; Atlanta: Scholars Press, 1995) 80–81, 133.
17 Watts, Reading Law 101. As Watts notes, the laws never explicitly call God king, but the character of the laws as decrees clearly implies the kingship of Yahweh.
(Exod 20:3–6; cf. Deut 7:9; 20:23; 22:20). He lends respect for parental authority (Exod 20:12; 21:15, 17) and for civil authority (Exod 22:28: “Do not . . . curse a ruler of your people”; Exod 23:1–9 implies a judiciary\(^\text{18}\) without which his own regulations could not be administered. Yet it is clear that his divine law takes precedence over any civil authority (cf. Deut 17:14–20 where even Israel’s kings are to be subject to the law of God). God serves as the invisible witness and judge of solemn oaths, such as one made to accept permanent servitude (Exod 21:6; assuming \(\text{ eléöhîm}\) here means “God” rather than “judges”). He also hears exculpatory oaths (Exod 22:11), and as judge can personally declare guilt (Exod 22:10, again assuming that \(\text{ eléöhîm}\) here means “God” rather than “judges”).\(^\text{19}\) He can also carry out sentences: In Exod 22:23–24 God threatens to send an invasion of marauders to punish those afflicting the poor. Exodus 20:5, 7, 12 also imply direct divine punishment for lawbreakers.

The civil laws show God to be a God of justice. God prohibits perjury and demands complete impartiality in court even if it involves one’s enemy (Exod 20:16; 23:1–9). He distinguishes the guilt of intentional murder from that of unintentional manslaughter (Exod 21:12–13). God through his law redresses the wrongs by manslaughter, abuse of parents, kidnapping, and mayhem (Exod 21:12–27), and provides remedies to victims of carelessness, negligence, accident, fraud, and devaluation of property (Exod 21:28–36; 22:5–17).

God expects his people to treat each other aright, and so gives commands on parents, murder, adultery, theft, false witness, and coveting (Exod 20:12–17; cf. the civil laws of Exod 21:2–23:9). He expects them to display holiness in their behavior (Exod 22:31). His laws show God to be concerned with various disadvantaged classes: slaves both male and female (Exod 20:10; 21:2–11, 20–21, 26–27), foreign sojourners, widows, orphans, and the poor (Exod 22:21–27; 23:9). God even shows concern for animals. In Exod 20:10 domestic animals are allowed rest on the Sabbath. In Exod 23:11 leaving land fallow is meant to provide food for wild animals. Exodus 23:4–5, 19 reflect concern for lost and overloaded animals and the perversity of cooking a kid-goat in its mother’s milk.

Just as God is gracious towards the poor (Exod 22:27), he also expects his people to be empathetic to such people. This empathy should be motivated by Israel’s own humble national origins as slaves before Yahweh saved them (Exod 22:21; 23:9). Still more surprising, and showing the complexity of God’s character, God’s protection extends also to the life of a thief. Bloodguilt is declared on anyone who kills a thief without mitigating circumstances (Exod 22:2–3).

\(^{18}\) Watts, Reading Law 105.

\(^{19}\) “God” could declare guilt through the oath-taking process. The accused could be found guilty by refusing to make a self-curse. Or the accused could break down under the intense questioning of the oath procedure and confess. On why “God” is more likely than “judges” as the meaning of \(\text{ eléöhîm}\) at both Exod 21:6 and 22:11; see Joe M. Sprinkle, The Book of the Covenant: A Literary Approach (JSOTSup 174; Sheffield: Sheffield Academic Press, 1994) 56–60, 145–48. A good case can be made at Exod 21:6 for an alternative view that \(\text{ eléöhîm}\) refers there to ancestral figurines or terâphîm.
From the above, it is clear that a great deal can be deduced about the character of God through an analysis of his law-speech.

3. Law as God’s personal message to Israel gives Israel’s law divine authority and motivates obedience. One purpose of this personal language observed above is to persuade and motivate hearers to obey. Watts states, “When read together, the divine sanctions join the stories and the lists of laws in a rhetoric of persuasion to motivate assent and compliance.” The narrative context of the commands of Exodus 20–23 is the exodus story of Exodus 12–18 and the theophany of Exodus 19, so that “[c]ommand is rooted in theophany,” and invests the commands with the motivating emotions of the liberation from Egypt.

