

THE MOSAIC COVENANT

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The Mosaic Law is one of six covenants that God made with Israel, all six of which have five concepts in common: their authority resides in Him, they all came at a time of crisis, no covenant nullifies a previous one, salvation from sin is not obtained by keeping any covenant, and significant negative events followed the instigation of each. The theological context of the Mosaic Covenant is Israel's election by grace and the redemptive context God's deliverance of Israel from Egypt. The content of the covenant follows the pattern of the ancient suzerainty treaty. The covenant was the most conditional of all the covenants, and like all the covenants, it promised blessings for obedience and curses for disobedience. The covenant addressed itself to Israel and Israel alone with its divinely authoritative rules that stipulated standards of righteousness. No one can justly separate the moral, civil, and ceremonial parts of the Law from each other; it is a unit. The Law has no authority over Christians because it has been fulfilled by the death of Christ.

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Divine revelation is saturated with pertinent theological pericopes. The pericope containing the Mosaic Covenant is a very important OT passage. Exodus 19–24 had a significant impact on the writers of both the OT and the NT:

There is no way to describe adequately the canonical implications of Exodus 19–24. Everyone from Moses (Deut 5:6-21), to Jeremiah (Jer 7:1-15), to Jesus (Mt 5–7), to Peter (1 Pet 2:9), and every other biblical writer who has anything to say about covenant, morality and relationship to God reflects directly or indirectly on this passage.¹

¹Paul R. House, *Old Testament Theology* (Downers Grove, Ill.: InterVarsity, 1998) 117.

Paul House's declaration is seconded by William Bellshaw² and William Dumbrell³ in their respective works on biblical covenants. Theologian and preacher alike should not neglect the study and proclamation of God's revelation in the Mosaic Covenant. It is part and parcel of "the whole purpose of God" (Acts 20:27).⁴ By way of introduction, one must consider the identity, nature, and interrelationships of the biblical covenants.

Introduction

The pages of the OT identify six covenants having been made with the nation of Israel:⁵ the Abrahamic, the Mosaic,⁶ the Priestly,⁷ the Deuteronomic,⁸ the Davidic, and the New.

²"Since the majority of the Old Testament covers the time the Jews were living under the Mosaic Covenant, this agreement is exceedingly significant. A proper understanding of the Old Testament is dependent upon a knowledge of the way of life God gave His people" (William G. Bellshaw, *Clarifying God's Covenants* [Denver: Baptist Publications, 1971] 48).

³"A correct understanding of these verses which summon Israel, as a result of Sinai, to its vocation, is vital. The history of Israel from this point on is in reality merely a commentary upon the degree of fidelity with which Israel adhered to this Sinai-given vocation" (William J. Dumbrell, *Covenant and Creation: A Theology of Old Testament Covenants* [Nashville: Thomas Nelson, 1984] 80).

⁴Unless indicated otherwise, all biblical quotations in English are from the NASB.

⁵These covenants are distinct from the Noachic Covenant which was established with non-Israelites long before the existence of Abraham and his descendants.

⁶The Mosaic is also known as the Sinaitic Covenant.

⁷The Priestly Covenant is also called the Levitical or Zadokite Covenant.

⁸"Deut also adds to the Horeb covenant another, made in the land of Moab, prior to the entry into the land, a covenant that seems to be a renewal of the former and similar in character" (Gordon J. McConville, "בְּרִית," *New International Dictionary of Old Testament Theology and Exegesis (NIDOTTE)*, ed. Willem A. VanGemeren [Grand Rapids: Zondervan, 1997] 1:750). The Deuteronomic Covenant is sometimes given the title of Palestinian Covenant. Some theologians include the Deuteronomic Covenant in the Mosaic Covenant rather than distinguishing between the two. A discussion of this problem will not be a part of this study. Cf. Renald E. Showers, *There Really Is a Difference!: A Comparison of Covenant and Dispensational Theology* (Bellmawr, N.J.: The Friends of Israel Gospel Ministry, Inc., 1990) 77-83; Charles Caldwell Ryrie, *The Basis of the Premillennial Faith* (Neptune, N.J.: Loizeaux Brothers, 1953) 58-59; Otto Eissfeldt, *The Old Testament: An Introduction*, trans. Peter R. Ackroyd (New York: Harper & Row, 1965) 214-17, 226, 230; S. R. Driver, *An Introduction to the Literature of the Old Testament* (New York: The Meridian Library, 1956) 71; M. Weinfeld, "בְּרִית," *TDOT*, ed. G. Johannes Botterweck and Helmer Ringgren, trans. John T. Willis (Grand Rapids: Eerdmans, 1975) 2:256, 268-69; Moshe Weinfeld, *Deuteronomy and the Deuteronomic School* (Oxford: Clarendon, 1972) 59-116; Delbert R. Hilliers, *Covenant: The History of a Biblical Idea* (Baltimore: Johns Hopkins University, 1969) 58-64, 134-42.

Covenants' Source

Theologians have tended to attribute to each covenant either a conditional or an unconditional nature.⁹ That which is conditional from a limited human perspective, however, might not be conditional from the divine perspective, so the issue is debatable. Undoubtedly God unilaterally and unconditionally proscribed and promulgated the terms or stipulations of all six biblical covenants. Man had no significant choice in their wording. The covenants were not the product of human wheeling and dealing—they were imposed and enforced by a sovereign God. Ultimately, all covenantal promises will be fulfilled.¹⁰

The alleged conditional elements . . . never threatened the constituent nature of these covenants, nor did they add any stipulations to them. . . . [T]here was a duty of obedience, which was intimately tied up with promise as its only *rightful outcome* and *sequel*, but in no case could it be shown that the promising elements themselves were prior to the promise or were placed in jeopardy by human disobedience.¹¹

Covenant Concepts

To understand the Mosaic Covenant, one must keep in mind a number of general concepts concerning biblical covenants. Firstly, all biblical covenants were promulgated by the divine Suzerain on behalf of His vassal-people. The authority of the covenants resides in Him and Him alone—He is Lord. Secondly, the covenants appear to have been promulgated at times of crisis or change when God's people were upon the threshold of the unknown.¹² The Abrahamic Covenant was established following Abram's departure from Ur. The Mosaic Covenant came on the heels of Israel's departure from Egypt. Immediately following the forty years of wilderness wandering and just prior to Israel's entry into Canaan the Priestly and the Deuteronomic covenants were promulgated. The ending of the ark's "exile" among the Philistines appears to have been the catalyst for the Davidic Covenant.¹³ Lastly,

⁹Cf. John F. Walvoord, "Millennial Series: Part 13: The Abrahamic Covenant and Premillennialism," *BSac* 109/433 (January 1952):37-46; Walter C. Kaiser, Jr., "Leviticus 18:5 and Paul: Do This and You Shall Live (Eternally?)," *JETS* 14/1 (1971):19-28; Paul Wells, "Covenant, Humanity, and Scripture: Some Theological Reflections," *WTJ* 48/1 (1986):17-45; Ronald W. Pierce, "Covenant Conditionality and a Future for Israel," *JETS* 37 (March 1994):27-38.

