

Is Yahweh a Moral Monster?

The New Atheists and Old Testament Ethics

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The New Atheists and the Old Testament: A Brief Overview

Today's "new atheists" are not at all impressed with the moral credentials of the Old Testament (OT) God. Oxonian Richard Dawkins thinks that Yahweh is truly a moral monster: "What makes my jaw drop is that people today should base their lives on such an appalling role model as Yahweh—and even worse, that they should bossily try to force the same evil monster (whether fact or fiction) on the rest of us."¹

Dawkins deems God's commanding Abraham to sacrifice Isaac to be "disgraceful" and tantamount to "child abuse and bullying."² Moreover, this God breaks into a "monumental rage whenever his chosen people flirted with a rival god," resembling "nothing so much as sexual jealousy of the worst kind."³ Add to this the killing of the Canaanites—an "ethnic cleansing" in which "bloodthirsty massacres" were carried out with "xenophobic relish." Joshua's destruction of Jericho is "morally indistinguishable from Hitler's invasion of Poland, or Saddam Hussein's massacres of the Kurds and the Marsh Arabs."⁴

ABSTRACT: The new atheists (Dawkins, Dennett, Harris, Hitchens) level arguments against Old Testament morality as primitive and barbaric, presumably undercutting belief in the biblical God (Yahweh). Yet the Old Testament presents creational moral ideals in Genesis 1–2. Because of Israel's embeddedness in the ancient Near East's harsh, morally-problematic social milieu, Old Testament legislation is in places still morally inferior, though offering dramatic, incremental improvements upon such conditions. Mosaic Law attempts to regulate and limit tolerated structures (warfare, polygamy, patriarchalism, slavery), permitting various social structures because of human hardheartedness. Though falling short of the divine ideal, Mosaic laws often point to it.

1. Richard Dawkins. *The God Delusion* (Boston: Houghton Mifflin, 2006), 248.
2. *Ibid.*, 242.
3. *Ibid.*, 243.
4. *Ibid.*, 247.

To make matters worse, There is the “ubiquitous weirdness of the Bible.”⁵ Dawkins calls attention to the moral failures and hypocrisies of various biblical characters: a drunken Lot seduced by and engaging in sexual relations with his daughters (Gen. 19:31–6); Abraham’s twice lying about his wife Sarah (Gen. 12:18–19; 20:18–19); Jephthah’s foolish vow that resulted in sacrificing his daughter as a burnt offering (Judg. 11); and so on.

Another new atheist is Daniel Dennett. He declares that the “Old Testament Jehovah” is simply a super-*man* who “could take sides in battles, and be both jealous and wrathful.” He happens to be more forgiving and loving in the New Testament, but Dennett wonders how such a timeless God could act in time or answer prayer.⁶ Dennett adds, “Part of what makes Jehovah such a fascinating participant in stories of the Old Testament is His kinglike jealousy and pride, and His great appetite for praise and sacrifices. But we have moved beyond this God (haven’t we?).”⁷ He thanks heaven that those thinking blasphemy or adultery deserves capital punishment are a “dwindling minority.”⁸

A third new atheist is Christopher Hitchens. He voices similar complaints. The forgotten Canaanites were “pitilessly driven out of their homes to make room for the ungrateful and mutinous children of Israel.”⁹ Moreover, the OT contains “a warrant for trafficking in humans, for ethnic cleansing, for slavery, for bride-price, and for indiscriminate massacre, but we are not bound by any of it because it was put together by crude, uncultured human animals.”¹⁰

Finally, there is Sam Harris. In his *Letter to a Christian Nation*, he sets out to “demolish the intellectual and moral pretensions of Christianity in its most committed forms.”¹¹ Harris boldly asserts that if the Bible is true, then we should be stoning people to death for heresy, adultery, homosexuality, worshiping graven images, and “other imaginary crimes.” To put to death idolaters in our midst (Deut. 13:6, 8–15) reflects “God’s timeless wisdom.”¹² In *The End of Faith*, Harris, referring to Deuteronomy 13:7–11, notes that the consistent Bible-believer should stone his son or daughter if she comes home from a yoga class a devotee of Krishna. Harris wryly quips that one the OT’s “barbarisms”—stoning children for heresy—“has fallen out of fashion in our country.”¹³

5. *Ibid.*, 241.

6. Daniel C. Dennett, *Breaking the Spell: Religion as a Natural Phenomenon* (New York: Viking, 2006), 206.

7. *Ibid.*, 265.

8. *Ibid.*, 267.

9. Christopher Hitchens, *God Is Not Great: How Religion Poisons Everything* (New York: Hachette Book Group, 2007), 101.

10. *Ibid.*, 102.

11. Sam Harris, *Letter to a Christian Nation* (New York: Alfred A. Knopf, 2006), ix.

12. *Ibid.*, 8.

13. Sam Harris, *The End of Faith* (New York: W. W. Norton, 2004), 18.

Harris acknowledges that once we recognize that slaves are human beings who are equally capable of suffering and happiness, we'll understand that it is "patently evil to own them and treat them like farm equipment."¹⁴

A few pages later, Harris claims we can be good without God. We do not need God or a Bible to tell us what's right and what's wrong. We can know objective moral truths without "the existence of a lawgiving God,"¹⁵ and we can judge Hitler to be morally reprehensible "without reference to scripture."¹⁶

These are the charges made by the new atheists. Are they fair representations? I shall argue that they are not. Though certain OT texts present challenges and difficulties, navigating these waters is achievable with patient, nuanced attention given to the relevant OT texts, the ancient Near East (ANE) context, and the broader biblical canon.

A Nuanced Response to the New Atheists

The new atheists are certainly rhetorically effective, but I would contend that they have not handled the biblical texts with proper care, and they often draw conclusions that most Christians (save the theonomistic sorts) would repudiate. And this judgment is not the refined result of some post-Enlightenment moral vision, but the biblical writers themselves point us toward a moral ideal, despite the presence of human sin and hard-heartedness. These new atheists give the impression of not having the patience for careful, measured replies, yet this is exactly what is required. John Barton warns that there can be no "simple route" to dealing with OT ethics.¹⁷ Bruce Birch considers OT ethics as something of a "patchwork quilt."¹⁸ Thus, it calls for a more subtle and cautious approach than the new atheists take.

I hope to set in order some of this untidiness. I have attempted elsewhere to address at a popular level various OT ethical questions—slavery, the Canaanite question, "harsh" moral codes and "strange" Levitical laws, Abraham's offering Isaac, the imprecatory psalms, divine jealousy, divine egotism, and so forth.¹⁹ So I shall intentionally skip some of these specif-

14. Harris, *Letter to a Christian Nation*, 18–19.

15. *Ibid.*, 23.