For example, the prologue to the Decalogue links the laws with the narratives: “I am Yahweh your God who released you from the land of Egypt, out of the house of slaves. Do not have other gods besides me” (Exod 20:2–3). The first clause is functionally subordinate clause to the second clause. The logic of this is probably as follows: “Because I Yahweh have delivered you, you are to worship me alone.” Thus the emotionally charged reference to who and what God has shown himself to be in the exodus narrative serves to motivate Israel to obey the first and other commandments.

The frequent interjection in the Holiness Code, “I am Yahweh [your God]” has a similar purpose. It says in effect, “It is I, Yahweh your God, who has spoken this, so give heed!” When this expression is attached to promises, it is a way of saying they are sure. When attached to laws, this statement reminds the reader that these rules are not merely the laws of men, but the law of God.

4. The laws and narratives of Exodus 19–24 intertwine to produce a whole greater than the sum of its parts. A fourth observation concerning the interrelation of law and narrative is that the literary structure of the laws and narrative serve to convey a greater meaning than would be the case if the laws were independent of the narratives. Chirichigno has demonstrated to my satisfaction that the material of Exodus 19–24 does not follow a strict chronological sequence, but utilizes resumptive repetition.

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20 Watts, Reading Law 52.
23 Lev 18:2, 4, 5, 6, 21, 30; 19:3, 4, 10, 12, 14, 16, 18, 15, 28, 30, 31, 32, 34, 36, 37; 20:7, 8, 24, 26; 21:8, 12, 15, 23; 22:2, 3, 8, 9, 16, 30, 31, 32, 33; 23:22, 43; 24:22, 25:17, 38, 55; 26: 2, 13, 44, 45.
instead. According to this view, the laws were given simultaneously with the actions of Exodus 19, and thus Exodus 20–23 represents a flashback. If the resumptive-repetition view is correct, then the narrator has abandoned strict chronological arrangement to fulfill topical purposes. This is not unique. A good case can be made that Exodus 18 is out of chronological sequence as well. What we wish to explore is the question of why, in Exodus 19–24, might the author may have chosen to do this. A couple of reasons come to mind.

One, this non-chronological style allows the narrator to give a privileged position to the Decalogue, making it first among the law-groups, and arguably thereby preeminent among them. If these laws had been scattered among descriptions of the concurrent actions taking place on the mountain in chapter 19 rather than kept together as a literary unit, the Decalogue’s pre-eminence, its majesty, and its rhetorical power would have been diminished, and it would have been more difficult to study it for didactic purposes. Thus the reader’s understanding of the Decalogue’s importance is affected by this literary decision.

Second, however, this choice of structure allows the author to convey a deeper message through the structure itself. One way of outlining Exodus 19–24 is chiastically:

A. Narrative: The covenant offered (Exod 19:3–25)
B. Laws (general): The Decalogue (Exod 20:1–17)
C. Narrative: The people’s fear (Exod 20:18–21)
A* Narrative: The covenant accepted (Exod 24:1–11)

This structure arguably conveys some important ideas. For one, the laws are bracketed by narratives that emphasize the covenant offered and accepted (Exodus 19, 24). This bracketing suggests that the overall concept of Exodus 19–24 is not law, but covenant, and that the laws are elements subordinate to that covenant. The laws gain importance by virtue of representing stipulations of that covenant. Thus this structure reinforces the conclusion reached earlier that the concept of covenant here is more primary than that of law.

Moreover, at the center of the chiasm is a unit where Israel is told (ironically) “Do not be afraid [’al tîrā’û]” but that God has come “so that the fear of him [yirâtô] may remain with you” (Exod 20:20). The same root (Hebrew yrâ) is used for both terms for fear. So which was it: Were the Israelites supposed to be afraid of God, or not? Well, yes and no. God did not want them...
to be terrified of him, and yet there is a proper “fear of Yahweh” that the cosmic events at Sinai were meant to instill. In the wisdom writings fearing God is associated with turning away from evil (Job 1:8; 28:28; Prov 8:13; 16:6), and elsewhere fearing God is said to make one careful about what one does (2 Chr 17:7). It is also associated with doing God’s commandments (Ps 111:10; Eccl 12:13; Gen 22:12, where God knows Abraham fears God because Abraham was willing to obey God’s command to sacrifice Issac) and giving heed to the ethical requirements of heaven (Gen 42:18). The kind of “fear of God” that is appropriate for Israel in Exod 20:20 is the kind that leads them to turn away from evil and to obey God’s commandments, specifically the commandments then being given to them. That is why the narrative about fearing God is at the center of the chiasm, for “fearing God” is at the heart of the biblical covenant. It is what leads to obedience of God’s commandments. Hence the meaning of the whole of Exodus 19–24 is more profound than it would otherwise have been had a strictly chronological structure been chosen.