¹⁰See the discussion of *Conditionality* under **The Content of the Mosaic Covenant**, below.

¹¹Walter C. Kaiser, Jr., *Toward Rediscovering the Old Testament* (Grand Rapids: Academic Books/Zondervan, 1987) 152-53.

¹²John H. Walton, *Covenant: God's Purpose, God's Plan* (Grand Rapids: Zondervan, 1994) 51. For a variety of elements related to the Israelite covenants, see **Table 1**.

¹³"A . . . much less recognized, transition takes place at the end of the Judges period. In this transition, Israel is not absent from the land; the ark of the covenant is—an act of self-imposed exile that the LORD initiates (1 Sam. 4–6). Immediately upon the reinstallation of the ark (2 Sam. 6) in Jerusalem (putting an end to this transition period) the Davidic phase of the covenant is put into place (2 Sam. 7)" (ibid.).

the New Covenant was revealed at the time of the greatest disruption for Israel, the Babylonian exile.

Table 1. Contextual & Theological Elements Related to Israelite Covenants¹⁴

THE ISRAELITE COVENANTS						
	<i>ABRAHAMIC</i>	<i>MOSAIC</i>	<i>PRIESTLY</i>	<i>DEUTERONOMIC</i>	<i>DAVIDIC</i>	<i>NEW</i>
Separation	From Ur & from Idolatry	From Egypt	From Levites ¹⁵	From the Wilderness	From Israel & Judah	From Sin
God's Possession	The Hebrews	The Israelites	The Zadokites	The Israelites	The Davidites	The Israelites
Obedience	Command to Leave	Torah	Torah	Torah	Torah	Torah
Near Application	Descendants of Abraham	National & Individual	Descendants of Phinehas	National & Individual	Descendants of David	National & Individual
Distant Fulfillment	Messianic Kingdom	Messianic Kingdom	Messianic Kingdom	Messianic Kingdom	Messianic Kingdom	Messianic Kingdom

Thirdly, no covenant superseded or nullified any previous covenant (cf. Gal 3:17-19). Each covenant advanced the previous without abrogating it. This is part and parcel of the process of progressive revelation.¹⁶ Thus, when the Mosaic Covenant was established at Mt. Sinai, it did not nullify the Abrahamic Covenant. The apostle Paul made this point emphatically in Gal 3:17: “the Law, which came

¹⁴Due to the limitations of this particular study, the elements represented in this chart will not be discussed. The chart is offered as a catalyst for further studies by the reader. As with all such charts, a certain degree of oversimplification is present.

¹⁵Specifically, the descendants of Eleazar were separated from the descendants of Ithamar.

¹⁶See **Table 2**. The plan and will of God is progressive in its development. God leads His people along step by step through the different circumstances and stages of history. He graciously provides them with the revelation they need to face the changing face of history. A simple example of progressive revelation can be seen in the divinely appointed diets of His people. Adam and Eve were given a vegetarian diet in the Garden of Eden, forbidden one fruit from the tree of the knowledge of good and evil (Gen 2:16-17). When they disobeyed, God removed them from Eden and eliminated the fruit of the tree of life from their diet (3:22-24). After the flood, God added meat to the diets of Noah and his descendants (9:3-4). In the Mosaic Covenant God eliminated the flesh of certain animals from the Israelites' diet (Lev 11; Deut 14:3-21). In the NT the Mosaic legislation's limitations were revoked, restoring the post-flood diet (Acts 10:9-16; 1 Tim 4:3-5). God deals differently with His people in different periods of time because He has a different purpose for them in the progressive development of His plan of redemption.

four hundred and thirty years later, does not invalidate (ἀκυροῖ, *akuroi*) a covenant previously ratified by God, so as to nullify (καταργῆσαι, *katargēsai*) the promise.” Why was the Mosaic Covenant given to Israel if it did not nullify the Abrahamic? Paul responded, “Why the Law then? It was added because of transgressions, having been ordained through angels by the agency of a mediator, until the seed should come to whom the promise had been made” (v. 19). Many have used Heb 8:13 as evidence for abrogation at this point. That passage, however, does not say that the older covenant would be nullified or abrogated, but that it would become obsolete, old-fashioned, or outdated (πεπαλαίωκεν, *pepalaiōken*).¹⁷ Each covenant “is a part of a single, unified program of revelation. The enactment or primacy of one does not mean the nullification”¹⁸ of any previous covenant. The Abrahamic Covenant initiated the major revelatory themes of the biblical covenants. Each subsequent covenant focused on one or more of those themes, providing further development of those themes pertinent to the times in which the recipients were living.¹⁹

Fourthly, no Israelite was ever saved from his or her sins by obedient to any covenant. Covenantal revelation instructed believers in matters of practical godliness—how they were to live with each other and how they were to serve Yahweh. Fifthly, significant events involving individual or national apostasy and divine judgment seem to have followed in the wake of each covenant promulgation.²⁰ Lastly, God always demonstrated His faithfulness in spite of His covenanted people’s unfaithfulness.

¹⁷The next clause in Heb 8:13 (τὸ δὲ παλαιούμενον καὶ γηράσκον ἐγγὺς ἀφανισμοῦ = “and what is outdated and aged is about to vanish”) does not define the covenant. “Covenant” in Greek is a feminine noun (διαθήκη—thus, the use of the feminine adjective καινὴν, “new”). The neuter participle and adjective in the follow-up clause refer to the levitical system of sacrifices centered in the Temple, which was still in existence at the time Hebrews was written (cf. present tenses in 5:1-4; 7:21, 23, 27-28; 8:3-5, 13; 9:6-9, 13, 25; 10:1, 3-4, 8, 11; 13:10-11). That system was outmoded and would very soon vanish when the Temple itself was destroyed by the Romans in A.D. 70. The Mosaic Covenant is not what will vanish—the levitical sacrificial system and the Temple will vanish.

