

S O U T H E A S T E R N

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## Preaching Old Testament Law to New Testament Christians<sup>1</sup>

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### Introduction

I am keenly aware that in proposing to address this subject I have guaranteed for myself a limited hearing. There are many reasons why there is little interest in preaching Old Testament law in our churches, whether they are mainline protestant, or charismatic, or fundamentalist, or generic evangelical. This aversion toward Old Testament law arises from a series of “mythconceptions” concerning the law. First, we are deluded by the ritualistic myth, that is, that Old Testament law is pre-occupied with boring ritualistic trivia, declared to be obsolete with Christ’s final sacrifice on the cross. Second, we are driven away by the historical myth, that is, that Old Testament law concerns the times and cultural context of nations so far removed from our own that, unless one has purely academic or antiquarian interests, what it has to say about the human condition is hopelessly out of date. Third, we are repelled by the ethical myth. The OT law reflects a standard of ethics that is rejected as grossly inferior to the law of love announced by Jesus and the high stock placed on tolerance in our enlightened age. Fourth, we are confused by the literary myth, that is, that the Old Testament laws are written in literary forms that are so different from modern literature that we cannot understand them. Fifth, we are indoctrinated by the theological myth, that is, that Old Testament law presents a view of God that is utterly objectionable to modern sensitivities. So long as these “mythconceptions” determine the disposition of preachers and pastors toward Old Testament law there is little hope that they will pay much attention to those parts of the Old Testament that we refer to as Israel’s constitutional literature.

Contributing to these “mythconceptions” are fundamental ideological and theological prejudices against Old Testament law. The essentially anti-nomian stance of contemporary western culture may represent the most important factor, especially in our post-Christian and increasingly secular culture. But these will hardly explain why *within the church* the law has had such a bad rap for such a long time. The roots of the aversion to Old Testament law

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<sup>1</sup> This essay was previously published in *Hiphil (Scandinavian Evangelical E-Journal)* 3 (2006), pp. 1–24; subsequently published in three parts in *Ministry* 78/5 (2006), pp. 5-11; 78/7, pp. 12-16; 78/9, 15-18; and *The Gospel according to Moses: Theological and Ethical Reflections on the Book of Deuteronomy* (Eugene, OR: Cascade, 2012), pp. 104-36.

within the church may be traced back almost 2000 years to the second century heretic Marcion. Marcion proclaimed a radical discontinuity between Old and New Testaments, Israel and the church, the God of the Old Testament and the God of the New. In his canon he rejected all of the Old Testament and accepted only those New Testament books that highlighted the discontinuity of the church from Israel, which left him with radically edited versions only of the Gospel of Luke and ten Pauline epistles (minus the pastorals and Hebrews). This is not so different from American evangelical Christianity, which bears a distinctly Pauline stamp (cf. the Eastern Church), and hears only Paul's criticism of Old Testament law.

In western Protestantism we observe two traditional specific streams of antipathy toward Old Testament law. The first is associated with Lutheranism, with its fundamental law-gospel contrast. In his epochal discovery of the Gospel of Grace in the course of his study of Romans, Luther came to identify the ritualism and works-oriented approach to salvation of Roman Catholicism with the Old Testament law. But in Christ believers are declared to be free from the law! The grace of the gospel in Christ has replaced the bondage of the law under Moses. The second is associated with extreme forms of dispensationalism. In its division of human history into seven dispensations, a radical change in the divine economy is seen to have occurred in the transition from the Old to the New Testament. We are now in the church age, which is fundamentally the dispensation of grace, in contrast to the age of Israel, ruled by the dispensation of law. To these two traditional sources of the problem of Old Testament law within American evangelical Christianity we must now add a third, more recent development, namely the influence of New Covenant Theology. This movement, which has its roots in Reformed theology but exhibits a radically different view toward the Old Testament than Calvin himself did, insists that since the "Mosaic Covenant" [*sic*]<sup>2</sup> has come to an end in Christ, it has no claim on Christians. We are subject only to the law of Christ.<sup>3</sup> This dichotomy is remarkable, especially in the face of the New Testament's repeated and emphatic identification of Jesus Christ with YHWH.

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<sup>2</sup> "Mosaic covenant" is a misnomer. Unlike the Abrahamic and Davidic covenants, which are rightly named after the person whom God graciously chose to be his covenant partner, the covenant made at Sinai was not made with Moses. He served as the mediator between the two covenant partners, YHWH and Israel. Since no other biblical covenants are named after the place where they were established, "Sinai covenant" is no better. Following the paradigm of the Abrahamic and Davidic covenants, it is best referred to as the "Israelite covenant," or "neo-Abrahamic covenant," inasmuch as through this ceremony Israel as a nation was formally recognized as the heir of Abraham (cf. Gen. 17:7–8).

<sup>3</sup> See Tom Wells and Fred Zaspel, *New Covenant Theology: Description, Definition, Defense* (Frederick, MD: New Covenant Media, 2002).

Consequently, if one hears preaching from Old Testament law at all (which is rare!), the preaching tends to take one of three approaches.<sup>4</sup> First, since through his atoning work Jesus Christ has abolished the law as a way of life, Old Testament law has no bearing on the Christian at all. In fact, the blessed gospel of grace liberates us from the curse of the law.<sup>5</sup> Second, interpreting the word *τέλος* in Rom. 10:4 as the “fulfillment” rather than the “end” of the law, Jesus Christ is seen as the culminative fruit of Old Testament law, and since his righteousness is imputed to us, we are not under obligation to any external code. Third, since the Ten Commandments and some of the ethical injunctions of the Torah are thought to have some binding force on Christians, the operative question with respect to Old Testament law is “Do I have to keep this law?” Careful attention is paid to distinguishing among the ceremonial, civil and moral laws. A fourth theologian option, which views the Old Testament law fundamentally to be in force even for the church, receives scant attention these days.

So long as the first three perspectives determine the relationship of Old Testament law to New Testament Christians we can hardly expect to hear much preaching from the law. But how Christians can tolerate this antinomial stance remains a mystery to me, especially in the light of Jesus’ own statements that he came not to abolish the law, but to fulfill it, and his own declarations of its permanent validity (Matt. 5:17–20); in the light of his declaration that love for him is demonstrated first and foremost by keeping his commands (John 14:15; cf. 15:10); and Paul’s assertion that “It is not the hearers of the law who are righteous before God, but the doers of the law who will be justified” (Rom. 2:13).

“All Scripture is breathed out by God and profitable for teaching, for reproof, for correction, and for training in righteousness, that the person of God may be competent, equipped for every good work” (2 Tim. 3:16–17). Does this statement really mean that “While believers were not obliged to carry out all the demands of the Mosaic law, they *could* nevertheless draw from the O[ld] T[estament], read paradigmatically, lessons for Christian living.”<sup>6</sup> They “*could*” draw lessons? Does it have no more moral force than an invitation to read it as an optional sourcebook for optional lessons? Should C. G. Kruse not have said at least, “they *should* nevertheless draw from the O[ld] T[estament], read paradigmatically, lessons for Christian living”? In order to move beyond this typical trivializing of the Old Testament we probably need

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<sup>4</sup> Cf. Robert Bergen’s summary of the three basic positions represented in New Testament scholarship on the disposition of the early church to the law in “Preaching Old Testament Law,” in *Reclaiming the Prophetic Mantle: Preaching the Old Testament Faithfully* (ed. G. L. Klein; Nashville: Broadman, 1992), pp. 51–69 (55–56).

<sup>5</sup> Rom. 3:21; 6:14; 7:4; 10:4; Gal. 2:19–21; 3:23–26; 4:21–31; Heb. 7:12.

<sup>6</sup> Thus Colin G. Kruse, “Law,” in *New Dictionary of Biblical Theology: Exploring the Unity and Diversity of Scripture* (ed. T. D. Alexander, et al.; Downers Grove, IL: InterVarsity, 2000), pp. 629–36 (636).

to take a closer look at Old Testament law, particularly as the Old Testament law presents itself. I propose to do so under four headings:

A. The Designations for “Law” in the Old Testament

B. The Literary Contexts of Laws in the Old Testament

C. The Significance of the Laws of the Old Testament for Old Testament Saints

D. The Significance of the Laws of the Old Testament for New Testament Saints

I will conclude with some reflections on the implications of these observations for our preaching today.

### A. The Designations for “Law” in the Old Testament

The Old Testament uses a series of expressions to refer to the laws of God. Perhaps the most explicit is the term *מִצְוָה*, “command,” from the verb *צָוָה*, “to command.” But the term “command” should not be construed as synonymous with “law.” In day to day life we often give orders that need to be carried out immediately or in a given circumstance, but this is not the same as an ordinance by which our church or company must operate until further ordinances are handed down.