5. The narrative context affects the reading of the laws. A fifth observation concerning the relationship between law and narrative is that the narrative context of the laws affects the very way that laws are read and interpreted. Watts states,

First, the narrative context of Pentateuchal law confirms that the Torah is intended to be read as a whole and in order. Unlike law, narrative invites, almost enforces, a strategy of sequential reading, of starting at the beginning and reading the text in order to the end. The placement of law within narrative conforms (at least in part) the reading of law to the conventions of narrative.27

Several places show how the existence of the narrative affects the reading of the law.

a. Introductory cultic laws in the Decalogue and book of the covenant. For instance, the narrative context makes sense of the fact that both the Decalogue and the book of the covenant begin with cultic regulations (Exod 20:3–11; 20:23–26). Cultic laws pertain directly to Israel’s relating to God. Beginning these two groups of laws with cultic regulations makes perfect sense in the context of Israel’s establishing a covenant relationship with God (Exodus 19, 24). The laws about images and altars in Exod 20:22–26 relate to the surrounding narrative by giving important instruction on how God’s presence could be experienced within the covenant in the future. It thus prepares for the building of the altar at the consummation of the covenant in the narrative of Exod 24:4.28

The narrative context also affects the reading of particulars. Exodus 20:22b states, “You yourselves have seen how from the sky I have spoken with you.” This is a double allusion. First there is an allusion to Exod 19:18–19

27 Ibid. 29.
“Mount Sinai was all in smoke because Yahweh descended upon it in fire. . . . Moses would speak and God would answer him with thunder.” There is no contradiction between Exod 20:22’s “from the sky” and Exodus 19’s indication that God spoke from the mountain, as a simplistic reading might suggest. 29 Rather, “from the sky” means “from the mountain whose top is in the sky.” The people at the base of the mountain would be looking skyward when they looked to the top of Sinai. Second, there is probably also an allusion to the Decalogue. As T. D. Alexander observes, the words “I have spoken with you” can be connected with the giving of Decalogue, for the other cases where the people are addressed by God in Exodus 19–24 are mediated through Moses. 30 Thus, contrary to certain source-critical theories that take the Decalogue as a secondary insertion into the narrative, 31 the author of Exod 20:22 assumes the presence of the Decalogue (Exod 20:1–17). 32

This connection to the narrative then affects the interpretation of the next verse: “You are not to make in my case either a god of silver, nor even a god of gold are you permitted to make for yourselves” (Exod 20:23). This verse, which expands on the Decalogue’s prohibition of images (Exod 20:4–5), makes a logical connection between how God revealed himself at Sinai and how they are to worship him. The logic between Exod 20:22 and 20:23 is as follows: “Because, as you have seen, I spoke with you as an invisible voice from the sky, I was indicating to you that no earthly image of me is appropriate.” This interpretation is implicit here, but is made explicit in Deut 4:15–16a: “Because you saw no form when Yahweh spoke to all of you on Horeb from the midst of the fire, be careful that you not act corruptly and make for yourselves an image.”

b. The slave laws. Another way in which the laws of Exodus 20–23 relate to the narrative context is found in the emphasis on slaves. Why, for instance, are the first non-cultic laws of the book of the covenant about slaves (Exod 21:2–11), and why do slaves get mentioned so often elsewhere in the laws (Exod 20:10 [Decalogue]; 21:20–21, 26–27, 32; 23:12)? This is not the case with other ancient Near Eastern law collections. Slave laws end rather than begin the Laws of Hammurabi (§§278–82), and the Laws of Eshnunna place its most substantial slave laws at the end (§§49–52). Middle Assyrian laws only rarely deal with slaves at all. Why then this prominence concerning slaves in the book of the covenant?