¹⁸Walton, *Covenant: God's Purpose, God's Plan* 49.

¹⁹See **Table 2** on next page.

²⁰Abraham and Sarah took matters into their own hands in a misguided attempt to produce descendants who could inherit the promises of the Abrahamic Covenant (Genesis 16). Israel’s idolatry in the golden calf incident occurred even while Moses was on the mountain receiving the stipulations of the Mosaic Covenant from Yahweh (Exodus 32). Achan’s sin came soon after the Deuteronomic Covenant (Josh 7:10-26). David’s adulterous relationship with Bathsheba in all its sordid details and tragic outcome followed the revelation of the Davidic Covenant (2 Sam 11-12). Jeremiah 32–44 chronicle a number of instances of disobedience and rebellion against the Word of God following the promulgation of the New Covenant. In a variation of the other covenants’ order of apostasy, the Priestly Covenant was given after the Israelite apostasy at Peor and the divinely appointed plague that slew 24,000 Israelites. Yahweh established the covenant with Phinehas, the priest who had brought an end to the plague by killing a couple who were openly participating in the cultic prostitution and immorality associated with Baal worship at Peor.

Table 2. Thematic Progression in Israelite Covenants²¹

THE ISRAELITE COVENANTS						
	<i>ABRAHAMIC</i>	<i>MOSAIC</i>	<i>PRIESTLY</i>	<i>DEUTERONOMIC</i>	<i>DAVIDIC</i>	<i>NEW</i>
T H E M E S	NATION	NATION		Nation	Nation	NATION
	SEED				SEED	
	LAND	Land		LAND ²²	Land	
	BLESSING (Spiritual)	BLESSING (Spiritual & Material)	Blessing (Spiritual & Material)	BLESSING (Material)	BLESSING (Material)	BLESSING (Spiritual)
	KINGDOM	Kingdom	Kingdom		KINGDOM	Kingdom
SCRIPTURE	Gen 12:1-3; 15:1-21; 17:3-14; 22:14-19	Exod 19–24	Num 25:10-13; 1 Sam 2:35; Ezek 44:10-15; Mal 2:4	Deut 27–30	2 Sam 7:8-16	Jer 31:27-40

The Context of the Mosaic Covenant

The covenant at Sinai marked the beginning of a new era in the history of God’s people. It marked the next stage in the fulfillment of the Abrahamic promises. By its revelation spiritual vassals were instructed in their duties. Salvation, however, was obtained only by faith. The Mosaic Covenant’s theological and redemptive contexts must be examined carefully if the reader is to understand rightly its relationship to salvation.

The Theological Context: Worshipping God

Long before the exodus from Egypt, God had revealed to Moses that the nation’s experience at Mount Sinai would be primarily an exercise in worship: “Certainly I will be with you, and this shall be the sign to you that it is I who have sent you: when you have brought the people out of Egypt, you shall worship God at this mountain” (Exod 3:12). Israel entered the Mosaic Covenant during, through,

²¹Upper-case themes (e.g., NATION) are major features within their pericopes; lower-case themes (e.g., Nation) are secondary features within their pericopes.

²²It might be objected that Deut 27–30 does not give any description of the promised land in the way that Gen 15:18-21 does. However, the blessings and curses of the Deuteronomic Covenant are very closely tied to the land by means of their emphasis upon the fruit of the land (cf. Deut 28:3, 4, 8, 11, 12, 16, 21, 23, 24, 33, 52, 63; 29:27-28).

and for the purpose of worship.²³ At Sinai the covenant reinforced the necessity of worshipping Yahweh (Exod 23:25; Deut 10:20). Unbelievers cannot participate in true worship since they have no relationship to the object of worship, God (cf. John 4:24).

It is obvious that the covenant was not to be the means of salvation. Participants in the covenant at Sinai were already worshipers of Yahweh. The works specified in the covenant's stipulations were never designed to bring anyone into a salvific relationship to God.²⁴ The stipulations were designed to enhance the believer's worship and service.²⁵ Obedience to the laws of Moses would bring blessings to God's people, but not salvation from sin (cf. Rom 3:20). Indeed, the worship at Sinai was motivated by a salvation that had already been experienced. "The distinctive characteristic of the Mosaic covenant is its setting of God's laws regulating Israel's life in the framework of a theology of the election of Israel by grace."²⁶

The Redemptive Context: Deliverance from Egypt

While Israel was still in bondage in Egypt, Yahweh announced that He cared for them and would deliver them: "I am indeed concerned²⁷ about you and what has been done to you in Egypt. . . . I will bring you up out of the affliction of Egypt to the land of the Canaanite and the Hittite and the Amorite and the Perizzite and the Hivite and the Jebusite, to a land flowing with milk and honey" (Exod 3:16-17). They were already His people and He was already their God.

Yahweh's love was manifested in the way He brought Israel from Egypt to Mount Sinai: "You yourselves have seen what I did to the Egyptians, and how I

²³In the NASB the Hebrew verb in Exod 3:12 (עָבַד) translated "worship" is elsewhere often translated "serve." The meaning of "serve" in those cases is "worship." Worship was repeatedly cited as the reason for Israel's journey to Mount Sinai (cf. Exod 4:23; 7:16; 8:1, 20; 9:1, 13; 10:3, 7, 8, 11, 24, 26; 12:31).

²⁴The charge that dispensationalists teach salvation by works under the Law of Moses is based upon very slim and questionable grounds. Klooster, as a nondispensationalist, set the record straight in his defense of continuity: Fred H. Klooster, "The Biblical Method of Salvation: A Case for Continuity," *Continuity and Discontinuity*, ed. John S. Feinberg (Westchester, Ill.: Crossway, 1988) 132-33. Cf. also Wayne G. Strickland, "The Inauguration of the Law of Christ with the Gospel of Christ: A Dispensational View," *Five Views on Law and Gospel*, Greg L. Bahnsen, et al. (Grand Rapids: Zondervan, 1996) 235-36.

