

Exodus And The Code of Hammurabi

by

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It is correct to say that the law that was given to Moses at Mount Sinai has many similarities to law codes used for centuries in the Ancient Near East. But to say that it was derived from these same Near Eastern law codes would be to reject the Hebrew scriptures which state that it was given directly by God Himself. Considering the first covenant that was made with post-flood man, it is not surprising that there be similarities between the law codes of subsequent generations and the cultures that arose around them. After the flood by which all flesh on the earth had been destroyed, God said to the man that He saved and to his family: Be fruitful and multiply, and replenish the earth. He also made a covenant with him, and gave him certain rules that he ought to follow, one of them being: whoso sheds a man's blood, by a man shall his blood be shed. (Gen. 9:6a) It follows then that when the sons of Noah replenished the earth, the law code that was given to their father would be diffused into all the earth albeit with changes through time. "The Bible itself assumes the existence of a moral code of universal application from the beginning of the appearance of civilized life on this planet. (Sarna 138)

The covenant and revelation at Mount Sinai, was made so that God could teach and shape the children of Israel to be a separate people for Himself. "This relationship is to be sealed by a covenant, which would establish Israel as God's "treasured possession," as "a kingdom of priests and a holy nation." (Sarna 130)

The most astounding similarity between the law recorded in Exodus and that of an Ancient Near Eastern document occurs in the Code of Hammurapi in line 196 and 197. "If a seignior has destroyed the eye of a member of the aristocracy, they shall destroy his eye. If he has broken a seignior's bone, they shall break his bone." The account in Exodus reads "And if any mischief follow, then thou shalt give life for life, Eye for eye, tooth for tooth, hand for hand, foot for foot, Burning for burning, wound for wound, stripe for stripe." (Exodus 21:23-25).

Hammurapi says, "When Marduk commissioned me to guide the people aright, to direct the land, I established law and justice in the language of the people. At that time I decreed:" Hammurapi claims that he, imbued with the wisdom of the gods, is the author and enforcer of the law. "The text leaves no doubt that Hammurapi ascribes the law to himself." (Sarna 142) In Exodus it is clear that God Himself is the lawgiver, the judge and the enforcer of the law: God is the King of Israel. "In Israel, however, the provisions of the Ten Commandments are not the fruit of prudential wisdom or the product of reason, but are literally conceived to be the revealed will of God." (Sarna 142)

In the case of the law of Hammurapi, the law is valid as long as King Hammurapi is alive. Any subsequent kings could make changes to the law, and claim that they, being authorized by the gods, made the necessary changes. There is a law code, which is inspired by the gods; but there is no covenant to bind the people to the lawgiver. "[But]

the concept of a connection between divine covenant and divine law is solely a product of Israelite theology.” (ABD 145)

In the case of Israel there is a covenant between God and His people which binds them to God's law. God abides forever, and as long as heaven and earth exist, which are also His witnesses, His covenant and His law abides. “I call heaven and earth to witness against you this day.” (Deuteronomy 4:26a)