The answer lies in the narrative context. Exodus 21 begins with slave laws for the same reason that the prologue of the Decalogue mentions slavery (Exod 20:2): it relates to a central theme of the narratives of the book of Exodus, the release of Israelite slaves from Egyptian servitude. 33

This connection of slave law to narrative also bleeds over to the other social justice regulations concerning the poor and especially sojourners. The primarily social-humanitarian regulations of Exod 22:22–23:9, which begin and end with the command not to oppress a sojourner (Heb. gēr), is parallel in terms of the literary, chiastic structure with the social-humanitarian laws about slaves in Exod 21:2–11. This is not accidental. The disadvantaged classes of Exod 22:22–27, the sojourner, the widow, the orphan, and the poor, were the very people most subject to becoming enslaved on the basis of unpaid debts. Israel itself had become enslaved in Egypt after entering it as sojourners, as the regulation itself suggests: “Do not oppress a sojourner, for you were sojourners in the land of Egypt” (Exod 23:9). The experience of Israel in Egypt recorded by the narrative is thus the basis for the motive clause promoting legal obedience.

c. The use of the number 7. The narrative of God’s resting or ceasing to create on the seventh day of creation (Gen 2:1–4) influences several laws in Exodus 20–23. Exodus’s version of the Decalogue (Exod 20:11) finds the basis for the human Sabbath day in the pattern that God rested on his seventh day. The association of God’s seventh day with “ceasing” or “resting” helps to explain why the Hebrew slave is released, not in the third year as in the Laws of Hammurabi (§117) or the fifth or eight year, but in the seventh year (Exod 21:2). This is in accord with the symbolism of “ceasing, rest” invested in the number seven through the creation narrative. The symbolism of “ceasing, rest” invested in the number seven also explains why the land is to lie fallow specifically in the seventh year (Exod 23:11). Outside of Exodus 19–24 there are other places where the number seven appears to reflect the symbolism derived from the creation narrative: The Sabbath year occurs every seven years (Lev 25:1–7). The year of Jubilee occurs after seven times seven years (Lev 25:11), and there was to be a remission of debts every seven years (Deut 15:1–3; 31:10).

d. The altar laws. It is well known that the altar of earth law of Exod 20:24–26 is hard to reconcile with the references to the other altars in the Bible (Exod 27:1–8: bronze altar; Lev 17:3–9; Deuteronomy 12). Although there are a variety of ways to approach this problem, one way to explain the differences between these laws is on the basis of their occurrences at differing points in the narratives.

The following reconstruction seems possible: Before the exodus, no explicit regulations about altars are recorded. God did command that one not eat the flesh of an animal “with the blood” (Gen 9:4), but this command may or may not assume the use of altars. The altar law of Exod 20:22–26 limits altars to simple, “natural” and unmanufactured, stone materials, in contrast with the bronze altar of the tabernacle (Exodus 27). This difference of material is probably intended to show the pre-eminence of tabernacle’s altar.

35 Jackson, “Multiculturalism in Early Biblical Law” 197.
36 I hope to expand this discussion into a separate paper.
At the altars of stone selāmîm offerings for the purpose of obtaining meat to eat were available even for the ceremonially unclean (1 Sam 14:31–35), whereas the unclean were not to eat meat from the tabernacle’s altar (Lev 7:20) or other more formally consecrated food (1 Sam 21:4). In the wilderness, the pre-eminence of the tabernacle’s altar is further underscored by a temporary measure limiting all slaughter to the tabernacle (Lev 17:4–7), a measure meant to counteract the temptation to idolatrous goat-demon worship at that particular occasion in the desert. What Lockshin calls “[t]he standard understanding of most halakhic exegetes”37 was that the opening verses of Leviticus 17 are limited to the context of the Israelites traveling through the Sinai wilderness. But when Israel came to the land, altars of stone again were permitted and built (Deut 27:4–8; Josh 8:30–35). Deuteronomy 12:5, however, anticipates a day when all sacrifice would be limited to the one “place that Yahweh your God will choose.” Although in Moses’ day, and for a number of generations after Moses, altars after the description of Exod 20:24–26 continued to be allowed, 1 Kgs 3:2 sees this as temporary: “The people, however, were still sacrificing at the high places, because a temple had not yet been built for the name of Yahweh.” According to the narrator of this text, there is no condemnation of sacrificing on the high places as such. Nevertheless, it does foresee a day after the temple is built when sacrifice at the high places would cease. This prediction came true through Josiah’s reforms around 621 BC (2 Kgs 23:15, 19–20).