The laws in the Pentateuch are often referred to by the standardized word pair *חֻקִּים וּמִשְׁפָּטִים*, often translated “ordinances/ordinances and judgments.” On etymological grounds one may surmise that the former expression, singular *חֻק*, “ordinance,” derives from a root *חֻקַּק*, “to inscribe, incise,” and refers to “inscribed” laws, that is laws that have been prescribed by a superior and recorded by incising a clay tablet with a reed stylus, or a wax-covered writing board with a metal stylus, or even a stone with a chisel. The form of the second expression, *מִשְׁפָּטִים*, “laws” (literally, “judgments”) apparently originates in case law. Judgments previously made in judicial contexts become laws in a prescriptive sense. When originating with YHWH they represents his “judgments” concerning Israel’s conduct in the pursuit of righteousness (*צְדָקָה*). While some have argued that *חֻקִּים* relate primarily to religious regulations and *מִשְׁפָּטִים* to civil law,<sup>7</sup> within the book of Deuteronomy at least these distinctions cannot be maintained.

To this list we should also add *פְּקוּדָה* (pl. *פְּקוּדִים*), “obligation, regulation, procedure,” from *פָּקַד*, “to muster, commission,” which occurs twenty-four times in the Psalms.<sup>8</sup> A fifth expression is *הַעֲדָה*, “the stipulations.” Based on the assumption of a derivation from the same root as *עֵד*, “testimony,” the New International Version follows the traditional rendering of the word with

<sup>7</sup> See G. Liedke, G. “*חֻקַּק* *hqq* einritzen, festsetzen.” In *Theologisches Handwörterbuch zum Alten Testament*, edited by E. Jenni and C. Westerman, 1: pp. 626–34. Munich: Kaiser, 1971), 1: p. 631.

<sup>8</sup> *HALOT*, p. 959.

“testimonies.”<sup>9</sup> However, since we usually think of “testimony” as the utterance of a witness in a court of law or some less formal context in which a particular event is being debated or discussed, this interpretation is misleading.<sup>10</sup> It is true that in the case of a person who had sworn an oath to keep an agreement but was being brought to court for violating it, the written document could certainly be produced as a standard against which to measure his behavior, hence to serve as a witness. However the possibility of an etymological link with the Akkadian word for “covenant/treaty” and “loyalty oath,”<sup>11</sup> strengthens the case for interpreting עֲדוֹת (plural of עֲדוּת) as a general designation for the stipulations of the covenant. This interpretation is confirmed in Deut. 4:45, which clarifies the sense of הָעֲדוֹת, “the stipulations,” by adding הַחֻקִּים וְהַמִּשְׁפָּטִים, “ordinances and laws.”<sup>12</sup> The fact that all these expressions have the article suggests a specific and identifiable body of laws is in mind. In accordance with our conclusions regarding the significance of הַחֻקִּים וְהַמִּשְׁפָּטִים, “ordinances and laws,” stated earlier, the covenant stipulations refers to the specific body/bodies of prescriptions revealed by YHWH through Moses at Sinai, and periodically prior to the present addresses (cf. Num. 36:13), an interpretation supported by the addition of “when they came out of Egypt.”

These five words do indeed often refer to the specific laws and regulations prescribed by YHWH at Sinai and elsewhere. While the expressions above tend to be associated with specific kinds of laws, the expression most often associated with “law” itself is תּוֹרָה. The noun תּוֹרָה derives from the verb הוֹרָה, “to teach.”<sup>13</sup> On occasion תּוֹרָה may be legitimately translated as “law.” However, its every day meaning is illustrated by the book of Proverbs, which applies the term to the instruction that the wise provide for the community (13:14), parents provide for children (1:8 [mother]; 4:1–11), and the woman of the household to those under her influence (31:26). Its theological meaning is illustrated most clearly by the book of Deuteronomy, which, con-

<sup>9</sup> Thus LXX (μαρτυρία), Vulgate, the Targums.

<sup>10</sup> S. T. Hague, “אָרוֹן,” in *New International Dictionary of Old Testament Theology & Exegesis* (ed. Willem VanGemeren, [Grand Rapids: Zondervan, 1997], 1: p. 502) notes that “the translation of עֲדוּת as ‘testimony’ is reasonable, as long as we understand the testimony as *the law* that is the seal of the Lord’s covenant with Israel.”

<sup>11</sup> On the meaning and significance of *adē*, see S. Parpola and K. Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths* (State Archives of Assyria 9. Helsinki: Helsinki University Press, 1988), pp. XV–XXV.

<sup>12</sup> This interpretation is strengthened by the observation that what Moses will call the “ark of the covenant of YHWH” (אָרוֹן בְּרִית־יְהוָה, Deut. 10:8; 31:9, 25–26) is referred to elsewhere as the “the ark of the stipulation” (אָרוֹן הָעֲדוּת), Exod. 25:22; 26:33–34; 30:6, 26; 31:7; 39:35; 40:3, 5, 21; Num. 4:5; 7:89; 4:16). The present triad of terms recurs in Deut. 6:20 (with הָעֲדוּת preceding the present pair). הָעֲדוּת appears between מִצְוֹת and חֻקִּים in 6:17. On the meaning and significance of עֲדוּת/עֲדוֹת, see H. Simian-Yofre, “עֲדוּת,” in *Theological Dictionary of the Old Testament*, (ed. G. J. Botterweck and H. Ringgren, and trans. D. W. Scott; Grand Rapids: Eerdmans, 1999), 10: pp. 514–15.

<sup>13</sup> HALOT, 436–37.

trary to the Greek (and English) name of the book (δεύτερονόμιον, “second law”), does not present itself as “law,” but as a series of pastoral addresses (Deut. 1:1–5; 4:40). Admittedly Moses repeats and adapts many of the ordinances previously prescribed by YHWH, but the first eleven and the last nine chapters contain little that we would classify as “law” in a legal sense, and even the so-called “Deuteronomic Code” (chaps. 16–26) has a predominantly pastoral and didactic (rather than legal) flavor. In fact, in the book of Deuteronomy the semantic range of תּוֹרָה, *tôrâ*, is much better captured in Greek by *didaskalia* or *didachē*, rather than *nomos* as the Septuagint renders the term in 202 of 220 occurrences.<sup>14</sup>

This conclusion regarding the meaning of תּוֹרָה, *tôrâ*, is confirmed when we observe how easily its scope was extended to the rest of the Pentateuch, despite the fact that at least two-thirds of Genesis–Numbers is narrative, that is, the story of the YHWH’s grace in election, salvation, and providential care for Israel, and his establishment of his covenant first with Abraham and then with the patriarch’s descendants at Sinai. When the psalmist declares that the godly delight in the תּוֹרָה of YHWH (Ps. 1:2), surely he did not have in mind only the laws of Sinai, for apart from the surrounding narrative the laws provide no occasion for joy.

## B. The Literary Contexts of Laws in the Old Testament

Before we preach from Old Testament law we need to remind ourselves that there is law in the Old Testament and there is law. Since the groundbreaking work of Albrecht Alt,<sup>15</sup> many scholars have recognized two major types of laws:<sup>16</sup> laws in the conditional form dealing with specific cases, and laws in the unconditional form. The former typically involve a protasis introduced with “When/If” (Hebrew כִּי, or אִם in subordinate cases) describing a specific circumstance, followed by an apodosis outlining the required response. These may be cast in third person (“If a person . . .”) or second person (“If you . . .”). The latter are typically cast as direct commands in the second person, though third person jussives are not uncommon. Apodictic laws subdivide further into positive prescriptions (“Honor your father and

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<sup>14</sup> Both expressions are common in the New Testament. For *didaskalia*, see Matt. 15:9; Mark 7:7; Rom. 12:7; 15:4; Eph. 4:14; Col. 2:22; 2:10; 1 Tim. 1:10; 4:1, 6, 13, 16; 5:17; 6:1, 3; 2 Tim. 3:10, 16; 4:3; Tit. 1:9; 2:1, 7. For *didachē*, see Matt 7:28; 16:12; 22:33; Mark 1:22, 27; 4:2; 11:18; 12:38; Luke 4:32; John 7:16–17; 18:19; Acts 2:42; 13:12; 17:19; Rom. 6:17; 16:17; 1 Cor. 14:6,26; Eph. 4:14; 1 Tim. 4:6; 2 Tim. 4:2; Tit. 1:9; Heb. 6:2; Heb. 13:9; 2 John 9–10; Rev. 2:14, 15, 24.

<sup>15</sup> Albrecht Alt, “The Origins of Israelite Law,” in *Essays in Old Testament History and Religion* (trans. R. A. Wilson (Garden City, NY: Doubleday, 1967), pp. 101–71.