²⁵The conditionality found in most of these passages does not relate to salvation in either the OT or the NT. It has to do with the quality of life lived in the promise and the joy of participating in all the benefits of that promise" (Walter C. Kaiser, Jr., "God's Promise Plan and His Gracious Law," *JETS* 33/3 [September 1990]:294).

²⁶Gordon J. McConville, "בָּרַיִת," *NIDOTTE* 1:747-55.

²⁷The grammatical construction of this verb is a prepositive intensive cognate infinitive absolute (פָּקֵד פְּקֹדְתִי אֲתָכֶם) which strengthens the main verb and accounts for NASB's "indeed." It could also be translated, "I am very concerned." Cf. Frederic Clarke Putnam, *Hebrew Bible Insert: A Student's Guide to the Syntax of Biblical Hebrew* (Quakertown, Pa.: Stylus, 1996), §2.2.7a.

bore you on eagles' wings, and brought you to Myself" (Exod 19:4). Israel's redemption was occasioned by God's love, mercy, and grace (Deut 4:37; 7:7-9; 10:15). He redeemed them before He entered the covenant with them at Sinai. Any claim that the covenant needed to be kept in order for someone to be saved from sin denies the theological and redemptive contexts of the Mosaic Covenant historically.

The Content of the Mosaic Covenant

In order to interpret and apply the content of the Mosaic Covenant correctly, one must first understand the biblical arrangement of the covenant. Then the conditional (or unconditional) nature of the covenant must be defined. Having accomplished these two steps, the reader needs to identify the participants in the covenant: For whom was the covenant intended? Next, he/she must handle the question of expectations: What are the legally binding stipulations of the Mosaic Covenant? Are the stipulations a unit, or should they be divided into three different categories? Lastly, the issue of legacy demands attention: What relationship do Christians have to the Mosaic Covenant?

Suzerainty Treaty Pattern

When God revealed the Mosaic Covenant to Israel, He chose to accommodate the form of the revelation to a format with which they were familiar.²⁸ In the ancient Near East a conquering king would often promulgate a covenant (i.e., a treaty) governing the lives of his new subjects. Such covenants exhibited a variety of patterns, but generally paralleled each other in their structures. Theologians have noted a similar structure in the Mosaic Covenant (see **Table 3**).

²⁸The propriety of treating the Law of Moses as a covenant has been ably defended by Cleon L. Rogers, Jr., "The Covenant with Moses and Its Historical Setting," *JETS* 14/3 (1971):141-46. The relationship between the secular treaties and the biblical covenants is such that Kitchen commented, "[I]t is the happy *confluence* of law and treaty in their most developed second millennium form" (K. A. Kitchen, *The Bible in Its World: The Bible and Archaeology Today* [Downers Grove, Ill.: InterVarsity, 1977] 83 [emphasis in the original]).

Table 3. The Mosaic Covenant's Format

John J. Davis ²⁹		Paul R. House ³⁰	
Preamble	Exod 19:3	Preamble	Exod 20:1
Historical Prologue	Exod 19:4	Historical Prologue	Exod 20:2
Statement of General Principles	Exod 19:5a		
		Stipulations	Exod 20:3–23:19
		Provision for Reading	Exod 4:4-7
Blessings	Exod 19:5b-6	Blessings & Curses	Exod 23:20-23

Davis and House both compare the content of the Mosaic Covenant with the normal format of ancient near eastern suzerainty (unilateral) treaties. Their formatings differ primarily in identifying the specific pericope containing the covenant. Perhaps a combination of their views would be nearer a correct division of the covenant's structure. One must also remember that the biblical covenants may not have followed the secular treaties completely.³¹ With these two factors in mind, the following outline is offered for the reader's consideration.³²

Historical Prologue	Exod 19:1-4
Preamble	Exod 19:5-6
Stipulations	Exod 20:3–23:19
Provision for Reading	Exod 24:4-7
Blessings & Curses	Exod 23:20-23

Conditionality

On the surface it appears that the Mosaic Covenant was conditional. After all, the text does declare, “[I]f you will indeed obey My voice and keep My

²⁹John J. Davis, *Moses and the Gods of Egypt: Studies in the Book of Exodus* (Grand Rapids: Baker, 1971) 194.

³⁰House, *Old Testament Theology* 117.

³¹Cf. J. A. Thompson, *Deuteronomy: An Introduction and Commentary*, The Tyndale Old Testament Commentaries, ed. D. J. Wiseman (Leicester, England/Downers Grove, Ill.: Inter-Varsity, 1974) 18-21.

³²Cf. J. Carl Laney, “The Role of the Prophets in God’s Case Against Israel,” *BSac* 138/552 (October 1981):316-17. Laney makes Exod 19:1-25 the historical preparation, 20:1 the preamble, and 20:2 the historical prologue.

covenant, **then**. . . .” In addition, conditionality might be argued from Israel’s willing submission to God in the implementation of the covenant (Exod 24:7). However, the mere existence of conditionality in some portion of a covenant does not necessarily mean that it is the dominant characteristic of that covenant.³³ Just as emphatically, one could affirm the theological certainties involved in the Mosaic Covenant:

In the end, however, all that is in question is whether God will be revealed through Israel’s faithful reflection of him, or whether he will reveal himself through his discipline of Israel’s unfaithfulness. . . . God’s self-revelation *will* be accomplished through Israel, one way or another.³⁴

Over forty years ago, Chester Woodring made the same observation in his doctoral dissertation at Dallas Theological Seminary:

It was impossible that the law should conflict with grace or hold it back. It is true that gross disobedience of the Mosaic covenant as well as blatant unbelief did in effect suspend temporal and local enjoyment of covenant blessings. Still the overall providential grace of God was unaffected. On the higher divine plane, whatever discipline fell upon His people came from the hands of Jehovah as a discipline of grace. When concrete manifestations of grace were thus suspended, it was possible to reverse the situation by repentance, confession, and supplication on the ground of immutable divine grace alone apart from any merit of the law.³⁵

It is true that the Mosaic Covenant was the most conditional of all the biblical covenants. Of all the covenants, it dealt specifically with how the people of God should live. The fulfillment of the promises and blessings of any of the covenants for any particular individual or generation was dependent upon their obedience to God’s revelation. Disobedience annulled the blessings of God for that individual or generation in his/her/its own time, but disobedience did not invalidate the unconditional terms of the covenant.³⁶

³³Such a conclusion would be akin to describing the KJV as a paraphrastic translation of the Bible on the basis of its rendering of Ps 68:13 (Hebrew, 68:14), or describing the Living Bible as a literal translation on the basis of its translation of Romans 1.