The above line of interpretation does not resolve all difficulties, and other solutions are defendable and may even be preferable. But it does seem possible to explain the differences among the altar laws on the basis of their placement in the framework of the Bible’s narrative chronology. It thus shows the fruitfulness, hermeneutically, of taking narrative into consideration when interpreting law.

e. Firstfruits, firstborn, and holiness. Another place where the narrative affects the interpretation of law is at Exod 22:29–31. Here God commands Israelites to give to him the overflow (of wine/oil), the firstborn of their sons, and the firstborn of their livestock, adding that they are to be holy by not eating carrion.

The call for Israel to be “holy men” (Exod 22:31) picks up on Exod 19:6, which stipulates that Israel was to be a “holy nation.” Exodus 22:29–31 is also surrounded by social-humanitarian regulations where further allusion to the exodus is explicit (cf. Exod 22:21; 23:9). The command about the firstborn repeats commands given earlier in conjunction with the Passover narratives that the firstborn of both man and beast belong to God, though, as a concession, human sons and more expensive animals were to be redeemed by sacrifice of a lamb (Exod 13:2, 11–19). Firstborn sons in particular play a prominent role in the Passover narrative (Exod 11:3–7; 12:12–13). Thus, in the light of the Passover law/narratives of Exodus 11–13 it would be wrong to read Exod 22:29 as a call for literal human sacrifice. The narrative con-

text precludes that interpretation, even though the words without the earlier narrative might have been taken that way.

Thus the exodus experience alluded to in these laws implicitly motivates obedience, and they provide the backdrop for correct interpretation.

f. Driving out the Canaanites. The epilogue of the book of the covenant (Exod 23:20–33) is also better understood with reference to biblical narratives. It commands Israel not to worship Canaanite gods, but instead to drive the Canaanites out and obliterate their cultic objects (Exod 24:24). God goes on to say that he would fix their boundaries from the Red Sea to the Sea of the Philistines, to the Euphrates (Exod 23:31). This is clearly an allusion to the land promise given to Abraham (Gen 15:18–20, where the dimensions are from the river of Egypt to the Euphrates), a promise that God said he would fulfill by bringing Israel from Egypt to Canaan (Exod 6:2–8). Thus the basis for the law to drive out the Canaanites is the narrative promise to the patriarchs, and the promise given to Moses in Exodus 6.

6. The legal context affects the reading of narratives. Not only do the narratives affect the understanding of the laws, but the laws affect our reading of the narratives. This is certainly true of narratives subsequent to the giving of the law, but is also true of earlier narratives.

a. “Do not approach a woman” (Exod 19:15). God had Moses admonish the Israelite men in preparation for his manifesting himself on Mount Sinai, “Do not approach a woman” (Exod 19:15). This seems to anticipate the laws of purity in Leviticus 15, where even ordinary sexual intercourse made a person ceremonially unclean (Lev 15:16–18) and contact with a woman in her period would also transfer uncleanness (Lev 15:19). Those who are ceremonially unclean were prohibited from approaching the presence of God in a sanctuary (Num 5:1–3). Viewed in the light of the later laws, this admonition asked the Israelite men, in effect, to avoid contracting ceremonial impurity before coming into the presence of Yahweh. Thus this narrative is best understood when read in conjunction with the laws.

b. The creation accounts (Genesis 1–4). Calum Carmichael in his book The Origins of Biblical Law argues that the Decalogue has been structured on the basis of the creation narratives. The command to honor parents and the Decalogue’s prohibitions against murder, adultery, theft, false witness, and coveting were given, he says, to elaborate on matters found in the narratives of Genesis 2–4: the coveting and theft of the forbidden fruit by Eve; the false witness in trying to pass off the blame to others by Adam and Eve after the partaking of the fruit; the teaching about marriage in the creation narrative; and how Cain dishonored his parents, Adam and Eve, by murdering his brother Abel. Exod 20:8–11 could be derived from the narration of God’s six days of creation followed by his

rest on the seventh day (Gen 1:1–2:4) and also be a response to Aaron’s improper declaration of a special day in the Golden Calf narrative (Exod 32:5).\textsuperscript{39}