16. *Ibid.*, 24.

17. John Barton, *Ethics and the Old Testament* (Harrisburg, PA: Trinity Press International, 1998), 7. See Brevard S. Childs, *Biblical Theology in Crisis* (Philadelphia: Westminster, 1970), 125, where he notes that there is no "clear-cut answer" on how to do biblical ethics.

18. Bruce C. Birch, *Let Justice Roll Down: The Old Testament, Ethics, and Christian Life* (Louisville, KY: Westminster John Knox Press, 1991), 36.

19. See Paul Copan, "That's Just Your Interpretation" (Grand Rapids, MI: Baker, 2001); "How Do You Know You're Not Wrong?" (Grand Rapids, MI: Baker, 2006); *When God Goes to Starbucks: A Guide to Practical Apologetics* (Grand Rapids, MI: Baker, 2008). I have begun writing more extensively on OT ethics in a forthcoming book.

ics except for illustrative purposes. My chief object is to outline a nuanced response to the new atheists' charges in order to discern the powerful moral vision of the OT. While acknowledging the drastically different mindset between ANE and modern societies, we can overcome a good deal of the force of the new atheists' objections and discern the moral heart of the OT, which is a marked contrast to the new atheists' portrayal. Indeed, a number of the moral perspectives within the Law of Moses (for example, laws regarding restitution or gleaning to aid the poor) can offer insights for us moderns. One more thing: At the risk of overlap and potential repetition, I have tried to make subtle differentiations in my subpoints.

A. The Law of Moses is embedded in a larger biblical metanarrative that helps illuminate ethical ideals in ways that mere law-keeping cannot.

1. The Sinai legislation integrated into the broader Pentateuchal narrative.

In his *Old Testament Story and Christian Ethics*, Robin Parry points out the mistake of treating the Mosaic Law as a legal code while completely ignoring nonlegal narrative texts that surround it.²⁰ The absence of such narratives is glaringly apparent in cuneiform ANE Mesopotamian law codes such as Hammurabi. The Mosaic covenant (Exod. 20–Num. 10) is incorporated into the Pentateuch's larger narrative of God's dealings with the patriarchs and then the people of Israel. Additionally, if Christ is the end of the Law, both its fulfillment and its terminus (Rom. 10:4), then we have an even wider canonical context available to assess OT ethical concerns.

We should not be deceived into thinking that the biblical narrative comes to a sudden halt at Sinai. The Mosaic legislation is embedded in and surrounded by a broader narrative framework that continues after the Israelites move on from Sinai.²¹ This fact should inform our perspective on moral codes in the Pentateuch, as we shall see. In other words, God instructs Israel not by laying down laws or principles but by telling stories of real people as they relate to their Creator and Covenant Maker.

20. An example of such an approach is Walter C. Kaiser, *Toward Old Testament Ethics* (Grand Rapids, MI: Zondervan, 1993). Noted in Robin Parry, *Old Testament Story and Christian Ethics: The Rape of Dinah as a Case Study* (Bletchly, UK: Paternoster, 2004), 61; see also comments by J. Gary Millar, *Now Choose Life: Theology and Ethics in Deuteronomy* (Grand Rapids, MI: Eerdmans, 1998), 28–9.

21. John H. Sailhamer makes this point in *The Pentateuch as Narrative* (Grand Rapids, MI: Zondervan, 1993); *Introduction to Old Testament Theology: A Canonical Approach* (Grand Rapids, MI: Zondervan, 1995); at a popular level, see his *NIV Compact Bible Commentary* (Grand Rapids, MI: Zondervan, 1999).

2. Motive clauses rooted in history.

Also unlike the Code of Hammurabi and other Mesopotamian law codes are the various “motive clauses” in the Sinaitic legislation that ground divine commands in Yahweh’s historical activity. For example, the first commandment with a promise is: “Honor your father and your mother, that your days may be long . . .” (Exod. 20:12). Indeed, the prologue to the Decalogue affirms God’s saving activity in history: “I am the Lord your God, who brought you out of the land of Egypt, out of the house of slavery. You shall have no other gods before Me” (Exod. 20:2–3). Or, “Remember the Sabbath day to keep it holy . . . for in six days the Lord made heaven and earth . . . and rested on the Sabbath” (Exod. 20:8–11). Such motive clauses would be most plausibly situated in Israel’s redemptive, storied setting.²²

Israelites are commanded to imitate Yahweh, who acted in history and, in doing so, set a pattern for them. By contrast, cuneiform laws such as Hammurabi are never motivated by historical events: “unlike biblical laws, no cuneiform law is ever motivated by reference to an historic event, a promise of well-being, or . . . a divine will.”²³ In other ANE codes, the law is given by human kings and monitored by gods. Unlike kingship in the ANE, Yahweh’s rule did not require an earthly human representative.²⁴ Thus, within the biblical narrative, laws are personally revealed by Israel’s God.

There is an obvious apologetical point here: God’s activity in history—particularly in Israel’s deliverance from slavery in Egypt—largely generates the motivation for Israel’s own treatment of slaves, foreigners, and the underprivileged within its borders. Without this historical context, it is hard to account for such an emphasis.

3. Narrative moral insights and moral exemplars as more fundamental than legal codes.

Richard Hays writes of the NT that “the narratives are more fundamental than any secondary process of abstraction that seeks to distill their ethical import.”²⁵ That is, we gain insight into, say, the more abstract commands or guidelines found in the New Testament (for example, epistles or the Gospels’ teaching sections) by observing what takes place in these historical narratives. They serve as illustrative material for teaching sections. Recently, Richard Burridge has forcefully argued this point: The four Gospels present

22. Gerhard von Rad, *Studies in Deuteronomy*, trans. D. M. G. Stalker, *Studies in Biblical Theology* 9 (London: SCM, 1953), 11–24.

23. Rifat Sonsino, *Motive Clauses in Hebrew Law: Biblical Forms and Near Eastern Parallels* (Chico, CA: Scholars, 1975), 174; he notes the “relative scarcity of motive clauses in cuneiform laws” in contrast to the “greater frequency in biblical legislation” (173).

24. Christopher J. H. Wright, “The People of God and the State in the Old Testament,” *Themelios* 16 (1990): 5–6.

25. Richard B. Hays, *The Moral Vision of the New Testament* (San Francisco: Harper SF, 1996), 295; see also Richard Hays, *Echoes of Scripture in the Letters of Paul* (New Haven, CT: Yale University Press, 1989), chap. 5.