³⁴Walton, *Covenant: God’s Purpose, God’s Plan* 100 (emphasis in the original).

³⁵Hoyt Chester Woodring, Jr., “Grace Under the Mosaic Covenant” (unpublished doctoral dissertation, Dallas Theological Seminary, 1956) 197.

³⁶Even though Israel today is not behaving as a holy nation and a kingdom of priests, a generation of Israelites will yet do so in accordance with God’s irrevocable promise. The same observation applies to the Abrahamic Covenant and its ultimate fulfillment. Cf. Walter C. Kaiser, Jr., *Toward an Old Testament Theology* (Grand Rapids: Academic Books/Zondervan, 1978) 157: “The ‘breaking’ or conditionality can only refer to *personal* and *individual* invalidation of the benefits of the covenant, but it cannot affect the transmission of the promise to the lineal descendants” (emphasis in the original).

Israel's Disobedient Nature. Conditionality, therefore, seems to be related more to the nature of Israel than to the nature of the covenant or the divine Promulgator. Israel's nature was sinful. They were prone to stray from God's will and God's Word. The Law provided a spiritual hedge to keep them from becoming like all the nations around them.

Paul had written to the Galatians that the Law was "added because of transgressions" (Gal 3:19). Yahweh knew His people well. He knew their propensity for sin—the existence of their sinful nature. In the light of that knowledge, God instructed Moses to teach the Israelites a song that would remind Israel of their inveterate sinfulness and their persistent straying after idols (Deut 31:19-21; chap. 32). He also reminded them that the Law had been given to them as a hedge to keep them from straying (32:44-47; cf. Ps 119:9, 104).³⁷

Blessings and Curses. The following elements characterize the Abrahamic Covenant: (1) its promissory tone, (2) emphasis on divine fulfillment, and (3) references to land, prosperity, and blessing and/or cursing. On the other hand, the Mosaic Covenant is characterized by (1) its legal tone, (2) emphasis on human responsibility, and (3) references to sabbath, sanctuary, and divine sovereignty. The legal revelation is equal in authority to the older promissory revelation. In order to receive the promised blessings contained in the Abrahamic Covenant, Israel would have to obey the stipulations of the Mosaic Covenant. In other words, obedience to the Mosaic Covenant would be the means by which the Israelites would manifest their faith in the Abrahamic Covenant (cf. Jas 2:14-26). The nation did not need to keep the Law to be freed from their bondage; they were freed from their bondage that they might live for God in the midst of the crooked and perverse Gentile nations.³⁸

The curses and blessings found in the second through the fifth commandments (Exod 20:4-12) as well as in the more extensive catalogs of cursing and blessing (cf. Leviticus 26; Deuteronomy 27–28) are clearly conditioned upon individual and national obedience.³⁹ Those are distinct from the unconditional blessings of the Abrahamic Covenant.

The Ten Commandments were not a totally new revelation; they were a fresh restatement of some of the key principles of godly living which God's people had come to accept as the divine will. In actuality, "most, if not all, of its basic precepts can be inferred from the creation and patriarchal narratives, and they

³⁷The tradition of the Law of Moses being a hedge or protective fence around His people appears to have existed already at the time of the Septuagint's translation of Prov 28:4 in the 2nd century B.C. It is especially evident in the Septuagint translation of Prov 28:4. Cf. Johann Cook, "Towards the Dating of the Tradition 'The Torah as Surrounding Fence,'" *JNSL* 24/2 (1998):25-34.

³⁸"To aid the young nation recently released by centuries of bondage into the privileges and responsibilities of freedom, God gave His law" (Kaiser, *Toward an Old Testament Theology* 114).

³⁹Rogers, "The Covenant with Moses and Its Historical Setting" 154.

strongly reinforce the morality of creation.”⁴⁰ The law was but a prescription for obedience in a particular period of Israel’s history.⁴¹ Israel’s obedience to the Law, however, was no guarantee that they would inherit the land promised to Abraham’s descendants. Rather, the Law preserved and protected the people for that inheritance.⁴² One result of Israel’s continued obedience would be preservation from experiencing the same kind of plagues that Yahweh had brought upon the Egyptians (Exod 15:26). It was Abraham’s obedience to the pre-Mosaic commandments of Yahweh that guaranteed the land for his descendants (Gen 26:4-5). In a sense, the descendants of Abraham were credited with Abraham’s faith and obedience (cf. Heb 7:9-10).

National Identity—Particularistic

Undoubtedly God established the Mosaic Covenant with the Israelites who were at Mt. Sinai. The very focus of the covenant was the formation of a nation through whom the promises of the Abrahamic Covenant could be mediated. The plural second person in Exodus 19:4-6 referred to those individual Israelites who were gathered at the foot of Mount Sinai.⁴³ Both covenants were particularistic—the former identified an individual and his descendants, the latter identified a national entity composed of those descendants.⁴⁴ Denial of particularism in the Mosaic Covenant leads to hermeneutical suicide. No passage says it clearer than Psalm 147: “He declares His words to Jacob, His statutes and His ordinances to Israel. **He has not dealt thus with any nation**” (emphasis added).

The three descriptions of Israel in the preamble (Exod 19:5-6) were the result of the promises revealed in the Abrahamic Covenant and are particularistic in their meaning.⁴⁵ “My own possession” referred to the fact that God had chosen Abraham’s descendants to be the recipients of blessing and also to be the channel for blessings upon all peoples (cf. Deut 7:6; 14:2; 26:18). Through one particular nation all peoples would be blessed. Before Israel agreed to the terms of the Mosaic Covenant (cf. Exod 24:7), God had already declared that they would be His people, His precious possession. That special divine choice of a single nation was not predicated upon their obedience (cf. Deut 7:6-11).

⁴⁰Allan M. Harman, “Decalogue (Ten Commandments),” *NIDOTTE* 299-300.

⁴¹Thomas E. McComiskey, *The Covenants of Promise: A Theology of the Old Testament Covenants* (Grand Rapids: Baker, 1985) 73.

⁴²*Ibid.*, 75.