<sup>16</sup> Albrecht’s classification of these laws as “casuistic” and “apodictic” has recently been criticized as too simplistic, not allowing enough room for mixed forms, and even misnamed. See Rifat Sonsino, “Forms of Biblical Law,” in *Anchor Bible Dictionary* (ed. D. N. Freedman; Garden City, NY: Doubleday, 1992), 4: pp. 252–53.

mother”), or negative prohibitions (“You shall not murder”). The differences between the two types are obvious when specific examples are juxtaposed as in the following synopsis:

**Table 1: A Comparison of Conditional and Unconditional Law**

<b>Conditional Law</b>	<b>Unconditional Law</b>
Exodus 21:28 If an ox gores a man or woman to death, the ox shall surely be stoned and its flesh shall not be eaten; but the owner of the ox shall go unpunished.	Exodus 20:3 You shall have no other gods before me.
Exodus 22:26–27 If you ever take your neighbor’s cloak as a pledge, you are to return it to him before the sun sets, for that is his only covering; it is his cloak for his body. What else shall he sleep in?	Exodus 20:16 You shall not bear false witness against your neighbor.
<b>Features</b>	<b>Features</b>
Conditional	Unconditional
Declarative mood	Imperative mood
In third (or second) person	In second person
Specific: based on actual cases, often with motive or exception clauses	General: without qualification or exception
Usually positive in form	Often negative in form
Begin with “If” or “When”	Begin with the verb (in the imperative)

The Pentateuch contains a great deal of prescriptive material through which YHWH sought to govern every aspect of the Israelites’ lives. Maimonides, a twelfth century Jewish rabbi and philosopher, established that the number of commandments scattered throughout the Pentateuch numbered 613.<sup>17</sup>

Beyond recognizing the basic formal differences between individual laws, preachers do well also to recognize the differences among the series of specific documents within the Pentateuch that might qualify as law. These may be grouped in two classifications. On the one hand we note the focused instructions, usually involving cultic and liturgical matters: “Instructions Concerning the Passover” (Exodus 12–13), “Instructions Concerning the Taber-

<sup>17</sup> See Alvin J. Reines, “Commandments, The 613,” in *Encyclopaedia Judaica*, 2nd ed. (ed. F. Skolnik (Farmington Hills, MI: Gale, 2007), 5: pp. 760–83.

nacle” (Exodus 25–31), “Instructions Concerning Sacrifice” (Leviticus 1–7). On the other hand, we note the collections of ordinances and regulations governing a wide range of human activity: the Decalogue (Exod. 20:2–17; Deut. 5:6–21), the “Book of the Covenant” (סֵפֶר הַבְּרִית, Exod. 20:22—23:19, cf. 24:7), the “Instructions on Holiness” (Leviticus 17–26),<sup>18</sup> and the so-called “Deuteronomic Torah” (Deuteronomy 12–26, 28). Although these documents all represent collections of prescriptions whose scope covers all of life, each has its own distinctive flavor.

### 1. *The Decalogue*

In both Exodus 20 and Deuteronomy 5 the Decalogue is presented as the only speech of YHWH addressed directly to the Israelites. Contrary to modern practice, the Scriptures never refer to the Decalogue as the “Ten Commandments.” The genre of the document is identified in both contexts as “all these words” (כָּל־הַדְּבָרִים הָאֵלֶּה, Exod. 20:1; Deut. 5:22) that YHWH “spoke” (דָּבַר), rather than “these commandments” that YHWH “commanded.” In fact, whenever this document is identified by title it is always referred to as “the Ten Words” (עֲשֹׂת הַדְּבָרִים, Exod 34:28; Deut 4:13; 10:4), and never “the Ten Commandments.” At this point we would do well to follow the Septuagint in referring to this document as the Decalogue (δέκα λόγοις, literally “Ten Words”), or, since the Hebrew word דָּבַר is capable of a broad range of meaning, “the Ten Principles” of covenant relationship. That this document is perceived as the foundational written record of YHWH’s covenant with Israel is demonstrated not only in the fact that two copies (one for each party) of this document alone were stored in the “ark of the covenant of YHWH” (אָרוֹן בְּרִית־יְהוָה, Deut. 10:1–5), but also Moses’ explicit reference to this document as “his covenant” (בְּרִיתוֹ, Deut. 4:13). The structure of the narratives introducing the Decalogue reinforces the covenantal nature of the Decalogue. Indeed in both Exodus and Deuteronomy it is cast in the pattern of an ancient Near Eastern suzerainty treaty:

(a) The Preamble (Exod. 20:1; Deut. 5:1–5) sets the stage for the document.

(b) The Historical Prologue (Exod. 20:2; Deut. 5:6) introduces the divine Suzerain and summarizes the history of the relationship of the parties to the covenant to this point: “I am YHWH your God who brought you out of the land of Egypt, out of the house of slavery.”

(c) The Covenant Principles (Exod. 20:3–17; Deut. 5:7–21) specify the fundamental obligations placed upon the human vassal. The Principles of Covenant Relationship were reduced to ten presumably to facilitate commitment to memory and to match the number of fingers on our hands. Their unconditional form invests them with an absolutist flavor. Inasmuch as the terms of the Decalogue are addressed to potential perpetrators of offences it

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<sup>18</sup> Referred to by scholars as the “Holiness Code.”

may be interpreted as ancient Israel's version of the "Bill of Rights." However, unlike modern Bills of Rights, the Decalogue is not concerned to protect *my* rights but the rights of the next person. According to the arrangement of the stipulations of the Decalogue the *next person* involves two parties: YHWH, the divine Suzerain, and fellow members of the vassal community.<sup>19</sup> In fact, as Jesus and Paul recognized in their reduction of all the commandments to the command to love YHWH and one's neighbor (Luke 10:27; Rom. 13:9), the objective of the Decalogue is encourage love for God and for one's neighbor,<sup>20</sup> the kind of behavior that puts the interests of the next person ahead of one's own.

(d) The Declaration of the People's Response (Exod. 20:18–21; Deut. 5:22–33) reports the people's acceptance of the document and a recognition of its revelatory significance. The latter text ends with a summary blessing as a reward for obedience (vv. 31–33), also common to ancient treaty forms.

## 2. The "Book of the Covenant" (Exod. 20:22–23:19)

Although the Decalogue obviously functioned as the official covenant document, this does not mean that it exhausted the terms of YHWH's covenant. Indeed the other collections of laws may be interpreted as elaborations and practical explications of the Decalogue. The "Book of the Covenant," encompassing Exod. 20:21–23:33 derives its name from Exod. 24:7, according to which, as part of the covenant ratification ceremony Moses took the סֵפֶר הַבְּרִית (literally, "written document of the covenant") and read it in the hearing of all the people, precipitating their third declaration of "All that YHWH has spoken we will do." Unlike the Decalogue, which is referred to as דְּבָרִים ("words") declared directly by YHWH to the people, this document is formally introduced as מִשְׁפָּטִים ("judgments, regulations") that Moses is to set before the people (Exod. 21:1). Furthermore, whereas the Decalogue consists entirely of unconditional statements in the second person, the Book of the Covenant consists largely of conditional statements in the third person. Taken as a whole the Book of the Covenant may be divided into six parts arranged in an artful chiasmic order:

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<sup>19</sup> The vertical dimensions of covenant (Exod. 20:1–11) respectively call for a recognition of YHWH's right to: (a) exclusive allegiance; (b) the definition of his image; (c) honor and true representation; (d) govern human time. The horizontal dimensions of covenant (20:8–17) respectively call for a recognition of (a) the members of the household's right to humane treatment (cf. Deut. 5:12–15); (b) parents' right to respect from children; (c) the right of all to life; (4) the right of all to a pure and secure marriage; (5) the right to personal property; (6) the right to an honest reputation; (7) the right to security. The terms add up to eleven because the fourth is transitional. The Exodus version highlights the Sabbath as a creation ordinance; the Deuteronomic versions highlight its humanitarian character.

<sup>20</sup> Cf. Brevard S. Childs, *The Book of Exodus: A Critical Theological Commentary* (Old Testament Library; Philadelphia: Westminster, 1974), p. 439.

- A Introduction (20:22, placing Israel's response to covenant in the present context of divine revelation)
  - B Principles of Worship (20:23–26, highlighting Israel's cultic expression of devotion to Yahweh)
  - C Casuistic Laws (21:1–22:20, highlighting Israel's ethical expression of devotion to Yahweh)
  - C' Apodictic Laws (22:21–23:9, highlighting Israel's ethical expression of devotion to Yahweh)
  - B' Principles of Worship (23:10–19, highlighting Israel's cultic expression of devotion to Yahweh)
- A' Conclusion (23:20–33, placing Israel's response to covenant in the future context of divine action)

Notice that prescriptions for Israel's worship frame the prescriptions governing daily life. The purpose of worship is to inspire devotion to YHWH and to create an ethical community of faith. Worship and ethics are tightly linked.

### 3. *The "Instructions on Holiness" (Leviticus 17–26)*

What distinguishes this "Code" from other similar texts, such as the Book of the Covenant (Exod. 20:22–23:33), is its emphasis on holiness. First, YHWH identifies himself as the Holy one (קדוש, 19:2; 20:26; 21:8). Second, YHWH identifies himself as the one who makes Israel holy (שקדש, "sanctifies them", 20:8; 21:8, 15, 23; 22:9, 16, 32; cf. הַבְּדִיל, 20:24, 26). Third, Israel is challenged to "Sanctify yourselves" (שְׁתַּקְדְּשׁוּ, 20:7) and "Be holy" (יִתְקַדְּשׁוּ, 19:2; 20:7, 26 [to YHWH]; 21:6a, 6b [cf. 7, 8]). Fourth, many of the articles and persons discussed in this section are described as holy (קָדֹשׁ): YHWH's name, 20:3; 22:3, 32; sacrificial food, 19:8; ordinary food 19:24; sacred bread, 21:22; 24:9; food dedicated to YHWH, 22:2–4, 6, 10, 14–16; convocations, 23:2–4, 7–8, 21, 24, 27, 35–37; a place (tabernacle), 24:9; a time (year of jubilee) 25:12). As for the content of this long section, it provides a summary catch-all of moral exhortations, cultic regulations, and legal prescriptions. What use was made of this "Holiness Code" in ancient Israel we may only speculate: D. N. Freedman suggests it may have served "as a catechism for some sanctuary school, or as a guide for priests and Levites in their work as teachers of the people."<sup>21</sup> We may view this document as an exposition of the expressions "a kingdom of priests" and "holy nation" in Exod. 19:5.