Jesus' life and deeds, not merely his teachings, in the Greco-Roman genre of biographical narratives or "lives"—*bioi* or *vitae*—to inspire *mimesis* ("imitation") in the reader.²⁶ The same pertains to the Acts of the Apostles. Evangelicals have tended to overlook theological themes embedded in its historical narrative, privileging the "clearer" theological instruction of the epistles. However, as Craig Keener and Max Turner have noted, Luke is certainly attempting to give theological instruction throughout his Acts narrative.²⁷

Likewise, OT historical narratives often present role models in action who make insightful moral judgments, show discernment, and exhibit integrity and passion for God—aside from the Prophets, the Psalms, and the Wisdom books, which also provide moral illumination. According to John Barton, the OT ethical model incorporates the *imitatio Dei*, natural law, and obedience to God's declared will,²⁸ and we see narrative undergirding and permeating each of these themes. Brevard Childs observes that the Torah's legal material is consistently intertwined with narrative, thus providing "a major commentary within scripture as to how these commands are seen to function."²⁹

Unlike the new atheists, we should not approach the Law of Moses as a holiness code detached from its broader narrative and canonical context—as though this legislation offers an ultimate ethic with nothing further to consider.³⁰ And while Christians can rightly criticize negative moral exemplars and actions with the best of the new atheists, we should also recognize commendable characters and their virtues well—Abraham's selflessness and generosity toward Lot (Gen. 13) or Joseph's moral integrity and sexual purity as well as his astonishing clemency towards treacherous, scheming brothers (Gen. 39, 45, 50).

Or consider race (remember Dawkins's "xenophobic" charge). Yes, the Pentateuch's legal code in places does differentiate between Israelite and non-Israelite slaves (for example, Exod. 12:43, where non-Israelites are not

26. Richard A. Burridge, *Imitating Jesus: An Inclusive Approach to New Testament Ethics* (Grand Rapids, MI: Eerdmans, 2007).

27. Craig Keener, *Gift and Giver: The Holy Spirit for Today* (Grand Rapids, MI: Baker, 2001); Max Turner, *The Holy Spirit and Spiritual Gifts* (Peabody, MA: Hendrickson, 1998), 258.

28. John Barton, *Understanding Old Testament Ethics: Approaches and Explorations* (Louisville, KY: Westminster John Knox, 2003). See also John Goldingay, *Approaches to Old Testament Interpretation* (Downers Grove, IL: InterVarsity, 1981), chap. 2. J. W. Rogerson prefers "natural morality" to the more philosophically developed term "natural law." See his "Old Testament Ethics," in *Text in Context*, ed. A. D. H. Mayes (Oxford: Oxford University Press, 2000), 117–18.

29. Brevard S. Childs, *Biblical Theology of the Old and New Testaments: Theological Reflection on the Christian Bible* (Minneapolis: Fortress, 1993), 680.

30. Waldemar Janzen, *Old Testament Ethics: A Paradigmatic Approach* (Louisville, KY: Westminster John Knox, 2004), chap. 3. See also David Damrosch, *The Narrative Covenant: Transformations of Genre in the Growth of Biblical Literature* (San Francisco: Harper & Row, 1987), chap. 6.

to partake in the Passover); it grants remitting loans to Israelites but not to foreigners (Deut. 15:3); it allows for exacting interest from a foreigner but not from a fellow Israelite (Deut. 23:20); Moabites and Ammonites are excluded from the sanctuary (Deut. 23:3).³¹ To stop here, as the new atheists do, is to overlook the Pentateuch's narrative indicating God's concern for bringing blessing to all humanity (Gen. 12:1–3). Even more fundamentally, human beings have been created in God's image as corulers with God over creation (Gen. 1:26–7; Ps. 8)—unlike the ANE mindset, in which the earthly king was the image-bearer of the gods. The *imago Dei* establishes the fundamental equality of human beings, despite the ethnocentrism and practice of slavery within Israel.

Indeed, another Pentateuchal narrative, Numbers 12, gives an insightful theological perspective about race. Moses marries a black African woman—from Cush/Ethiopia, which was south of Egypt and under Egyptian control at that time. The term “Cushite” is mentioned twice for emphasis. Aaron and Miriam are very upset about this marital arrangement—perhaps a power struggle because a new person has entered into the circle of leadership. Despite the objections by Moses' siblings, Yahweh resoundingly approves of Moses' marriage to a *black* woman, highlighting his approval by turning Miriam's skin *white*!³²

As we move beyond the Pentateuch, the same themes continue. Stories illustrate ethical living with role models who live wisely, show graciousness, and make remarkable sacrifices: three of David's mighty men who exhibit loyalty and self-sacrifice, risking their lives to bring him water from Bethlehem (2 Sam. 23); David's refusal even to touch Saul despite the opportunity (1 Sam. 24); Abigail's wise handling of a troublesome situation (1 Sam. 25); and so forth. These narratives also inform us that Israel's kings, no matter how powerful, are not above God's law: Nathan confronts David about his murder and adultery (2 Sam. 12); Elijah challenges Ahab's murder of Naboth (1 Kings 21); Uzziah is struck with leprosy for assuming priestly prerogatives (2 Chron. 26). And even more importantly, Israel's story reveals a God who stoops and condescends, working faithfully to fulfill his promises despite his people's faithlessness. Their defiance is especially clear at the golden calf incident (Exod. 32). Israel, whom Yahweh embraces as his covenant bride, cheats on him while still on the honeymoon! Dennett's charge of “jealousy” is misguided. God responds out of hurt and anger—a reaction

31. In the narrative of Neh. 13:1–3, this passage is alluded to, but it serves the identical purpose when the Mosaic Law had been given—namely, when there was a danger of spiritual/theological compromise. But this hardly amounted to ethnic hatred. For instance, Ruth—from Moab—voluntarily identifies herself with Yahweh and his people; we could also point to Rahab from Jericho, who embraces Yahweh as her own. There was no theological reason to exclude them from Israel's covenant community.

32. J. Daniel Hays, *From Every People and Nation: A Biblical Theology of Race* (Downers Grove, IL: InterVarsity, 2003), 70–81.

we should rightly expect when such betrayal takes place. Yet God repeatedly “remembers” his covenant and his promises. He helps Israel be fruitful and multiply, bringing blessing to the nations, delivering his people from slavery and death. Yet we also see Yahweh’s consistency in carrying out his threats to do to Israel what he has done to other nations (Num. 33:56; Josh. 23:15).

As we read the OT narratives, we detect a clear *Ethos* (a moral environment or atmosphere), as Eckart Otto affirms, rather than an *Ethik* (mere moral prescriptions).³³ These stories and role models in the OT canon remind us that lawcodes and rule-following are inadequate. Rather, we see in them a spirit directing Israel to higher moral and spiritual ground.