I am unconvinced by Carmichael’s thesis that these laws or their structuring are derived from the narratives, but I do think that he shows adequately that these narratives are better understood when read in the light of the laws. This can be justified because the narratives were written by an author who was already familiar with the Mosaic laws and so can assume them in his narrative, and because he writes for an audience who would also have prior acquaintance with the laws and therefore could be expected to have such laws in the back of their minds as the narrator presents his stories to them.

c. The Golden Calf narrative (Exodus 32). The prohibition against making “a god of gold” in Exod 20:23 (see also Exod 20:4–5) provides the framework for reading the Golden Calf story of Exodus 32. In Exodus 32, the calf/bull there is called “a god of gold” (Exod 32:31), but it also appears to be identified as an image of Yahweh. The calf stands for the one who brought them from Egypt (Exod 32:4), and upon its construction a feast for Yahweh was declared (Exod 32:5). This indicates that the “calf” was a representation of Yahweh.\textsuperscript{40} The narrative must be read in the light of the law, for it calls what Israel did an act of turning away from what God commanded them (Exod 32:8). But the narrative likewise clarifies the law, showing that the prohibitions of images in Exod 20:4–5, 23 include images of Yahweh, not just images of other gods. Thus law and narrative must be read in conjunction with each other to derive the correct meaning.

d. Joshua and the altar of stone (Josh 8:31–35). Joshua’s construction of the altar of unhewn stones on Mount Ebal (Josh 8:31–35) is said to be “as Moses the servant of Yahweh commanded” (v. 32), a clear allusion to the earlier altar of stone laws in Deut 27:2–8, which itself draws upon the altar law of Exod 20:24–25. The text assumes that the reader is acquainted with the earlier altar laws to inform the understanding of the narrative event.

e. Abraham, Laban, Jacob, and the slave and bride price laws. Exodus 21:11 says that if the husband of a slave wife (\textit{mâ\textsuperscript{m}â}) is unwilling to grant to the wife choice food (literally “flesh”), appropriate clothing, and a term that may mean conjugal rights, that she is to be released without payment of money.\textsuperscript{41} This passage informs one’s reading of God’s command for Abraham to “divorce” his slave wife Hagar (Gen 21:8–14). When Sarah tells Abraham to drive out Hagar (Gen 21:10) and when he sent her away (Gen 21:14), the text uses language associated elsewhere with divorce.\textsuperscript{42} The verb “sent away”

\textsuperscript{39} Ibid. 45–46.
\textsuperscript{40} The Decalogue’s prohibition of images and of taking God’s name in vain in Carmichael’s view (\textit{The Origins of Biblical Law} 28–34) elaborates on the Golden Calf story where Aaron takes God’s name in vain by declaring a feast to Yahweh when the calf was made.
\textsuperscript{41} For exegetical details, see Sprinkle, \textit{‘The Book of the Covenant’} 53–54.
\textsuperscript{42} G. Wenham, \textit{Genesis 16–50} (WBC 2; Dallas: Word, 1994) 82.
is the piel of šālah that is often used for divorcing wives (Deut 22:19; 24:1, 3; Jer 3:8), and the verb used to “drive her out,” the piel of gārasā, is also used for divorce (Lev 21:7, 14; 22:13). In this narrative, God told Abraham to drive out Hagar as Sarah had requested (Gen 21:12), thus lending divine sanction for this divorce. Arguably, the row between Sarah and Hagar (as well as Hagar’s unruliness) had made it impossible for Abraham to function as Hagar’s and Sarah’s husband at the same time. Yet according to Exod 21:11, if a slave-wife ceases to be a wife, she cannot remain on as a slave, but is to be released. Read in the light of Exod 21:11, Abraham was in fact following the practice of what later would be Mosaic law. This helps to explain why God was willing to go along with Sarah’s request.