That this is viewed as an exposition of the nature of Israel's covenant relationship with YHWH is demonstrated by the eighteen-fold occurrence of YHWH's self introduction as "I am YHWH your God,"<sup>22</sup> which represents

<sup>21</sup> D. N. Freedman, "Pentateuch," in *The Interpreter's Dictionary of the Bible* (ed. G. A. Buttrick; Nashville: Abingdon, 1964), p. 722.

<sup>22</sup> Lev. 18:2, 4, 30; 19:3–4, 10, 25, 31, 34, 36; 20:7, 24; 23:22, 43; 24:22; 25:17, 38, 55.

an adaptation of the covenant formula, “I am your God and you are my people” (cf. 20:26; 26:12). Looking far ahead to the time when the Israelites will be settled in the land that YHWH has promised them, this document seeks to govern the life of the Israelites as YHWH’s vassals (עֲבָדִים, Lev. 25:42, 55) living in YHWH’s land (25:23). The covenantal nature of this document is affirmed by the addition of chapter 26. This chapter not only refers to the covenant six times,<sup>23</sup> but its presence here accords with the pattern of ancient Near Eastern Hittite treaties, which typically followed up the stipulations with declarations of blessings as a reward for obedience.<sup>24</sup>

#### 4. The “Deuteronomic Torah” (Deuteronomy 12–26, 28)

It has become customary for scholars to refer to the long section of text encompassing Deuteronomy 12–26, 28 as the Deuteronomic Law Code. This seems justified on several grounds. First, it is formally framed by references to the laws of God:

Introduction: “These (אֲלֵה) are the ordinances (הַחֻקִּים) and laws (הַמִּשְׁפָּטִים) that you shall keep (תִּשְׁמְרוּ) by doing (לַעֲשׂוֹת) [them] in the land that YHWH, the God of your fathers, has given you to possess, all the days that you live on the earth” (12:1).

Conclusion: “YHWH your God commands you this day to follow these (הָאֲלֵה) ordinances (הַחֻקִּים) and the laws (הַמִּשְׁפָּטִים), and you shall keep (וְשָׁמַרְתָּ) and do (וְעָשִׂיתָ) them” (26:16).

Second, Moses repeatedly refers explicitly to “ordinances” (חֻקִּים),<sup>25</sup> “laws” (מִשְׁפָּטִים),<sup>26</sup> “command”/“commands” (מִצְוָה/הַמִּצְוֹת),<sup>27</sup> “instruction” (תּוֹרָה, usually rendered “law”),<sup>28</sup> and “covenant stipulations” (הַעֲדוֹת, usually rendered “testimonies”), if one may refer back to 4:45, which functions as a heading for the second half of Moses’ second speech. Third, within this large block of material we do indeed find several series of regulations that have the appearance of legal lists, especially in chapters 22–25. Fourth, the types of issues dealt with in these chapters often correspond to those found in codes of law outside the Old Testament.<sup>29</sup>

Recently it has become fashionable to argue that Moses’ presentation of the covenant obligations in Deuteronomy 12–26 is structured after the Decalogue. Stephen Kaufman, for example, has argued that the Deuteronomic

<sup>23</sup> Vv. 9, 15, 25, 42, 44–45.

<sup>24</sup> See Kenneth A. Kitchen, *On the Reliability of the Old Testament* (Grand Rapids: Eerdmans, 2003), pp. 283–89.

<sup>25</sup> Deut. 16:12; 17:19; 26:16–17.

<sup>26</sup> Deut. 26:16–17.

<sup>27</sup> Deut. 13:5, 19 [Eng. 4, 18]; 15:5; 17:20; 19:9; 26:13, 17–18; cf. 27:1; 30:11; 31:5.

<sup>28</sup> Deut. 17:18–19; cf. 4:44; 28:61; 29:21, 29; 30:10; 31:9, 11–12, 24, 26.

<sup>29</sup> The links have been noted frequently. For a helpful collection of ancient Near Eastern law codes, see Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor* (2<sup>nd</sup> ed; Society of Biblical Literature Writings from the Ancient World 6; Atlanta: Scholars, 1997).

Code derives from a single redactor, who has organized the entire Code after the model provided by the Decalogue as a whole.<sup>30</sup> It is apparent throughout that Moses has the Principles of Covenant Relationship as outlined in the Decalogue in mind, but this system seems quite forced, and can be achieved only by resorting to extraordinary exegetical and redactional gymnastics.<sup>31</sup> Moses seems here to have been inspired by other aspects of the Sinai revelation as well. Although there are also strong links with Exod. 34:11–28,<sup>32</sup> Bernard Levinson argues more plausibly that the Deuteronomistic Code represents a revision of the Covenant Code (Exodus 21–23).<sup>33</sup> The links are recognized not only in the details, but also in the broad structure of the text, as the synopsis in Table 2 illustrates:

**Table 2: A Synopsis of the Structures  
of Exodus 20:22–23:19 and Deuteronomy 12:2–26:15**

Exodus 20:22—23:19	Deuteronomy 12:2—26:15
A Principles of Worship (20:23–26) Highlighting Israel's cultic expression of devotion to Yahweh B Casuistic and Apodictic Laws (21:1—23:9) Highlighting Israel's ethical and civil expression of devotion to Yahweh A' Principles of Worship (23:10–19) Highlighting Israel's cultic expression of devotion to Yahweh	A Principles of Worship (12:2–16:17) Highlighting Israel's cultic expression of devotion to Yahweh B Casuistic and Apodictic Laws (16:18—25:15) Highlighting Israel's ethical and civil expression of devotion to Yahweh A' Principles of Worship (26:1–15) Highlighting Israel's cultic expression of devotion to Yahweh

Moses' flow of thought is best grasped, not by forcing it into some sort of Decalogue pattern, but by outlining chapters 12:2–26:15 on the basis of content and without reference to any external document. This lengthy docu-

<sup>30</sup> Stephen, Kaufman, "The Structure of the Deuteronomistic Law," *Maarav* 1 (1979), pp. 105–58. For a variation of this approach, see G. Braulik, *Die deuteronomischen Gesetze und der Dekalog* (Stuttgarter Bibelstudien 145. Stuttgart: Katholisches Bibelwerk, 1991); *idem*, "Die Abfolge der Gesetze in Deuteronomium 12–26 und der Dekalog." In *Das Deuteronomium: Entstehung, Gestalt und Botschaft (Ephemerides theologicae lovanienses* 68; Leuven: Leuven University Press, 1985), pp. 252–72). Eugene H. Merrill follows this approach in his commentary, *Deuteronomy* (NAC; Nashville: Broadman & Holman, 1994), p. 31.

<sup>31</sup> It is an unlikely stretch, for example, to interpret Moses' instructions regarding administrative institutions in 16:18—18:22 as an exposition of the commandment to honor father and mother in 5:16. This approach is also rejected by Jeffrey Tigay, *Deuteronomy* (Jewish Publication Society Torah Commentary. Philadelphia: Jewish Publication Society, 1996), p. 226. n. 19, and Eckart Otto, *Das Deuteronomium* (Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft 284; Berlin: de Gruyter, 1999), p. 226.

<sup>32</sup> So also Norbert Lohfink, "Zur deuteronomischen Zentralisationsformel," *Biblica* 65 (1984), pp. 324–26.

<sup>33</sup> Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (Oxford: Oxford University Press, 1998), pp. 144–50.

ment also displays strong links with the Holiness Code. Most striking is the addition of the lists of covenant blessings and curses in chapter 28, which echoes the addition of Leviticus 26 to the Instructions on Holiness.<sup>34</sup>

Despite these links with the Book of the Covenant, in tone and style much of Deuteronomy 12–26 bears a closer resemblance to chapters 6–11 than it does to the Sinai documents<sup>35</sup> on which they are based. In fact, there is no appreciable shift in style and tone as one moves from chapter 11 to chapter 12 and beyond. While scholars are quick to recognize in the speeches of the book of Deuteronomy the voices of a prophet or a scribe, or even a priest,<sup>36</sup> the concerns and style of the speaker are better understood as the addresses of a pastor, who knows that his own tenure as shepherd of YHWH's sheep is about to come to an end.<sup>37</sup> As pastor, Moses is concerned not only about civil and liturgical matters, but especially with the spiritual and physical well-being of the people. He expresses particular passion about the people's relationship with God, a relationship that, on the one hand, is to be treasured as an incredible gift, and on the other hand to be demonstrated in a life of grateful obedience to their divine Redeemer and Lord.