4. *The dangers of moving from “is” to “ought.”*

It is a commonplace that OT authors are reticent to make moral judgments in their stories.³⁴ When the new atheists draw assume Scripture’s moral deficiency based on patriarchal trickery, Mosaic murder, or Davidic adultery, they miss the point of the text. David, for instance, is not being portrayed as an *exemplum* but as a mixed moral bag—similar to Greek tragedies in which the hero has his deep flaws. In John Barton’s words,

David is not an *exemplum* but a person like ourselves, who illustrates the difficulties of the moral life not by what he teaches but by what he does and is. . . . The story of David handles human anger, lust, ambition, and disloyalty without ever commenting explicitly on these things but by telling its tale in such a way that the reader is obliged to look them in the face and to recognise his or her affinity with the characters in whom they are exemplified.³⁵

We could add how OT narrative writers subtly “deconstruct” major characters such as Gideon or Solomon by exposing their questionable leadership qualities and their spiritual compromise.³⁶

33. Eckart Otto, *Theologische Ethik des Alten Testaments* (Stuttgart: Kohlhammer, 1994).

34. John Barton, *Understanding Old Testament Ethics: Approaches and Explorations* (Louisville, KY: Westminster John Knox, 2003), 71.

35. *Ibid.*, 73

36. See Daniel Block, “Will the Real Gideon Please Stand Up? Narrative Style and Intention in Judges 6–9,” *Journal of the Evangelical Theological Society* 40 (1997): 353–66. Block (with Gordon Wenham following [*Story as Torah: Reading Old Testament Narratives Ethically* (Grand Rapids, MI: Baker Academic, 2000), 119–27]) notes that the following characteristics call into question Gideon’s effectiveness as Israel’s deliverer: (a) his cynicism (6:13); (b) his demand for a sign (6:17); (c) the Baal shrine at the family house (6:25; the father calls him Jerubbaal—“let Baal prove himself to be great”—a name a worshiper of Baal would give to his child to honor the deity [6:32]); (d) his fanatical pro-Baal neighbors (6:30); (e) his reluctance to fight Midian despite being clothed with the Spirit (7:9–10); (f) his continued fear (7:9–10); (g) his appeal to the tribes to attack Midian when victory had been promised to the three hundred (7:7, 23); (h) the nonmention of Yahweh’s involvement in chapter 8, except in flippant asides (8:7, 19, 23); (i) his ruthlessness towards Succoth and Penuel (8:16–17); (j) his vendetta against Zebah and Zalmunna (8:19); and (k) his demand that his young son slay them (8:20–1). We could add that after his victory, he makes Baal-berith, the god of Shechem, the god for Israel (8:33). He also takes a Canaanite concubine. The ephod he makes sounds very much like the snare of the

While the new atheists are correct in pointing out moral flaws and horrendous actions of OT characters, they often imply that “if it’s in the Bible, it must be approved by the author.” Yet we see from 1 Corinthians 10 that many of Israel’s stories involving stubbornness, treachery, and ingratitude are vivid *negative* role models—ones to be avoided. The OT’s “is” does not amount to “ought.” (Christopher Hitchens’s remarks about “the ungrateful and mutinous children of Israel” is quite right!) OT descriptions are not necessarily normative. Moreover, the hero status given by the OT to Abraham, Moses, David (and echoed in the NT) is rooted not in their moral perfection but more so in their uncompromising dedication to the cause of Yahweh and their rugged trust in the promises of God rather than lapsing into the idolatry of many of their contemporaries.³⁷

B. We must allow the OT ethical discussion to begin within an ANE setting, not a post-Enlightenment one.

1. Taking into account the harsh, cruel conditions of the ANE.

According to Bruce Birch, we moderns encounter a certain barrier as we approach the subject of OT ethics. Simply put, the ANE world is “totally alien” and “utterly unlike” our own social setting. This world includes slavery, polygamy, war, patriarchal structures, kingship, ethnocentrism, and the like. His advice is this:

Any treatment of the Hebrew Bible with regard to ethics, especially as an ethical resource to contemporary communities, must acknowledge the impediment created by the simple fact that these texts are rooted in a cultural context utterly unlike our own, with moral presuppositions and categories that are alien and in some cases repugnant to our modern sensibilities.³⁸

golden calf (8:27). However, in all this, we can be heartened by God’s using frail human beings to bring about His purposes.

Regarding Solomon, the biblical narrator uses irony concerning Solomon’s leadership as from the outset of his reign he violates the three Deuteronomistic prohibitions for the king (Deut. 17:14–20): marrying Pharaoh’s daughter (1 Kings 3:1) and other foreign wives (11:1–8); accumulating (chariot) horses (10:26); accumulating silver and gold (10:27). By marrying Pharaoh’s daughter and making an alliance with Egypt, he further violates the Deuteronomistic warning to avoid any dealings with Egypt (Deut. 17:16). Finally, he also worships at the high places (3:2–4) even though the tabernacle is in Jerusalem. See J. Daniel Hays, “Has the Narrator Come to Praise Solomon or to Bury Him? Narrative Subtlety in 1 Kings 1–11” *Journal for the Study of the Old Testament* 28 (2003): 149–74.

37. Goldingay, *Approaches to Old Testament Interpretation*. 63–4.

38. Bruce C. Birch, “Old Testament Ethics,” in *The Blackwell Companion to the Hebrew Bible*, ed. Leo G. Purdue (Oxford: Blackwell, 2001), 297.

The new atheists miss something significant here. They assume that the ANE categories embedded within the Mosaic Law are the Bible's moral *pinnacle*. They are, instead, a *springboard* anticipating further development—or, perhaps more accurately—pointing us *back* toward the loftier moral ideals of Genesis 1 and 2 and even 12. These ideals affirm the image of God in each person, lifelong monogamous marriage, and God's concern for the nations. The implications from these foundational texts are monumental.

2. Incremental “humanizing” steps rather than a total overhaul of ANE cultural givens.

As I shall develop further below, we should not view the OT as offering an ideal ethic for all cultures across the ages. Rather than attempt to morally justify all aspects of the Sinaitic legal code, we can affirm that God begins with an ancient people who have imbibed dehumanizing customs and social structures from their ANE context.³⁹ Yet this God desires to draw them in and show them a better way:

if human beings are to be treated as real human beings who possess the power of choice, then the “better way” must come gradually. Otherwise, they will exercise their freedom of choice and turn away from what they do not understand.⁴⁰

To completely overthrow these imbedded ANE attitudes, replacing them with some post-Enlightenment ideal, utopian ethic would simply be overwhelming and in many ways difficult to grasp. We can imagine a strong resistance to a complete societal overhaul. Think of the difficulty of the West's pressing for democracy in nations whose tribal/social and religious structures do not readily assimilate such ideals. Or even if a structure like slavery is eradicated, this does not mean that the culture's mindset will be changed along with it. Consider how antebellum racial prejudice was not erased by abolition and the North's victory over the South. Prejudice would take new forms such as separate-but-equal (Jim Crow) laws and organizations like the Ku Klux Klan.