⁴³By contrast, the utilization of the singular “son” in Exod 4:22-23 and the singular second person in parts of the Torah referred to corporate Israel collectively. Cf. Kaiser, *Toward an Old Testament Theology* 101. See also Eugene H. Merrill, *Deuteronomy*, vol. 4 in *The New American Commentary*, ed. E. Ray Clendenen (Nashville: Broadman & Holman, 1994) 162, 383.

⁴⁴J. Barton Payne, *The Theology of the Older Testament* (Grand Rapids: Zondervan, 1962) 100.

⁴⁵House, *Old Testament Theology* 110.

“A kingdom⁴⁶ of priests” identified Israel as the priestly mediator of God’s revelation for other peoples. McComiskey observed that “the only major aspect of the promise not given prominence in the Mosaic covenant is the extension of divine favor to Gentiles.”⁴⁷ However, although the covenant’s immediate vassals were Israelites, the Gentiles were not being neglected. Yahweh revealed that the nation of Israel would serve as a community of mediatorial priests whose responsibilities included teaching the Torah⁴⁸ (including the blessings of the Abrahamic Covenant; Gen 12:3; cf. Isa 56:6-8).⁴⁹ Psalm 114:1-2 provided the Scripture’s own description of “a kingdom of priests”: “When Israel went forth from Egypt, the house of Jacob from a people of strange language, Judah became His sanctuary, Israel, His dominion.”

The third phrase defined Israel as “a holy nation.” All priests must be holy in order to serve the holy God. This was first of all a description of their character before God: they were set apart to His service and were to be separated from anything that would defile them and hinder their divinely appointed service. Secondly, however, it is a confirmation of the particularistic nature of the covenant. The Mosaic Covenant was promulgated and ratified with but one nation: Israel. “It is essential to recognize this national element in defining the relationship between Israel and the church.”⁵⁰ That national particularism was carried over from the Abrahamic Covenant (Gen 12:2; Ps 147:19-20).

Legislation contained in the Mosaic Covenant encouraged a serious mindset regarding submission to the Lord. It also produced humility because of Israel’s unworthiness to be the special people of God, the chosen people (cf. Deut 7:6-11). Right behavior (one of the aspects of holiness) was the means by which Israel would be a witness to other nations (cf. Lev 19:2). They were to agree with Yahweh’s own declaration that He brought them out of Egypt so that He might be their God (Lev 26:45). Mosaic legislation marked Israel as the people belonging to Yahweh, who had delivered them from Egypt.

Disobedience to the sovereign Lord would result in the removal of covenant blessings associated with the Mosaic Covenant. When Yahweh sent Israel into exile to chastise them for their continual rebellion, the following aspects of the Mosaic Covenant were rendered inoperable:

⁴⁶This is the first use of “kingdom” in the OT.

⁴⁷McComiskey, *The Covenants of Promise* 70. McComiskey recognized that the “paucity of emphasis on Gentile blessing in the Mosaic covenant does not imply the abrogation of that element of the promise” (71).

⁴⁸Teaching the Torah was a priestly duty (cf. Lev 10:11; 16:29; 18:26; Num 15:14-16; Deut 17:9-11; 33:8-10; 2 Chron 15:3).

⁴⁹E.g., because of Joseph (a descendant of Abraham), blessing came upon his Egyptian master (Gen 39:5).

⁵⁰Robert L. Saucy, *The Case for Progressive Dispensationalism* (Grand Rapids: Zondervan, 1993) 194.

- (1) Though previously a people above all the nations (Exod 19:5; Deut 26:18-19), Israel was abhorred by Yahweh and treated as the tail of all the nations (Lev 26:30; Deut 28:43-44). Placing disobedient Israel under a curse made it appear as though they were no longer Yahweh's treasured possession.
- (2) The kingdom of priests (Exod 19:6) had become ceremonially unclean and their sacrifices unacceptable (Lev 26:31). They were unfit to serve as priests of God.
- (3) The holy nation of Israel (Exod 19:6) was burdened with guilt (Lev 26:39) and characterized by an uncircumcised pagan heart (v. 41). They were unholy, no longer reflecting God's holiness in their lives.
- (4) Israel's history of national deliverance (Exod 19:4) was converted into a history of national exile (Lev 26:33, 38). In a sense, they had returned to their previous Egyptian bondage. Their love for the things of the world had overcome their commitment to Yahweh.

Sinai had been a recommitment to a continuing relationship between God and Israel. God and the nation must identify with each other if the wilderness years were to lead to the promised land. The apostasies of Sinai⁵¹ only served to remind the nation why Yahweh had given them the Mosaic legislation. They needed standards. Without the order those standards produced, there would be chaos and anarchy. The nation must be prepared for their landed inheritance. Israel received the legal stipulations of the Mosaic Covenant to prepare them for living in the promised land.

Legal Stipulations

Stipulations were a part of the treaty form employed by several cultures in the ancient Near East. Thereby the suzerain could identify himself as the overlord, the one with authority to establish the calendar, ordain boundaries, grant life, or deal out death. Without legislation, authority could not be clarified. An authority must preside over every covenant—an authority capable of meting out the punishments required for breach of covenant. In addition, a covenant is only as lasting,⁵² wise, and moral as its ratifier. The legal stipulations of the Mosaic Covenant⁵³ testify to the nature and personality of the Law-giver. The morality of the Law is a reflection

⁵¹The golden calf incident provoked the public shattering of the covenant tablets (Exod 32:19). About 3,000 died that day (v. 28). Two priests, sons of Aaron, also died at Sinai when they did not follow divine instructions concerning service at the altar (Lev 10:1-2). Later, a man was executed because of his blasphemous appropriation of the name of God (Lev 24:10-23).

⁵²The covenants are often referred to as eternal, everlasting, or perpetual covenants in Scripture: the Noahic Covenant in Gen 9:16; the Abrahamic in 17:7, 13, 19 (cf. Ps 105:10; 1 Chron 16:17); the Mosaic in Exod 31:16 (cf. Lev 24:8; Isa 24:5); the Levitical in Num 25:13; the Davidic in 2 Sam 23:5; and the New in Jer 32:50 (cf. Isa 55:3; 61:8; Jer 50:5; Ezek 16:60; 37:26).

⁵³It becomes quite obvious in the reading of Exodus, Leviticus, Numbers, and Deuteronomy that the covenant stipulations were not limited just to those contained in Exod 20-23.

of Yahweh's morality.