### C. The Significance of the Laws of the Old Testament for Old Testament Saints

Even though we have clarified the forms and genres of the major constitutional documents in the Pentateuch, the chances are rather good that we have still not overcome the prejudices that inhibit preaching from these texts. In order to do so we probably need to wrestle a little more with the significance of these laws, particularly as Moses and the genuinely pious in ancient Israel understood them. As we try to resolve this issue we must keep in mind two important principles of interpretation. First, whenever we interpret a biblical text, the most important clues to its meaning must be derived from the immediate literary context, not later comments on the text. Second, biblical texts must always be interpreted in the light of the broader cultural context

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<sup>34</sup> Chapter 28 seems originally to have been attached directly to chapter 26, before chapter 27 was inserted.

<sup>35</sup> The Book of the Covenant (Exod. 20:22–23:33), the so-called Holiness Code (Leviticus 17–26).

<sup>36</sup> For a helpful discussion of the prophetic and scribal voices, see James W. Watts, *Reading Law: The Rhetorical Shaping of the Pentateuch* (Biblical Seminar 59; Sheffield: Sheffield Academic Press, 1999), pp. 112–21; on the priestly voice, see Gerhard von Rad, *Deuteronomy: A Commentary* (Old Testament Library; Philadelphia: Westminster, 1966), pp. 23–27.

<sup>37</sup> Moses gives most eloquent expression to this understanding of his role in Num. 27:15–17: “Moses spoke to Yahweh, saying, ‘Let Yahweh, the God of the spirits of all flesh, appoint a man over the congregation who shall go out before them and come in before them, who shall lead them out and bring them in, that the congregation of Yahweh may not be as sheep that have no shepherd.’”

from which they derive, not the culture of a later time, let alone pervasive modern understandings of these texts.

I begin by drawing your attention to a very important question raised by Moses in his second farewell pastoral address to his people, the Israelites, as quoted in Deut. 6:20:

כִּי־שֶׁאֶלֶךְ בְּנֶךְ מִחֵר לֵאמֹר מָה הָעֵדוּת וְהַחֻקִּים וְהַמִּשְׁפָּטִים אֲשֶׁר צִוָּה יְהוָה אֱלֹהֵינוּ  
אֶתְּכֶם:

When your son asks you in time to come, “What is the meaning of the covenant stipulations and the ordinances and the laws that YHWH our God has commanded you?”

The form in which Moses casts the question arises out of the everyday experience of parents trying to raise their children. I shall never forget the evening when we as a family were gathered around the table enjoying our supper. As is often the case with teenage children, we were engaged in a rather warm discussion. Suddenly our son burst out, “Why do we have to live in such a prehistoric family?” While his motives left something to be desired, I took this as a compliment: at least he recognized that our household was run by counter-cultural norms.

The point Moses raises is that succeeding generations will not have memory of the experiences that the people in his audience have shared, either of YHWH’s revelation at Sinai or his present discourses on that revelation on the plains of Moab. Therefore, it will be necessary for this and all subsequent generations to be very intentional in transmitting their faith to the next generation. As in every social context and every age, the children will watch the way their parents live, and, especially when faced with the challenge of competing cultures, they will be curious about the nature and rationale behind their own traditions. Moses assumes that the children will ask their parents for an explanation of their way of life.

The specific question Moses anticipates here concerns the covenant stipulations (הָעֵדוּת), ordinances (הַחֻקִּים), and regulations (הַמִּשְׁפָּטִים) that YHWH has commanded Israel to observe. These three expressions function as shorthand for the totality of the will of God as it had been revealed primarily at Horeb and to a lesser degree en route to the Promised Land. The question assumes a package, all the moral, ceremonial and civil regulations that God has prescribed as the appropriate response to His salvation and the privilege of covenant relationship. As illustrated so impressively in Leviticus 19, this revelation refused to divide life into the sacred and the ordinary. When the children observe how their parents conduct their private and family lives, how they carry on their social and economic relations, how they worship, how they conduct themselves within the family, then they will inquire concerning the meaning of it all. Of course, what the children’s question calls for is not a detailed exposition of each of the 613 laws in the Pentateuch identified by Maimonides, but an explanation of the significance of the entire package. In short, “Why is it that our lives are governed by this set of principles?” and “What is the significance of this set of laws?”

If we were asked today, “What is the significance of the stipulations, the ordinances and laws that God commanded the Israelites to observe?” we would probably respond with several different answers. If we were actually to read the laws some of us would probably shake our heads in bewilderment, and wonder seriously whether there is any point to these laws at all. Look at Lev. 19:19:

You shall keep my statutes. You shall not let your cattle breed with a different kind. You shall not sow your field with two kinds of seed, nor shall you wear a garment of cloth made of two kinds of material.

Or Lev. 11:3–6:

Whatever parts the hoof and is cloven-footed and chews the cud, among the animals, you may eat. Nevertheless, among those that chew the cud or part the hoof, you shall not eat these: The camel, because it chews the cud but does not part the hoof, is unclean to you. And the rock badger, because it chews the cud but does not part the hoof, is unclean to you. And the hare, because it chews the cud but does not part the hoof, is unclean to you.

If we are not truly bewildered by these kinds of laws, we may actually feel sorry for the Israelites. What a burden they were called upon to bear! Surely many must have looked on the other nations with envy that they weren’t saddled with this load.

Some with cultural and antiquarian interests, especially those interested in the history of law and culture might say these laws offer the modern reader an interesting window into the society of ancient Israel. Readers familiar with the Near Eastern legal world of the second millennium, BCE might even conclude that these laws represent a significant advance on those found in the Law Code of Hammurabi, king of Babylon in the 19th century BCE.

My suspicion, however, is that many of us would not have answered the question in either of these ways. In our day, especially in contemporary western evangelicalism, when asked about the significance of the law for Israel, many would answer that for Israel the law was the way of salvation. Whereas in the New Testament people are saved by grace, under the Old Covenant people were saved by keeping the law.

The problem with this explanation is that it flies in the face of Paul’s explicit statements that even in the Old Testament people (like Abraham) were justified by faith rather than through obedience to the law (Romans 4; Gal. 3:1–12). In fact, many view the law, not as a way of salvation, but as the way of death. And they quote Paul to buttress their position, for does he not say in Rom. 4:15, “The law brings about wrath”; and in Rom. 7:6, “But now we have been released from the Law, having died to that by which we are bound”; and according to Gal. 3:10–13, “as many as are of the works of the Law are under a curse,” and “the Law is not of faith,” and “Christ has redeemed us from the curse of the Law”; and Gal. 3:23–24, “Before faith came we were kept in custody under the Law, being shut out from the faith that

was later revealed, therefore the Law has become our tutor"; and in Gal. 4:21–31, speaking of the Law, Paul writes that Mount Sinai (who is Hagar) bears children who are slaves, in contrast to Jerusalem, our mother, who has borne free children.

These verses seem to offer a rather clear answer to the question that Moses raised: The significance of the law lay in its power to bind those who are under the law, to subject them to the curse and the wrath of God, and to demonstrate their desperate need of a Savior. While on the surface this seems to be the way the New Testament perceives the law, it raises serious questions concerning both the justice and mercy of God. How and why would God rescue the Israelites from the burdensome and death-dealing slavery of Egypt (cf. Exod. 20:2) only to impose upon them an even heavier burden of the law, which they in any case were unable to keep, and which would sentence them to an even more horrible fate—damnation under His own wrath? When you look at the Exodus this way, it turns out not to be such a good deal after all.

One of the most important principles for the interpretation of Scripture is to interpret Scripture with Scripture. And this is indeed what we are doing when we appeal to Paul for the answer to Moses' question. But sometimes we move too quickly to later texts, especially the New Testament, and we forget the primacy of the immediate context in determining the meaning of any word or statement in Scripture. When we seek to understand the significance of the regulations and ordinances that God prescribed for his people, from the outset we need not only to explore seriously their function in the original settings, but also to distinguish between the ideal and the real; between the role of the laws in the lives of the Israelites as intended by God and Moses, and the way the Israelites actually used the laws.

*First*, God and Moses perceived obedience to the laws, not as a way of or precondition to salvation, but as the grateful response of those who had already been saved. In the New Testament Paul demonstrates this point by appealing to Abraham (Romans 4), but he might just as well have cited the experience of the nation of Israel, whose deliverance from Egypt becomes paradigmatic of a person's experience of salvation. God did not reveal the law to the Israelites in Egypt and then tell them that as soon as they had measured up to this standard he would rescue them. On the contrary, by grace alone, through faith they crossed the Red Sea to freedom. All that was required was belief in the promise of God that he would hold up the walls of water on either side and see them safely through to the other shore. The chronological priority of Israel's salvation vis-à-vis the revelation of the law is illustrated clearly by Exod. 19:4–6 and Deut. 6:20–25:

When your son asks you in time to come, "What is the meaning of the testimonies and the statutes and the rules that YHWH our God has commanded you?" then you shall say to your son, "We were Pharaoh's slaves in Egypt. And YHWH brought us out of Egypt with a mighty hand. And YHWH showed signs and wonders, great and grievous, against

Egypt and against Pharaoh and all his household, before our eyes. And he brought us out from there, that he might bring us in and give us the land that he swore to give to our fathers. And YHWH commanded us to do all these statutes, to fear YHWH our God, for our good always, that he might preserve us alive, as we are this day. And it will be righteousness for us, if we are careful to do all this commandment before YHWH our God, as he has commanded us.”