As Alden Thompson argues, God is incrementally “humanizing” ANE structures within Israel to diminish cruelty and elevate the status of, say, slaves and women—even if such customs are not fully eliminated.⁴¹ So when Joshua kills five Canaanite kings and hangs their corpses on trees all day (Josh. 10:22–7), we do not have to explain away or justify such a practice.

39. Note too that common ANE worship patterns—sacrifices, priesthood, holy mountains/places, festivals, purification rites, rituals—are found in the Law of Moses. Yahweh, however, takes traditional worship forms familiar to Israel and infuses them with new meaning and significance in light of his salvation-historical acts and covenant relationship with Israel. See Allen P. Ross, *Holiness to the Lord* (Grand Rapids, MI: Baker Academic, 2006).

40. Alden Thompson, *Who's Afraid of the Old Testament God?* (Grand Rapids, MI: Zondervan, 1988), 33.

41. *Ibid.*, 32.

Rather, this reflects a less morally-refined condition. Yet such texts remind us that, in the unfolding of his purposes, God can use heroes such as Joshua within their context and work out his redemptive purposes despite themselves. Indeed, we see a God who endures much rebellion and moral decline throughout the time of the judges and during Israel's monarchy, when idolatry was commonplace and religious reforms were rare. Even later on when the Jews returned from Babylon, Nehemiah was properly appalled by Jews opening themselves up to idolatry by marrying foreign wives (for example, Neh. 13, esp. v. 25). Throughout the OT, we see a God who is actually quite patient as he seeks to woo and influence a stubborn, idol-prone people.⁴² God's legislation is given to a less morally-mature culture that has imbibed the morally-inferior attitudes and sinful practices of the ANE.

According to Birch, we should acknowledge rather than ignore or downplay morally-objectionable practices and attitudes within Israel such as patriarchalism, slavery, ethnocentrism, and the like. He adds a crucial point, however: none of these practices and attitudes is "without contrary witness" elsewhere in the OT.⁴³ The new atheists gloss over any "contrary witness," focusing only on the morally problematic. However, closer examination reveals that Scripture itself (rather than twenty-first-century critics) has the resources to guide us regarding what is ideal and normative and what is temporary and *sui generis* in the Bible.⁴⁴

John Goldingay urges us to appreciate the tension between the ideal and the actual—between the high standards God desires from his covenant people and the reality of dealing with a sinful, stubborn people in a covenant-unfriendly ANE environment.

3. *Contrasting the moral improvements of the Mosaic Law to ANE law codes.*

Certain collections of cuneiform law exist. These include the laws of Ur-Nammu (ca. 2100 BC, during the Third Dynasty of Ur); the laws of Lipit-Ishtar (ca. 1925 BC), who ruled the Sumerian city of Isin; the (Akkadian) laws of Eshnunna (ca. 1800 BC), a city one hundred miles north of Babylon; the laws of Hammurabi (1750 BC); and the Hittite laws (1650–1200 BC) of Asia Minor.⁴⁵

There are certainly many parallels and overlapping themes within the Mosaic law and various ANE law codes. These include legislation regarding perjury and false witnesses (cp. Deut. 19:16–21), death penalty for murder (cp. Exod. 21:12), a husband's payment for false accusation of adultery (cp.

42. *Ibid.*, 33–42.

43. Birch, *Let Justice Roll Down*, 43.

44. John Goldingay, *Theological Diversity and the Authority of the Old Testament* (Grand Rapids, MI: Eerdmans, 1987), chap. 5.

45. Some comments here taken from Joe M. Sprinkle, *Biblical Law and Its Relevance* (Lanham, MD: University Press of America, 2004), chap. 3.

Deut. 22:13–19), payment for injury to an ox while renting it (cp. Exod. 22:14–15), and so forth. One of the laws of Eshnunna (§53) is nearly identical to Exodus 21:35: “If an ox gores another ox causing its death, both ox owners shall divide the price of the live ox and also the meat of the dead ox.”

Such similarities should not be surprising. For instance, we observe that the book of Proverbs utilizes and adapts various sayings and maxims from the Egyptian *Instruction of Amenemope*.⁴⁶ Another example of strong ANE influence is the structure of Deuteronomy as a covenant treaty between Yahweh and Israel; this is patterned after second-millennium BC Hittite suzerainty treaties—with preamble, prologue, stipulations, blessings-curses, and witnesses. Deuteronomy is markedly different in certain respects, though: Yahweh is described as a loving, gracious initiative-taking God, not a mere suzerain; also, Yahweh is not the chief beneficiary of this covenant (cp. Deut. 30:19–20). In all of these examples, no one is denying ANE cultural influence in the Mosaic Law, but we have no wholesale adoption either.⁴⁷

How then does the Mosaic Law differ from ANE legal texts? We can observe general disparities between cuneiform laws versus biblical laws: (1) secular laws versus religious cultic-ceremonial ones; (2) laws made by kings (not gods) versus laws from God mediated through Moses; (3) laws to glorify kings versus laws to glorify God and to instruct (*torah* = “instruction”) people and shape a national character; (4) laws reflecting king’s unlimited authority versus laws limiting the king’s authority (for example, Deut. 17:14–20); (5) property crimes punishable by death if a thief cannot pay (up to thirty-fold) versus property crimes not being capital offenses but limited to five-fold restitution or indentured servitude (not death) for those who cannot pay; (6) offenses against slaves as on the same level as property crimes (for example, oxen) versus offenses against slaves as persons of value; (7) religious sins not typically capital offenses versus a number of religious sins as capital offenses—idolatry (Deut. 13:6–9), false prophecy (Deut. 18:20), sorcery (Lev. 20:27), blasphemy (Lev. 24:10–23), Sabbath violations (Num. 15:32–6). We could also add that Israelite law is far more concerned about “the sanctity of life” than Mesopotamian law.⁴⁸ Because of Yahweh’s covenant with Israel,

46. Bruce K. Waltke, *The Book of Proverbs: Chapters 1–15*, New International Commentary on the Old Testament (Grand Rapids, MI: Eerdmans, 2004), 21–4, 65–7: “Proverbs’ similarity to pagan literature is part and parcel of Scripture’s incarnation within its historical milieu. Its theological significance does not depend on the originality of its individual sentences or sayings any more than the theological significance of the so-called Book of the Covenant (Exodus 21–23) rests on the originality of its individual commandments” (66). Waltke notes how Proverbs utilizes general revelation (various Egyptian wisdom sayings), but Proverbs *names* the covenant God who can be known and in whom true wisdom is anchored (66).