Another place where the law is illuminating for narratives has to do with Jacob’s working seven years each for his wives Rachel and Leah (Gen 29:18, 27). The requirement for Jacob to work for Laban in order to obtain a daughter in marriage has to do with the widespread cultural phenomenon of bride price. In the ancient Near East and some third world cultures to this day, it was customary to give a significant gift to the bride’s family (the father if alive) in conjunction with a marriage contract of betrothal. The bride price, in turn, would be given back in part or whole as a dowry for the bride. The dowry in the Bible is mentioned only in 1 Kgs 9:16 and Mic 1:14, but is well known from second-millennium BC Mesopotamia and fifth-century BC and later Jewish marriage contracts. In the Laws of Hammurabi, the dowry belonged to the woman and in case of her death before bearing children went back to her father (cf. LH §§162–64). In case of divorce the dowry was ordinarily left with the woman unless forfeited though her bad behavior (cf. LH §§138, 141–42, 149), a fact that would discourage divorce. In the book of the covenant, the bride price (Heb. mōhar) is mentioned as a cultural institution in Exod 22:16–17, where it is required of a man who has seduced an unbetrothed girl regardless of whether the marriage is then allowed to take place. This protected the girl economically, insuring that the seduced woman could have an adequate dowry.

The cultural institution of bride price and dowry explains Jacob’s working for his wives. He was destitute and could not afford to pay a bride price outright. His time of labor, seven years, is identical to the maximum amount of time that the Hebrew slave could serve according to the book of the covenant (Exod 21:2), suggesting that Jacob was essentially an indentured servant. Carmichael asserts that the seven-year limit for slaves in the book of the covenant may have its backdrop in the seven years of servitude of Jacob.43 Laban, in turn, gave Rachel and Leah female slaves as dowries (Gen 29:24–29), as he previously had done for Rebekah (Gen 24:59–61), though they complained that this was inadequate in return for Jacob’s years of service (Gen 31:15). The law in the book of the covenant may well explain another aspect of the story. Though promised Rachel, Jacob married Leah on account of Laban’s deception (Gen 29:21–25). Presumably he was too drunk to tell the difference between Rachel and Leah! To marry Rachel also, Jacob had to

commit himself to another seven years of service as a bride price for Rachel. Why could Jacob not say that this was a mistake and demand Rachel for his servitude? Well, having “seduced” Leah, the first bride price was forfeited per the principle of Exod 22:16–17. Or at least this would be Laban’s argument.

**f. The rape of Dinah and the kidnapping of Joseph (Genesis 34; 37).** Another place where the laws illuminate the narrative is the rape (or possibly, seduction) of Dinah by Shechem (Gen 34:1–31). This act outrages her brothers. Shechem, by indulging in sex with Dinah without permission of her family, had “humiliated her” (v. 2) and, according to Levi and Simeon, “treated her like a whore” (v. 31). Simeon and Levi responded to their sister’s violation by tricking Shechem’s clan into being circumcised as a condition of future intermarriage between the clans (Gen 34:22–24). After Shechem’s clan complied and the men were in great pain because of the circumcisions, Simeon and Levi then killed every male with the sword, their opponents being too weak from the circumcision to fight back (Gen 34:25–27). They went on to plunder the city (Gen 34:28–29). Jacob complained that this would make his name odious among the inhabitants (Gen 34:30) and later cursed them for their act (Gen 49:6–7), though his sons insisted that they were justified by what Shechem had done to their sister (Gen 34:31). Who was right? The laws of seduction and rape clarify the situation. In the book of the covenant, the penalty for seduction of an unbetrothed woman was either payment of the bride price followed by marriage or else forfeiture of the bride price without marriage if the father objected to the marriage (Exod 22:16–17). Deuteronomy gives a more stringent penalty for rape, setting the bride price at an extremely high fifty shekels (Deut 22:29), the price of an prime-aged, adult male slave (Lev 27:3). But neither rape nor seduction were capital offenses so long as the girl was unbetrothed. In the light of these laws, Simeon and Levi’s killing of Shechem was clearly way out of proportion with the crime that was committed. The Mosaic law, then, supports Jacob’s disapproval of the act of his two sons.

The kidnapping and selling of Joseph into slavery (Gen 37:28) is similarly seen in a new light when read in conjunction with the book of the covenant. There kidnapping (literally, “stealing a man”) was punishable by death whether or not the victim were sold into slavery (Exod 21:16). This law underscores the heinous nature of what Joseph’s brothers did.