The Mosaic covenant is an *administration of law* in that the Lord bound individuals and tribes together into one nation by detailed regulations. The law was God's means of shaping Israel into a "counter-community." Yahweh had consecrated Israel as a witness to the nations by showing them in the law how to mirror his perfections. The legal system of any other people reflects the culture of that people. Through God's law, however, the godly came to know how to reflect God's love, compassion, fidelity, and other perfections.⁵⁴

The ratifier of the Abrahamic and Mosaic covenants was Yahweh Himself—the eternal, all wise, and holy God. The covenants were His covenants (cf. "My covenant," Exod 6:4, 5; 19:5; Lev 26:9, 15, 42, 44), and the laws were His laws (cf. first person singular suffixes on terms for law in Exod 20:6; Lev 18:4, 5; 26:3, 5, 15, 43; Deut 11:13).

Israel was to ground her faith in the precepts of the divine law that identified Yahweh as the Creator of the heavens and earth, the Promise-Giver, the Land-Giver, and the Exodus-Causer. Every statute was a testimony to the election of the people and a witness to their identification with their sovereign Lord.

Breach of covenant occurred when Israel disobeyed the stipulations of the Mosaic Covenant (Lev 26:15; Deut 31:16, 20). Idolatry and sabbath breaking, especially, constituted breach of covenant (Exod 20:3-8; Lev 26:1-2). Such actions were willful. They resulted in the nullification of blessings associated with the Abrahamic Covenant and the obscuring of identification associated with the Mosaic Covenant. Any infraction of Mosaic legislation was deemed rebellion against the sovereign will of the suzerain-legislator, Yahweh.

In contrast to Israel's tendency to violate the covenants, Yahweh "remembered" His covenants (Exod 2:24; Lev 26:42, 45; Ezek 16:60; Ps 105:8). This is not a reference to His memory, but rather to His actions to preserve the covenants.⁵⁵ The blessing and cursing in the Mosaic Covenant were the divinely appointed evidence of Yahweh's faithfulness to do exactly what He said He would do. Blessing and cursing were initiated by promise, and implemented by legislation. Promise emphasized divine sovereignty; legislation highlighted human responsibility. When Israel was unfaithful, Yahweh yet remained faithful. The suzerain's faithful preservation of the covenant was in sharp contrast to the vassal's failure to submit. Covenant history confirms both divine dependability and human culpability.

⁵⁴Willem A. VanGemeren, "The Law Is the Perfection of Righteousness in Jesus Christ: A Reformed Perspective," *Five Views on Law and Gospel* (Grand Rapids: Zondervan, 1996) 28.

⁵⁵Leslie C. Allen, "זכר," *NIDOTTE* 1:1101, 1102. Cf. Willy Schottroff, "Gedenken" *im Alten Orient und im Alten Testament*, 2nd ed., Wissenschaftliche Monographien zum Alten und Neuen Testament, 15, ed. Günther Bornkamm and Gerhard von Rad (Neukirchen-Vluyn: Neukirchener Verlag, 1967) 202-11.

Unity

The essential unity of the Law of Moses is clear in the Scriptures (Jas 2:10; Gal 5:3). Dividing the Law into moral, civil/social, and ceremonial/religious is really an artificiality unsupported by the overwhelming evidence of Scripture.

As long as the covenant with Moses was in effect Israel was obligated to keep the entire law. (Division of the Mosaic law into distinct categories—such as civil, ceremonial and moral—was unknown to the OT Israelite. Within the theocracy the law of Moses was a unified entity.)⁵⁶

Division into three categories of law is unmasked as a fallacy by the testimony of the Book of Deuteronomy alone. Moses's second exposition (4:44—26:19) presented the Decalogue and then illustrated each of the Ten Commandments by means of various legal stipulations.⁵⁷ Such an arrangement demonstrates that the so-called civil and ceremonial stipulations are inextricably interwoven with what are considered to be the moral laws. Violation of any of the stipulations is a breach of the Decalogue.

Table 4. The Decalogue & Deuteronomy

DECALOGUE	COMMANDMENT	DEUTERONOMY	DESCRIPTION
5:6-10	I-II	12:1—13:18	Worship
5:11	III	14:1-21	Name of God
5:12-15	IV	14:22—16:17	Sabbath
5:16	V	16:18—18:22	Authority
5:17	VI	19:1—22:8	Homicide
5:18	VII	22:9—23:18	Adultery
5:19	VIII	23:19—24:7	Theft
5:20	IX	24:8—25:4	False Charges
5:21	X	25:5-16	Coveting

A consideration of some of the key stipulations of the Mosaic Covenant will illustrate this point regarding unity.

⁵⁶Mark W. Karlberg, "The Significance of Israel in Biblical Typology," *JETS* 31/3 (September 1988):263. Cf. also Kaiser, "God's Promise Plan and His Gracious Law" 290-91. Kaiser concludes that an all-or-nothing attitude toward the Law is a danger to the church's preparation for dealing with moral issues like abortion (301).

⁵⁷See **Table 4**. Cf. Walter C. Kaiser, Jr., *Toward Old Testament Ethics* (Grand Rapids: Academic Books/Zondervan, 1983) 127-37.

Moral (Exod 20:1-17). Keeping the sabbath is part of the Ten Commandments, the so-called moral law. The legal stipulation concerning the sabbath was promulgated at Sinai, not at creation (Neh 9:13, 14).

The sabbath was the sign of the Mosaic Covenant (Exod 31:13-17). According to Walton, circumcision was the individual sign of participation in the Mosaic Covenant while keeping the sabbath (cf. Exod 31:13-17) was the corporate sign.⁵⁸ The covenant at Sinai was based upon the historical deliverance of Israel from Egypt, a deliverance in accord with the Abrahamic Covenant (cf. Lev 26:13, 45). One of the purposes of the Mosaic Covenant was to identify the people of Yahweh more narrowly, supplementing the Abrahamic Covenant's identification of the generation who would inherit the land of promise.

The sign of the Abrahamic Covenant was circumcision; the sign of the Sinaitic Covenant was observance of the sabbaths (cf. Lev 25; 26:2, 34-35, 43). The sign of each covenant affected the realm of the other covenant. The covenant regarding the land (Abrahamic) was related to the people by circumcision, and the covenant regarding the people (Mosaic) was related to the land by the sabbaths.⁵⁹ Thus these two covenantal elements (the land and the people) were bound together. The land was for the people, and the people for the land. The sabbath was ordained for those who were delivered out of Egypt and who would inhabit the land of promise.