47. Peter C. Craigie, *The Book of Deuteronomy*, New International Commentary on the Old Testament (Grand Rapids, MI: Eerdmans, 1976), 22–37.

48. Barton, *Understanding Old Testament Ethics*, 168. Barton adds that the OT is unique in that death penalty for murder applies regardless of the status or nationality of the victim.

laws intending to preserve both the family unit and Yahweh's unique covenant/marriage relationship to Israel were paramount. Thus their violation was a serious matter that would undermine Israel's very identity.

What specific *improvements* could we highlight? Regarding slavery, Christopher Wright declares: "The slave [in Israel] was given human and legal rights unheard of in contemporary societies."⁴⁹ Mosaic legislation offered a radical advance for ANE cultures. According to the *Anchor Bible Dictionary*, "We have in the Bible the first appeals in world literature to treat slaves as human beings for their own sake and not just in the interests of their masters."⁵⁰ Kidnapping a person to sell as a slave was punishable by death: "He who kidnaps a man, whether he sells him or he is found in his possession, shall surely be put to death" (Exod. 21:16; see also 1 Tim. 1:10). This biblical prohibition presents a marked repudiation of the kidnapping of Africans that ushered in the era of more recent Western slavery. Yet the new atheists seem given to blur any such distinctions. While other ANE cultures may too have prohibited kidnapping, the Mosaic Law stands out in sharp moral contrast to their standard extradition treaties for, and harsh treatment of, runaway slaves. Hammurabi called for the death penalty to those helping runaway slaves [§16].⁵¹ Israel, however, was to offer safe harbor to foreign runaway slaves (Deut. 23:15–16).

Indeed, Hebrew slaves were to be granted release in the seventh year (Lev. 29:35–43)—a notable improvement over other ANE law codes.⁵² Furthermore, masters had to release them from service with generous provisions, all conducted with the right attitude for the slave's well-being as he enters into freedom: "Beware that there is no base thought in your heart . . . and your eye is hostile toward your poor brother" (Deut. 15:9). The motivating reason for all of this is the fact "that you were a slave in the land of Egypt, and the Lord your God redeemed you; therefore I command you this today" (Deut. 15:12–18, esp. v. 15). The overriding goal in Deuteronomy 15 is *that*

49. Christopher J. H. Wright, *Walking in the Ways of the Lord* (Downers Grove, IL: InterVarsity, 1995), 124.

50. Muhammad A. Dandamayev, "Slavery (Old Testament)," in *Anchor Bible Dictionary*, vol. 6, ed. David Noel Freedman (New York: Doubleday, 1992), 65.

51. All references to ANE legal texts are taken from William W. Hallo, ed., *The Context of Scripture*, vol. 2, *Monumental Inscriptions from the Biblical World* (Leiden: Brill, 2003); Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor*, 2nd ed. (Atlanta: Scholars, 1997). A fine summary about crimes and punishments related to women is Elisabeth Meier Tetlow, *Women, Crime, and Punishment in Ancient Law and Society*, vol. 1, *The Ancient Near East* (New York: Continuum 2004).

52. The Code of Hammurabi also makes provision for manumission. Some of my discussion here is taken from William J. Webb, "A Redemptive-Movement Hermeneutic," in *Discovering Biblical Equality*, ed. Ronald W. Pierce and Rebecca Merrill Groothuis (Downers Grove, IL: InterVarsity, 2005).

there be no slavery in the land at all (vv. 4, 11). Gordon McConville calls this “revolutionary.”⁵³

Another marked improvement is in the *release* of injured slaves themselves (Exod. 21:20–1). This is in contrast to their *masters* merely being compensated, which is typical in the ANE codes. Elsewhere in the OT, Job recognizes that he and his slaves have the same Maker and come from the same place—their mother’s womb (Job. 31:15). Later in Amos (2:6; 8:6), slavery is again repudiated. Thus, Christopher Hitchens and Sam Harris notwithstanding, such improvements—or pointers back to Genesis 1:26–27—can hardly be called “a warrant for trafficking in humans” or treating them “like farm equipment.”

We can mention the inferior sexual morality of the ANE. We are familiar with the Canaanite *qedeshot*—the female and male cult prostitutes (cp. Gen. 38:15, 22–3; Deut. 23:18–19; also Hos. 4:14). A number of ANE cuneiform laws permitted activities that undermined the family’s integrity and stability by allowing men, for instance, to engage in adulterous relations with slaves and prostitutes. The laws of Lipit-Ishtar of Lower Mesopotamia (1930 BC) take for granted the practice of prostitution (for example, ¶¶27, 30). In Hittite law (1650–1500 BC), “If a father and son sleep with the same female slave or prostitute, it is not an offence” (¶194). Hittite law even permitted bestiality: “If a man has sexual relations with either a horse or a mule, it is not an offence” (¶200a).⁵⁴

Not only do we find morally-inferior cuneiform legislation, but its attendant harsh, ruthless *punishments*. Commenting on the brutal and harsh Code of Hammurabi, historian Paul Johnson observes: “These dreadful laws are notable for the ferocity of their physical punishments, in contrast to the restraint of the Mosaic Code and the enactments of Deuteronomy and Leviticus.”⁵⁵ For instance, Hammurabi’s code stresses the centrality of property whereas the laws in the “Book of the Covenant” (Exod. 21–23) consider crimes against persons to be far more weighty.⁵⁶

For certain crimes, Hammurabi mandated that tongue, breast, hand, or ear be cut off (§§192, 194, 195, 205).⁵⁷ One punishment involved the