*Second*, God and Moses perceived obedience to the law not primarily as a duty imposed by one party on another, but as an expression of covenant relationship. Before God revealed his will to his people “he brought them to himself.” Israel’s primary commitment was not to be to a code of laws but to the God who graciously called Israel to covenant relationship with himself; they were to obey “his voice.” In fact, he does not reveal his will to the people until he hears their declaration of complete and unconditional servitude to him as covenant lord (Exod. 19:8). Every one of the so-called “law codes” listed above must be interpreted within the context of redemption and covenant.

*Third*, God and Moses perceived obedience to the law not as the precondition for salvation, but as the precondition to Israel’s fulfillment of the mission to which she had been called and the precondition to her own blessing. The first point is highlighted in Exod. 19:5–6: if Israel will keep YHWH’s covenant and obey his voice she will be God’s special treasure, his kingdom of priests, his holy nation (cf. Deut. 26:16–19). The second is spelled out in detail in Lev. 26:1–13 and Deut. 28:1–4.

*Fourth*, God and Moses perceived God’s revelation of the law to Israel as a supreme and unique privilege (Deut. 4:6–8), in contrast to the nations who worshiped gods of wood and stone but who never spoke (4:28; Ps. 115:4–8). Contrary to prevailing contemporary evangelical opinion, for the genuinely faithful in Israel obedience to the law was a delight, in part because of their deep gratitude for God’s grace experienced in salvation and covenant relationship, but also because they knew that God would respond to their obedience with favor (Deut. 6:20–25; Ps. 24:3–6). Moses alludes to this extraordinary fact in Deut. 4:1–8:

And now, O Israel, listen to the ordinances and the laws that I am teaching you, and do them, that you may live, and go in and take possession of the land that YHWH, the God of your fathers, is giving you. You shall not add to the word that I command you, nor take from it, that you may keep the commandments of YHWH your God that I command you. Your eyes have seen what YHWH did at Baal-peor, for YHWH your God destroyed from among you all the men who followed the Baal of Peor. But you who held fast to YHWH your God are all alive today. See, I have taught you ordinances and laws, as YHWH my God commanded me, that you should do them in the land that you are entering to take possession of it. Keep them and do them, for that will be your wisdom and your understanding in the sight of the peoples, who, when they hear all these ordi-

nances, will say, 'Surely this great nation is a wise and understanding people.' For what great nation is there that has a god so near to it as YHWH our God is to us, whenever we call upon him? And what great nation is there, that has ordinances and laws as righteous as this whole Torah that I set before you today?

To help us understand the significance of the Torah I draw your attention to a prayer, written in Sumerian, and probably dating back to the second millennium, but preserved in the library of Ashurbanipal, one of the 7th century BC emperors of Assyria.<sup>38</sup> The text is repetitious, but to get the point we need to read the entire piece.

***Prayer to Every God*<sup>39</sup>**

May the fury of my lord's heart be quieted toward me.<sup>40</sup>

May the god who is not known be quieted toward me;

May the goddess who is not known be quieted toward me.

May the god whom I know or do not know be quieted toward me;

May the goddess whom I know or do not know be quieted toward me.

May the heart of my god be quieted toward me;

May the heart of my goddess be quieted toward me.

May my god and goddess be quieted toward me.

May the god [who has become angry with me]<sup>41</sup> be quieted toward me;

May the goddess [who has become angry with me] be quieted toward me.

(10) (lines 11–18 cannot be restored with certainty)

In ignorance I have eaten that forbidden of my god;

In ignorance I have set foot on that prohibited by my goddess. (20)

O Lord, my transgressions are many;

great are my sins.

O my god, (my) transgressions are many;

great are (my) sins.

<sup>38</sup> According to Stephens (*ANET*, 391–92), This prayer is addressed to no particular god, but to all gods in general, even those who may be unknown. The purpose of the prayer is to claim relief from suffering, which the writer understands is the result of some infraction of divine law. He bases his claim on the fact that his transgressions have been committed unwittingly, and that he does not even know what god he may have offended. Moreover, he claims, the whole human race is by nature ignorant of the divine will, and consequently is constantly committing sin. He therefore ought not to be singled out for punishment.

<sup>39</sup> Adapted from *ANET*, pp. 391–92.

<sup>40</sup> According to Stephens (*ibid.*), the Sumerian is rendered literally, "of my lord, may his angry heart return to its place for me." The phrase "return to its place," a figurative expression for "to settle down," suggests the imagery of a raging storm or of water boiling in a kettle.

<sup>41</sup> The restoration is based on line 32, after Stephen Langdon, *Babylonian Penitential Psalms* (Paris: Geuthner, 1927), pp. 39–44.

O my goddess, (my) transgressions are many;  
 great are (my) sins.  
 O god, whom I know or do not know, (my) transgressions are many;  
 great are (my) sins;  
 O goddess, whom I know or do not know, (my) transgressions are many;  
 great are (my) sins.  
 The transgression that I have committed, indeed I do not know;  
 The sin that I have done, indeed I do not know.  
 The forbidden thing that I have eaten, indeed I do not know;  
 The prohibited (place) on which I have set foot, indeed I do not know.  
 The lord in the anger of his heart looked at me; (30)  
 The god in the rage of his heart confronted me;  
 When the goddess was angry with me, she made me become ill.  
 The god whom I know or do not know has oppressed me;  
 The goddess whom I know or do not know has placed suffering upon me.  
 Although I am constantly looking for help, no one takes me by the hand;  
 When I weep they do not come to my side.  
 I utter laments, but no one hears me;  
 I am troubled;  
 I am overwhelmed;  
 I can not see.  
 O my god, merciful one, I address to you the prayer,  
 “Ever incline to me”;  
 I kiss the feet of my goddess;  
 I crawl before you. (40)  
 (lines 41–49 are mostly broken and cannot be restored with certainty)  
 How long, O my goddess, whom I know or do not know,  
 before your hostile heart will be quieted? (50)  
 Man is dumb; he knows nothing;  
 Mankind, everyone that exists—what does he know?  
 Whether he is committing sin or doing good, he does not even know.  
 O my lord, do not cast your servant down;  
 He is plunged into the waters of a swamp; take him by the hand.  
 The sin that I have done, turn into goodness;  
 The transgression that I have committed let the wind carry away;  
 My many misdeeds strip off like a garment.

O my god, (my) transgressions are seven times seven;  
 remove my transgressions;  
 O my goddess, (my) transgressions are seven times seven;  
 remove my transgressions; (60)  
 O god whom I know or do not know,  
 (my) transgressions are seven times seven;  
 remove my transgressions;  
 O goddess whom I know or do not know,  
 (my) transgressions are seven times seven;  
 remove my transgressions.  
 Remove my transgressions (and) I will sing your praise.  
 May your heart, like the heart of a real mother, be quieted toward me;  
 Like a real mother (and) a real father may it be quieted toward me.

Is this not a pathetic piece? And what an indictment this prayer is on the religious systems of the world around ancient Israel! To be sure, with his keen sense of sin and his awareness of ultimate accountability before deity, this person expresses greater enlightenment than many in our own day. However, he cannot escape the fact that he is faced with three insurmountable problems. First, he does not know which god he has offended. Second, he does not know what the offense is. Third, he does not know what it will take to satisfy the god/gods. It is against this backdrop that we must interpret Moses' statements in Deuteronomy 4:1–8. With their clear knowledge of the will of YHWH, the faithful in Israel perceived themselves as an incredibly privileged people and the envy of the nations. Unlike other peoples, whose gods of wood and stone crafted by human hands neither saw nor heard nor smelled (Deut. 4:28; cf. Ps. 135:15–17), YHWH hears His people when they call upon him (Deut. 4:7). And unlike the nations, whose idols have mouths but they do not speak (Ps. 135:16), Israel's God has spoken. By His grace He has given His people statutes and judgments that are perfect in righteousness (Deut. 4:8), because: (1) they reveal with perfect clarity who He is; (2) they reveal with perfect clarity what sin is; and (3) they reveal with perfect clarity how that sin may be removed and a relationship of peace and confidence with him established/maintained. This explains why, when David experiences forgiveness for his sins he can exclaim, "Oh the joy/privilege of the one whose transgression is forgiven, whose sin is covered!"

*Fifth*, God and Moses perceived true obedience to the law to be the external expression of an inward disposition of fear and faith in God and covenant love toward him. True biblical religion has always been a matter of the heart. This internal transformation is referred to metaphorically as a circumcised heart (Lev. 26:41; Deut. 10:16; 30:6–10; Jer. 4:4), a heart transplant (Jer. 24:7; 32:39; Ezek. 11:19; 36:26), the placement of God's Spirit within a person (Ezek. 11:19; 36:26), and the writing of God's תּוֹרָה (*tôrâ*) in the heart (Jer.