**g. The two tablets of stone for the Decalogue.** In Exod 24:12, Moses is told to receive tablets of stone on which would be written the law and commandments. Later these tablets are said to be two in number that were inscribed front and back (Exod 31:18; 32:15), and upon them were the ten “words” (Exod 34:18; Heb. debārîm; often here rendered “commandments”), that is, the Decalogue. Artistic portrayals of the Decalogue have concentrated on the fact that there were two tablets and assumed that the first five

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44 Heb ʿānā “humiliate, violate” is used of enforced marriages, simple adultery, and rape (Deut 21:14; 22:24, 29).
“words” (or “commandments”) were on the first tablet, whereas remaining laws were on the second tablet. Which commandments included by an artist depends on whether one is following Jewish, Catholic, or Reformed numbering. In terms of content, it is widely recognized that the Decalogue begins with cultic laws that deal with Israel’s relationship with God and then go on to laws on how they were to relate to other human beings. Could it be that the first tablet contained the religiously oriented laws, whereas the second had the more ethical commandments?

Youngblood may well be correct in thinking that all these constructs are wrongheaded, and that the two tablets may have been meant to represent two copies of the Decalogue as a covenant treaty, one for Israel as vassal, and one for God as suzerain. Even then, however, one might raise the question of which parts are on the obverse and which are on the reverse. Speculations along these lines have been around since the third-century AD Mekhilta. Although the question of which commands occur on which tablets (and which on each side) cannot be definitively answered, the nature of that speculation is determined by the structure of the laws, and so all this illustrates how the law can influence the interpretation of the narrative.

### III. Conclusion

Law and narrative must be read together in order to obtain the fullest and most accurate interpretation of both. The practice of many traditional exegetes and critical scholars of reading laws apart from their narrative context in the final form of the text distorts to some degree the meaning of both law and narrative.

The discussion above has tried to show that the Decalogue and the book of the covenant must be read as part of the narrative in which God graciously establishes a personal relationship with Israel through the covenant. This explains the prevalence of “I-Thou” language in the laws. The laws must also be seen as the narrator’s way of painting the merciful but just character of Yahweh for the reader. The fact that the laws are given as speech from Yahweh as a character in the narrative serves to lend authority to these laws and motivate Israelites to obey them, not as laws of men, but as Law of God. Moreover, the chiastic and non-chronological structuring of the laws and narratives of Exodus 19–24 produces meanings of the whole greater than the individual parts; in particular, giving a privileged position to the Decalogue, indicating the priority of covenant over law, and placing the concept of fear of Yahweh at the heart of that covenant.

The interaction of law and narrative affects the interpretation of particulars in both. Attention to the narratives provides explanations for why both the Decalogue and the book of the covenant begin with cultic regulations, why the civil laws begin with slaves, and the use of the number seven. The

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45 Ronald Youngblood, “Counting the Ten Commandments,” *BRev* 10 (December 1994) 34.

narrative’s chronological framework may provide a solution as to how to reconcile the various altar laws. It provides the proper framework for understanding the laws of firstfruits, firstborn and holiness, and the command to drive out the Canaanites.

Conversely, attention to the laws of Exodus 20–23 helps to explain the seventh day of creation, the nature of the offense in the Golden Calf Story (as well as what the law actually prohibits), the way Joshua constructed his altar on Mount Ebal, and aspects of the stories of Abraham, Jacob, and Joseph. It is also suggestive for interpreting the nature of the two tablets of the Decalogue described in subsequent narratives.

I have primarily limited myself to matters related to Exodus 19–24, but a fuller application of the conclusions reached here would encourage interpreters to read all OT narratives and laws in the light of each other. Examples could be multiplied where attention to the interaction of law and narrative is exegetically fruitful: the practice of war in the narratives can be compared with the rules of war in Deuteronomy 20;47 the Sodom narratives of Genesis 19 can be compared with laws on homosexual acts and incest in Leviticus 18 and 20; and references to ceremonial uncleanness in narratives (e.g. Gen 7:8; 1 Sam 20:26; 21:4–5; 2 Sam 11:2, 4) require an understanding of the purity laws. The narratives of both the Pentateuch and subsequent biblical history were written by authors familiar with the laws, and so one seems justified in reading the narratives in the light of the laws. And the laws of the Pentateuch at the least assume the narratives of the Pentateuch, so that one may reasonably suppose that these narratives may illumine the laws at points. Perhaps greater attention to the relationship of laws and narratives will prove a fruitful avenue for future OT research.