53. Gordon McConville, *Grace in the End: A Study in Deuteronomistic Theology* (Grand Rapids, MI: Zondervan, 1993), 148.

54. Hittite law did not, however, permit sexual relations with a cow or sheep or pig or dog (¶¶187, 188, 199).

55. Paul Johnson, *Art: A New History* (New York: HarperCollins, 2003), 33.

56. Parry, *Old Testament Story*, 68.

57. On the surface, Deuteronomy 25:11–12 appears to suggest that a woman’s hand must be cut off if she seizes the genitals of the man who is in a fight with her husband. If such a reading is correct, it would be the only biblical instance of punishment by mutilation: such would be the penalty, not simply for acting shamefully and humiliating the man, but also for her permanently damaging the man’s private parts such that he could never father children (thus, P. C. Craigie, *The Book of Deuteronomy*, New International Commentary on the Old Testament [Grand Rapids, MI: Eerdmans, 1976], 315–16). However, a more plausible interpretation comes from Jerome T. Walsh. He makes an excellent case for depilation—“you shall shave [the

accused's being dragged around a field by cattle. Babylon and Assyria (as well as Sumer) practiced the River Ordeal: when criminal evidence was inconclusive, the accused would be thrown into the river; if he drowned, he was guilty (the river god's judgment), but if he survived, he was innocent and the accuser was guilty of false accusation.⁵⁸ Besides punishments such as cutting off noses and ears, ancient Egyptian law permitted the beating of criminals (for, say, perjury or libel) with between one hundred and two hundred strokes.⁵⁹ In fact, a one-hundred-stroke beating was the "mildest form of punishment."⁶⁰ Contrast this with Deuteronomy 25:1–3, which sets a limit of forty strokes for a criminal: "He may beat him forty times but no more, so that he does not beat him with many more stripes than these." The reason? So that "your brother is not degraded in your eyes." Furthermore, in Babylonian or Hittite law, status or social rank determined the kind of sanctions for a particular crime whereas biblical law holds kings and priests and those of social rank to the same standards as the common person.⁶¹ The informed inhabitant of the ANE would have thought, "Quick, get me to Israel!"

Our interlocutor might ask: What about Scripture's emphasis on *lex talionis*—an eye for an eye and a tooth for a tooth? Is this not a brutal retribution? First, an investigation of the Pentateuch's *lex talionis* texts (Exod. 21:23–5; Lev. 24:17–22; Deut. 19:16–21) reveals that, except for capital punishment ("life for life"), these are *not taken literally*. None of the examples illustrating "an eye for an eye" calls for bodily mutilation, but rather just (monetary) compensation. Brevard Childs comments on the uniqueness of this approach: "Thus the principle of *lex talionis* marked an important ad-

hair of] her groin"—not mutilation. For instance the word translated "hand" here is *kaph*—the "palm" of a hand or some rounded concavity such as a dish, bowl, or spoon or even the arch of a foot—rather than the commonly-used *yad* ("hand"). To "cut off" a "palm"—as opposed to a hand—would be quite odd. Furthermore, the verb *qasas* in the intensified piel form (ten occurrences) is rightly translated "cut off" or "[physically] sever." However, here *qasas* appears in the milder qal form. Three other OT occurrences of *qasas* in the qal form mean "cut/shave [hair]." In our case, this would be the open concave region of the groin, and thus a shaving of pubic hair—a punishment of public humiliation not unusual in the ANE. (This form of humiliation is implied in 1 Sam. 10:4–5 [where "beards" is probably a euphemism for pubic hair]; cp. Isa. 3:17; 20:4; 20:4; Ezek. 16:37). Thus, the talionic punishment is public sexual humiliation (of the woman) for public sexual humiliation (of the man). See "You Shall Cut Off Her . . . Palm? A Reexamination of Deuteronomy 25:11–12," *Journal of Semitic Studies* 49 (2004): 47–8; also, Richard M. Davidson, *Flame of Yahweh: Sexuality in the Old Testament* (Peabody, MA: Hendrickson, 2007), 476–80.

58. Tetlow, *Women, Crime, and Punishment in Ancient Law and Society*, 12–13, 96–7, 136.

59. David Lorton, "The Treatment of Criminals in Ancient Egypt," in *The Treatment of Criminals in the Ancient Near East*, ed. Jack M. Sasson (Leiden: Brill, 1977), 1–64; see e.g., 25.

60. *The Oxford Encyclopedia of Ancient Egypt*, ed. Donald B. Redford, s.v. "Crime and Punishment" (Oxford: Oxford University Press, 2001), 1:318.

61. Johannes Renger, "Wrongoing and Its Sanctions: On 'Criminal' and 'Civil' Law in the Old Babylonian Period," in *The Treatment of Criminals in the Ancient Near East*, ed. Jack M. Sasson (Leiden: Brill, 1977), 72; see also Christopher J. Wright, *Old Testament Ethics for the People of God* (Downers Grove, IL: InterVarsity, 2004), 310.

vance and was far from being a vestige from a primitive age.”⁶² Second, this principle served as useful guide for exacting proportional punishment and compensation; this was designed to prevent blood feuds and disproportionate acts of retaliation.

4. *The increased complexity and stringency of Mosaic regulations in response to Israel’s disobedience.*

The historian Tacitus (AD 55–120) wrote of Rome: “The more corrupt the Republic, the more numerous the laws.”⁶³ Consider how a rebellious child will often need external rules, severe deadlines, and close supervision to hold him over until (hopefully) an internal moral change takes place. Rules, though a stop-gap measure, are hardly the ideal.

Something similar happens in the Pentateuch. While the new atheists would consider the Mosaic Law to be ruthless and strict, there is an aspect to it that accommodates a morally-undeveloped ANE cultural mindset. Another dimension of this harshness seems to be a *response* to the rebellious, covenant-breaking propensity of the Israelites.

John Sailhamer has argued that God at Sinai desired to have not some priestly elite as mediators, but all the people of Israel to approach him as priest-kings (Exod. 19:6) God wished that the entire nation would come to meet him at the mountain, but the people resisted this, pleading rather for Moses to go up in their stead. Even so, God’s initial Sinai legislation was an *uncomplicated* code for the people (Exod. 21–23)—and another *simple* code for a priestly order that would now be formed (Exod. 25–31:18). Yet in light of Aaron’s failure as high priest in the golden calf incident (Exod. 32) and of the people’s worship of the goat idols (Lev. 17:1–9), God responded by clamping down and tightening the restrictions on the priests (Exod. 35–Lev. 16) and the Israelite community (Lev. 17:10–26), respectively. He gave both groupings more severe and complex laws to follow.⁶⁴ These strictures—a “yoke,” Peter called them, “which neither our fathers nor we have been able to bear” (Acts 15:10)—were not God’s ideal. Israel asked for it.