31:32). While these are occasionally viewed as future eschatological events to be experienced by all Israel, it is clear that they have always been true of the remnant of true believers in ancient Israel (e.g., Caleb, Num. 14:24; also Ps. 19:7–13; 37:31; 51:16–17; 40:8, 119:11; Isa. 51:7).

*Sixth*, both God and Moses perceived the laws holistically, viewing all of life as under the authority of the divine suzerain. Whereas modern interpreters tend to discuss the ethical relevance of the laws by classifying them according to moral, civil and ceremonial categories, these categories are not very helpful and in any case do not reflect the nature and organization of the laws themselves. Christopher Wright has moved the discussion forward by recognizing five categories of Israelite law: criminal law, civil law, family law, cultic law, and compassionate law.<sup>42</sup> Even so we must realize that the documents themselves do not make these distinctions. This is illustrated most impressively in Leviticus 19, which, with its more than four-dozen commandments, refuses to classify, let alone arrange in order of importance, civil, ceremonial and moral laws.

*Seventh*, both God and Moses perceived the laws as comprehensible and achievable (30:11–20). God did not impose upon his people an impossibly high standard, but revealed to them in great detail a system of behavior that was uniquely righteous and gracious at the same time (Deut. 4:6–8). The genuinely pious in Israel, transformed in heart by the Spirit of God, lived by faith and by the promise, assured that if they would conduct their lives according to the covenant they would live (Deut. 4:20–25). However, God also had a realistic view of his people. Recognizing their propensity to sin, he provided a means of forgiveness and communion through the sacrificial and ceremonial ritual. There was no time in Israel's history when every Israelite was truly devoted to YHWH in this sense. For this reason, within the new Israelite covenant Jeremiah anticipates a time when the boundaries between physical Israel and spiritual Israel will be coterminous and all will love God and demonstrate with their lives that his תּוֹרָה (*tôrâ*) has been written on their hearts (Jer. 31:31–34).

Of course, these facts did not prevent later Israelites from perverting obedience to the law as a condition for blessing into a condition for salvation. The prophets constantly railed against their people for substituting true piety, which is demonstrated first in moral obedience, with the external rituals prescribed by the law (Isa. 1:10–17; Hos. 6:6; Amos 5:21–24; Mic. 6:6–8), thinking that if they performed these rituals God was obligated to receive them favorably. Nor did these facts prevent the Israelites from perverting their possession of the law as a privilege into a divine right and an unconditional guarantee of God's protection (Jer. 7:1–10, 21–26; 8:8–12), as if the covenant only obligated God to them and not them to God. Nor did YHWH's desire

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<sup>42</sup> Christopher J. H. Wright, *An Eye for an Eye: The Place of Old Testament Ethics Today* (Downers Grove, IL: InterVarsity, 1983), pp. 148–59; idem, *Walking in the Ways of the Lord: The Ethical Authority of the Old Testament* (Downers Grove, IL: InterVarsity, 1995), p. 114.

that his people have his word written on their hearts prevent Israelites from being satisfied with, nay taking pride in the external law that they possessed, but forgetting to write the law on their hearts. Nor did the fact that God and Moses considered all of life as holy prevent the Israelites from perverting the law by placing great stock in divinely prescribed rituals while disregarding God's ethical and communal demands. Instead of heeding the examples of Cain and Abel, and acknowledging that God looks upon our religious expressions through the lenses of our hearts and everyday lives, they imagined that God looked upon their hearts through the lenses of their sacrifices ("To obey is better than sacrifice," 1 Sam. 15:22). So they violated the moral laws with impunity even while they continued to observe the ceremonial regulations (Isaiah 1; Jeremiah 7).

### **D. The Significance of Old Testament Law for New Testament Christians**

By now we should have grasped the Old Testament understanding of the relationship between law and grace within the divine plan of salvation and sanctification. The Scriptures are consistent in asserting that no one may perform works of righteousness sufficient to merit the saving favor of God. In the words of Isaiah:

All of us have become like one who is unclean,  
and all our righteous acts are like filthy rags;  
we all shrivel up like a leaf,  
and like the wind our sins sweep us away (Isa. 64:6).<sup>43</sup>

In the words of David,

Against You, You only, have I sinned  
and done what is evil in Your sight,  
so that you are proved right when You speak  
and justified when You judge.  
Surely I was sinful at birth,  
sinful from the time my mother conceived me  
(Ps. 51:4–5 [Hebrew 6–7]).

And in the New Testament words of Paul, "All have sinned and fall short of the glory of God" (Rom. 3:23).

However, within the gospel of salvation by grace alone through faith alone, YHWH graciously reveals the standard of righteousness by which His redeemed people may live and be confident of His approval. There is no conflict here between law and grace. The Torah is a gracious gift. It provided His

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<sup>43</sup> Compare the repeated assertions of the psalmists that (apart from relationship with Yahweh) there is none who does good: 14:1, 4; 53:1, 3.

people with an ever-present reminder of YHWH's deliverance, His power, His covenant faithfulness, and the way of life and prosperity.

### 1. *The Problem: Paul versus Moses*

But how is this perspective to be reconciled with Paul's outspoken statements regarding the death-dealing effect of the law in contrast to the life that comes by the Spirit (Rom. 2:12–13; 4:13–15; 7:8–9; 8:2–4; 10:4–5; 1 Cor. 3:6; Gal. 3:12–13, 21–24; 5:18)? In answering the question we need to keep in mind several important considerations.

First, Moses' statement concerning the life-giving/sustaining effects of the law is consistent with Moses' teaching in 30:15–20, and is of a piece with the teaching of the Old Testament elsewhere. In Lev. 18:5, YHWH declares, "Keep my ordinances and laws, for the man who obeys them will live by them. I am YHWH." Similar statements are found in Ezek. 20:11, 13 and Neh. 9:29. The Psalter begins with an ode to the life-giving nature of the law (1:1–6), and Psalm 119, by far the longest piece in this collection, is devoted entirely to the positive nature of the law. References to the relationship between keeping the law are common: vv. 17, 40, 77, 93, 97, 116, 144, 156, 159, 175. The basic Old Testament stance is summarized by Hab. in 2:4, which in context is best interpreted, "As for the proud one, his person (שׁוֹרֵר) is not right on the inside; but the righteous in his faithfulness shall live." Ezekiel offers an extended exposition of this notion in 18:1–23. After describing the ethical behavior of a man, on behalf of YHWH, he declares "He is righteous; he shall surely live" (v. 9). After describing the unethical behavior of his son he declares, "He has committed all these abominations; he shall surely be put to death" (v. 13). Later he declares that if a wicked man turns from his wickedness and observes all of YHWH's ordinances, and practices righteousness and justice, "he shall surely live" (vv. 21–23).<sup>44</sup> The assumption in each case is that the outward actions reflect the inner spirit of the person,<sup>45</sup> on the basis of which a judgment concerning the spiritual status of the person may be made and the sentence of life or death rendered.

Second, from a hermeneutical and theological perspective, later revelation cannot correct earlier revelation, as if there were some defect in it. Later revelation may be more precise and more nuanced, but it cannot be more true. Accordingly, Paul cannot be interpreted as correcting Moses, as if Moses was wrong or there was some kind of error in his teaching. If Paul appears to declare something different from Moses, who celebrates the life-giving/sustaining function of the law (cf. Lev. 18:5), then we need to ask whether or not he is addressing the same issues as Moses was. His statements must be interpreted both in the light of Moses and in the context of particu-

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<sup>44</sup> For detailed discussion of this chapter, see Daniel I. Block, *The Book of Ezekiel Chapters 1–24* (New International Commentary on the Old Testament; Grand Rapids: Eerdmans, 1997), pp. 554–90.

<sup>45</sup> This principle is operative also in Jesus' teaching: Matt. 7:15–23.

lar arguments. In both Romans and Galatians Paul was responding to those who insist that salvation comes by the works of the law, as represented by circumcision. To those who represent this view he replies that if one looks to the law as a way of salvation, it will lead to death. On the other hand, if one looks to the law as a guide for those already saved, it yields life (cf. Gal. 5:13–25). On this matter Moses and Paul are in perfect agreement. In fact, Paul himself says, “It is not the hearers of the law who are righteous before God, but the doers of the law who will be justified” (Rom. 2:13). The notion of “the obedience of faith,” that is, a faith that is demonstrated through acts of obedience, is common to Old and New Testaments. Both testaments attest to the same paradigm:

- YHWH’s gracious (i.e., unmerited) saving actions yields the fruit of a redeemed people.
- A redeemed people yields the fruit of righteous deeds.
- Righteous deeds yield the fruit of divine blessing.