Civil (Exod 20:22-23:33). Putting a disobedient child to death is one of many social or civil stipulations included in the Mosaic Covenant (Exod 21:15). This particular stipulation is directly tied to the fifth commandment in the so-called moral law (20:12). It was the commandment with the promise of life—physical life.⁶⁰ The child's opportunity for a long life was ended by execution.

Ceremonial (Exod 25:1-31:18). Laws of blood sacrifice, ceremonial ablutions, and religious festivals abound in the ceremonial laws of the Mosaic Covenant. The ceremony was the means of regular reinforcement and instruction as well as the vehicle of worship. The sacrifices were theological preparation for the

⁵⁸Walton, *Covenant: God's Purpose, God's Plan* 114.

⁵⁹A distinction between a covenant regarding land and a covenant regarding people should not be pressed to an extreme. The Abrahamic Covenant also identified the people of promise, referring to them as the descendants of Abraham. It became clear, however, that some of the descendants of Abraham (through Ishmael) would not be the people of promise. The Mosaic Covenant clarified the situation regarding the identification of the covenant people.

⁶⁰Lev 18:5 refers to the same physical life, not eternal life. Cf. Kaiser, *Toward an Old Testament Theology* 111-13; idem, "God's Promise Plan and His Gracious Law" 293-95; Kenneth L. Barker, "False Dichotomies Between the Testaments," *JETS* 25/1 (March 1982):8; Gordon J. Wenham, *The Book of Leviticus*, in the *New International Commentary on the Old Testament*, ed. R. K. Harrison (Grand Rapids: Eerdmans, 1979) 253.

- the New Covenant which is better than the Mosaic Covenant (7:22).
 (5) The change provided an unchangeable priesthood (7:24).

The Messianic force of this particular context fits well with the overall focus of the Epistle to the Hebrews: Why would any Hebrew Christian ever consider returning to the levitical system which was about to be replaced? It was merely the prophetic shadow (Col 2:17; Heb 8:5), the preparation for the better covenant.

A change did take place which prepared the way for the subsequent covenant, but it was not an abolishing of the entire Mosaic Covenant. Just as dietary ordinances were altered from covenant to covenant without abolishing the preceding covenants, so also the priesthood ordinance was changed without abolishing the previous covenant.

The matter of abrogating Mosaic Law is unrelated to the topic of salvation because salvation has never been by means of keeping the Law (Rom 3:20). Whether the Law has been abrogated or not, the NT clearly declares that the believer is not under the Mosaic Law (Rom 6:14-15; Gal 5:18; 1 Cor 9:20). Indeed, the stipulations of the Mosaic Law have been replaced with the stipulations of “the perfect law of liberty” (Jas 1:25), “the royal law” (2:8). It is far more strict in its righteousness than the Mosaic Law (cf. Matt 5:19-48).⁶⁴

Christians and the Law of Moses. If any of the Mosaic stipulations are for today, they must be obeyed completely. Imperfect obedience is unacceptable before God (cf. Gal 3:10). Disobedience makes the believer unfit to be a priest of God (cf. 1 Pet 2:4-5). If the reader believes that he or she is currently under obligation to the Law of Moses, that person must face the following questions:

- (1) Are you observing the seventh day of the week as the sabbath?
- (2) Have you taught, encouraged, and participated in the exercise of capital punishment for chronically disobedient children? Have you observed the food laws, the laws requiring the separate cooking of meat and milk, the laws regarding unmixed material in clothing?
- (3) How many animal sacrifices have you offered in the past month?

Most of those who erase all theological distinctions between Israel and the church and who claim to submit to the Ten Commandments would probably have to respond in the negative to these three questions. It soon becomes evident that the majority of Christians live today as though the stipulations of the Mosaic Covenant are outmoded—even if they teach and preach otherwise.

Arthur Pink argued that Christians need the Law (1) “to subdue the spirit

⁶⁴Matthew 5:19’s “annuls” is a form of the Greek verb λύω (“break, destroy, pull down”). The reference is to the breach of the Law through flagrant disobedience or with a selfish and greedy intent. It does not carry the same sense as “setting aside” in Heb 7:18.

of self-righteousness,” (2) “to restrain the flesh and hold us back from lawlessness,” and (3) “as a rule of life, setting before us continually that holiness of heart and conduct which, through the power of the Spirit, we should be ever striving to attain.”⁶⁵ Basically, Pink is making the same mistake as the recipients of the Epistle to the Hebrews. By adopting his view of the Law, one would, in effect, be rejecting “the perfect law of liberty” and its better hope and covenant.

At the death of Christ the Temple curtain in front of the inner sanctuary was torn from top to bottom (Matt 27:51), indicating that the Savior had opened direct access to God (Heb 10:20). The NT believer is “free from the Law” (Rom 7:3; 8:2; Gal 5:1). Walter Kaiser warns Christians about “hiding behind the stipulatory covenant of Sinai as their reason for disregarding the whole message of the OT.”⁶⁶ His point is well made, but perhaps another warning needs to be given: NT preachers should beware of hiding behind the fulfillment of the Mosaic Law in Christ as their reason for neglecting the exposition of the OT. The NT teaches that the role of the OT in the life of the Christian is to provide admonition (νουθεσία, *nouthesia*, 1 Cor 10:11-13), doctrine (διδασκαλία, *didaskalia*), reproof (ἐλεγμός, *elegmos*), correction (ἐπανόρθωσις, *epanorthōsis*), and instruction (παιδεία, *paideia*, 2 Tim 3:16). The challenge will be to avoid Peter’s error on the rooftop in Joppa. NT believers dare not live as though nothing has changed.

⁶⁵A. W. Pink, *The Divine Covenants* (Grand Rapids: Baker, 1973) 187.

⁶⁶Kaiser, *Toward Rediscovering the Old Testament* 155. Kaiser’s comment is preparatory to detailed instruction in deriving applicable principles from the Law of Moses (155-66). Cf. also Walter C. Kaiser, Jr., “Images for Today: The Torah Speaks Today,” *Studies in Old Testament Theology*, ed. Robert L. Hubbard, Jr., Robert K. Johnston, and Robert P. Meye (Dallas: Word, 1992) 127-30. An evaluation of his interpretive method (called “the Ladder of Abstraction”) would require a separate article.