It is evident from the New Testament that in the light of Christ Christians do indeed have a new disposition toward the law. Not only do they see him as its fulfillment and through their union with him delight in its fulfillment themselves, but the law of God is written on Christian’s hearts even as it was written on the hearts of true believers in the Old Testament. But we should not imagine that the law written on our hearts is different from the law revealed under the old covenant. Jesus said, “If you love me you will keep my commandments” (John 14:15), and “Whoever has my commandments and keeps them, he it is who loves me. And he who loves me will be loved by my Father, and I will love him and manifest myself to him” (14:21). In lifting these statements right out of Deuteronomy Jesus identifies himself with YHWH in the Old Testament. Furthermore, his use of the plural τὰς ἐντολάς μου, “my commandments,” presupposes a specific body of laws with which the disciples are familiar. Here Jesus does not say generically and vaguely, “If you love me you will do as I say,” as if this refers to marching orders for the future.

Accordingly, when we reflect on whether or not Christians need to keep any or all of the Old Testament laws, perhaps we have been asking the wrong question all along. When we are confronted with a specific commandment from the Pentateuch, instead of asking, “Do I as a Christian have to keep this commandment?” perhaps we should be asking, “How can I as a Christian keep this commandment?” Of course, when we read the commands concerning the sacrifices, we recognize that the blood of bulls and goats could never by itself take away sin (Heb. 10:4), but we keep these laws by celebrating the fact that when the Old Testament rituals were performed in faith by those who walked with God, the sacrifice of Christ, slain before the foundation of the world (1 Pet. 1:18–20),<sup>46</sup> was applied to them, and that this sacrifice has

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<sup>46</sup> Cf. Matt. 25:34; Eph. 1:4; Heb. 4:3; 9:26; Rev. 13:8; 17:8.

been offered for us, once and for all. When we approach the laws concerning the civil administration of Israel we analyze the functions and objectives of those laws and translate them into equivalent goals for the people of God in our context. When we encounter criminal laws, we interpret the drastic responses required as reflective of the heinousness of the crimes in the eyes of God. When we read the family laws we hear the voice of God affirming the sanctity of this institution and the responsibilities of all members for the maintenance of the household. And when we hear the pleas for compassion to the poor and the marginalized members of society, we remember not only the words of the Old Testament sage:

Whoever oppresses a poor man insults his Maker,  
but he who is generous to the needy honors him. (Prov. 14:31)

Whoever mocks the poor insults his Maker;  
he who is glad at calamity will not go unpunished. (Prov 17:5)

## 2. *The Solution*

How then are New Testament Christians to apply the Old Testament law to their own lives? It is evident from the deliberations and the decisions of the Jerusalem Council in Acts 15:1–21 that in the light of the cross and the redemptive work of Christ Gentile Christians are not subject to the laws of the old covenant in the same way that Jewish Christ-believers are; particularly that conformity to the ritual laws (specifically circumcision) was not to be viewed as a precondition to salvation (v. 1). On the other hand, the Council did not absolve Gentile Christians of any and all accountability to God as outlined in previous revelation. On the contrary, the demand that Gentile believers “abstain from the things polluted by idols, and from sexual immorality, and from what has been strangled, and from blood” (v. 20; cf. 29) assumes not only familiarity with the Old Testament laws, but also a continued relevance of some of those laws for New Testament believers.<sup>47</sup> These prohibitions may be viewed as shorthand for Deuteronomic calls for exclusive allegiance to YHWH/Christ, scrupulous ethical purity, and the respect for the sanctity of all life, including that of animals whose flesh we may legitimately consume as food.

How then should Christians approach the Old Testament laws? Let me offer a few suggestions.

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<sup>47</sup> For further discussion of this issue, see Richard M. Davidson, “Which Torah Laws Should Gentile Christians Obey? The Relationship Between Leviticus 17-18 and Acts 15,” paper presented to the Evangelical Theological Society in San Diego, November 15, 2007; Richard Bauckham, “James and the Jerusalem Church,” in *The Book of Acts in Its Palestinian Setting*, vol. 4 of *The Book of Acts in Its First Century Setting* (Grand Rapids: Eerdmans, 1995), pp. 459-67; idem, “James and the Gentiles (Acts 15.13–21),” in *History, Literature, and Society in the Book of Acts*, ed. Ben Witherington, III (Cambridge: Cambridge University Press, 1996), pp. 172-78. I am grateful to Robin Parry for drawing these Bauckham texts to my attention.

*First*, Christians must take 2 Tim. 3:15–17 as the starting point, recognizing that this statement not only affirms the reliability of the Old Testament as divinely breathed Scripture, but especially that it is ethically relevant and through its application God creates a transformed people. This means also that before we impose the Old Testament laws on others, we must adopt the commitments of Ezra as our own, setting our hearts to study, to apply and to teach it to God's people (Ezra 7:10).

*Second*, while we recognize that with the sacrifice of Christ all the Old Testament sacrifices have been terminated, we also recognize the essential theological and ethical unity of the two Testaments, a unity that is summarized in Jesus' call for covenantal commitment (love) to God and to one's fellow human beings. This means that the redeemed scrupulously seek to please God in all of life (1 Cor. 10:31; Col. 3:17, 23; cf. Leviticus 19), and they compassionately always put the welfare of others ahead of their own (Phil. 2:3–4). At the same time we look to the New Testament for guidance on which Old Testament laws have been rendered obsolete in Christ. Most American evangelical Christians assume that unless the New Testament expressly affirms the continued relevance of an Old Testament ordinance we may assume it has been abrogated in Christ. One should probably rather adopt the opposite stance: unless the New Testament expressly declares the end of an Old Testament ordinance (e.g., the sacrifices), we assume its authority for believers today continues.

*Third*, we recognize that without the background of Old Testament law Paul's call for obedience to the "law of Christ" (1 Cor. 9:21; Gal. 6:2), and Jesus' call for adherence to the "commandments" remain vague and empty, subject to anybody's personal and subjective interpretation. Familiarity with the Old Testament laws is indispensable for an understanding of Jesus' and Paul's ethical exhortations.

*Fourth*, even as we accept the fundamental theological and ethical unity of the Testaments, we must respect the distinctions among different categories of Old Testament law.<sup>48</sup> By "categories" here I do not mean the classical distinctions of moral, ceremonial, and civil laws, which in any case are not biblical categories, but the laws governing criminal, civic, family, cultic, and social affairs. In some of these the relevance for New Testament believers is on the surface (Deut. 6:4–5), but in others it may be couched in culturally specific terms. This is the case for example in the law concerning houses with parapets (Deut. 22:8). In arguing for the ongoing relevance of this commandment we obviously do not mean that Christians must build houses with parapets. Rather, we recognize and live by the theological principle illustrated by this law: heads of households must ensure the well-being of all who enter their homes. In the context of a modern city like Chicago, this translates into

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<sup>48</sup> In the following comments I am heavily indebted to Christopher Wright. See especially his four methodological principles outlined in *Walking in the Ways of the Lord*, pp. 114–16.

an appeal to keep the sidewalk leading up to the house clear of ice and snow in the winter.

This leads to the fifth suggestion, namely to investigate carefully not only the features of Old Testament laws, but especially their social function and theological underpinnings. Many of the specific regulations (e.g. haircuts, tattoos and gashing the body, Lev. 19:27–28) represent responses to specific pagan customs, whose nature can only be determined by careful consideration of the cultural context out of which these ordinances arose and which they seek to address. In Deuteronomy in particular we observe a fundamental concern to protect the weak and vulnerable from abuse and exploitation at the hands of those with economic and political power. The principles obviously have permanent relevance.

*Sixth*, seize the underlying principles of those that are culturally and contextually specific and apply those principles to the contexts in which we live. It is impossible to establish the particular kind of haircut Lev. 19:27 seeks to ban, but it is not difficult to identify parallel contemporary practices that need to be reined in. While hairstyles change from generation to generation, and even from year to year, surely the principle applies to all forms of dress that represent ungodly values.

The problem of applying Old Testament laws to contemporary contexts is much more complex than these few summary statements would imply. However, the time has come for us to re-examine the fundamental assumptions that we bring to the matter. Hear me carefully. I am not hereby advocating any kind of works salvation, that is, a view that if we keep the laws the right way we will have merited salvation. No one has ever been saved by works. Salvation is made possible only through the unmerited grace and mercy of God in Jesus Christ. Salvation is a gift to be received by faith, not earned by human effort. But we are concerned about a salvation that works, that is, that results in a life that conforms to the will of God. At issue is the believer's sanctification. While obedience is not a prerequisite to salvation, it is the key to the blessing of the redeemed. The relationship between obedience to the law and the believer's well-being is declared by the Lord Jesus Christ himself, the Sage *par excellence* of the New Testament:

Then the King will say to those on his right, "Come, you who are blessed by my Father, inherit the kingdom prepared for you from the foundation of the world. For I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me, I was naked and you clothed me, I was sick and you visited me, I was in prison and you came to me."

Then the righteous will answer him, saying, "Lord, when did we see you hungry and feed you, or thirsty and give you drink? And when did we see you a stranger and welcome you, or naked and clothe you? And when did we see you sick or in prison and visit you?"

And the King will answer them, "Truly, I say to you, as you did it to one of the least of these my brothers, you did it to me." (Matt. 25:34–40, ESV).