62. Brevard S. Childs, *The Book of Exodus: A Critical, Theological Commentary* (Philadelphia: Westminster, 1974), 93.

63. Tacitus *Annals* 3.27 (or “laws were most numerous when the Republic was most corrupt”).

64. Sailhamer, *The Pentateuch as Narrative*, 46–59; see also Sailhamer, *Introduction to Theology*, 272–89.

SINAI NARRATIVE: EXODUS 19–LEVITICUS 26⁶⁵

NARRATIVE	Exodus 19:1–25: Initiating a covenant with simple stipulations, God intends to meet with Israel on the mountain as a “kingdom of priests” (v. 6). The people agree to it (v. 8) but then refuse to draw near to God (vv. 16–17). They tell Moses to represent them. (Thus, a tabernacle and priesthood will be needed.) The people’s fear is observed from a divine perspective.
TEN COMMANDS	Exodus 20:1–17: The giving of the Decalogue (Ten Commandments) and Covenant Code (Exod. 20:22–23:33) in response to the people’s fear.
NARRATIVE	Exodus 20:18–21: The people’s fear described as from their own perspective. So the groundwork is being laid for a tabernacle (Exod. 25–31)—those who are “far off” must be brought near to God.
COVENANT CODE	Exodus 20:22–23:33: Idolatry prohibited and simple offerings of praise and sacrifice as the basis of Israel’s relationship with God, as in the patriarchal period.
NARRATIVE	Exodus 24: The covenant reestablished at Sinai.
PRIESTLY CODE	Exodus 25–31: The tabernacle (with priesthood) providing for the people to meet with God.
NARRATIVE	Exodus 32–34: The failure of Aaron/the priesthood in the golden calf event (chap. 32). God shows grace and compassion (chap. 33), and the covenant is renewed (chap. 34).
PRIESTLY CODE (Directed to the priests)	Exodus 35–Leviticus 16: More laws needed for the priests.
NARRATIVE	Leviticus 17:1–9: The failure of the people, who worship the goat idols.
HOLINESS CODE (Directed to the people)	Leviticus 17:10–26:46: More laws needed for the people. The covenant is renewed again: God says he will remember his people despite future disobedience (Lev. 26).

This scenario appears to be exactly what Jeremiah 7:2 suggests: “For in the day I brought them out of the land of Egypt, I did not speak to your fathers or command them concerning burnt offerings and sacrifices. But this

65. Chart adapted from Sailhamer, *The Pentateuch as Narrative*. 47.

command I gave them, ‘Obey my voice, and I will be your God, and you will be my people; and you will walk in the way I will command you so that it would be well with you.’” Galatians 3:19 emphasizes much the same thing: “Why the Law then? It was added [to the initial, simple covenant] because of [the people’s] transgression.” The Law—a temporary rather than permanent fixture—would give way to a new covenant under Christ (Gal. 3:22).

So, although Israel and all humankind still needed the redemption that would eventually come through Christ, God still desired a simpler form of worship with the entire nation of Israel as a kingdom of priests (Exod. 19:6). Israel, however, would forfeit this for something much more severe and complex.

5. Differing ethical demands for differing historical contexts in OT Israel’s history.

We can go beyond the Pentateuch, though, to survey the entire OT, observing the various ethical obligations that arise at each stage of Israel’s history. John Goldingay’s *Theological Diversity and the Authority of the Old Testament* proves to be a helpful guide here, furnishing an illuminating study of the historical *contexts* or *stages* of Israel’s unfolding story and the different ethical responses each calls for. These corresponding ethical responsibilities suggest that we not turn these particular required responses into timeless moral truths—even though the OT does furnish us with permanent moral insights as well.

Goldingay presents the very simple progression: Israel moved from being an ancestral wandering clan (*mishpachah* [Gen. 10:31–2]) to a theocratic nation (*am* [Exod. 1:9; 3:7] or *goy* [Gen. 12:2; Judg. 2:20]) to a monarchy, institutional state, or kingdom (*mamlakah* [1 Sam. 24:20; 1 Chron. 28:5]), then an afflicted remnant (*sheerith* [Jer. 42:4; Ezek. 5:10]), and finally a postexilic community/assembly of promise (*qahal* [Ezra 2:64; Neh. 13:1]).⁶⁶

Along with these historical changes came different ethical challenges. For example, during the wandering clan stage, Abraham and the other patriarchs had only accidental or exceptional political involvements. And even when Abraham had to rescue Lot after a raid (Gen. 14), he refused to profit from political benefactors. Through a covenant-bond, Yahweh was the vulnerable patriarchs’ protector and supplier.

Then after Israel had to wait over four hundred years and undergo bondage in Egypt while the sin of the Amorites was building to full measure (Gen. 15:16), God delivered them out of slavery and provided a place for them to live as a nation—“a political entity with a place in the history books.” Yahweh had now created a theocracy—a religious, social, and political environment in which Israel had to live. Yet she needed to inhabit a land, which would include warfare. So Yahweh fought on behalf of Israel while bringing

⁶⁶ This section slightly adapts from Goldingay, *Theological Diversity and the Authority of the Old Testament*, chap. 3.

just judgment upon a Canaanite culture that had sunk hopelessly below any hope of moral return (with the rare exception of Rahab and her family)—a situation quite unlike the time of the patriarchy.

Let me add a few more thoughts about warfare here. First, Israel would not have been justified to attack the Canaanites without Yahweh's explicit command. Yahweh issued his command in light of a morally-sufficient reason—the incorrigible wickedness of Canaanite culture. Second, the language of Deuteronomy 7:2–5 assumes that, despite Yahweh's command to bring punishment to the Canaanites, they would not be obliterated—hence the warnings not to make political alliances or intermarry with them. We see from this passage too that wiping out Canaanite *religion* was far more significant than wiping out the Canaanites themselves.⁶⁷ Third, the “obliteration language” in Joshua (for example, “he left no survivor” and “utterly destroyed all who breathed” [10:40]) is clearly hyperbolic. Consider how, despite such language, the text of Joshua itself assumes Canaanites still inhabit the land: “For if you ever go back and cling to the rest of these nations, these which remain among you, and intermarry with them, so that you associate with them and they with you, know with certainty that the Lord your God will not continue to drive these nations out from before you” (23:12–13). Joshua 9–12 utilizes the typical ANE's literary conventions of warfare.⁶⁸

Fourth, the crux of the issue is this: if God exists, does he have any prerogatives over human life? The new atheists seem to think that if God existed, he should have a status no higher than any human being. Thus, he has no right to take life as he determines. Yet we should press home the monumental difference between God and ordinary human beings. If God is the author of life, he is not obligated to give us seventy or eighty years of life. As philosopher Charles Taliaferro writes,

If there is a robust sense in which the cosmos belongs to God, then God's moral standing from the outset is radically unequal to ours. . . . Arguably our rights [to, say, property or privacy or even life] are at least hedged if the ownership of God is taken seriously. Being thus beholden to God would not seem to entitle God to create beings solely to torment them, but if life is indeed a gift from God which no creature deserves . . . , then certain complaints about the created order may be checked.⁶⁹

That being the case, he can take the lives of the Canaanites *indirectly* through Israel's armies (or directly, as he did when Sodom was destroyed in Genesis

67. Gordon Wenham, *Exploring the Old Testament: A Guide to the Pentateuch* (Downers Grove, IL: InterVarsity, 2003), 137.

68. Christopher Wright, *Old Testament Ethics for the People of God*, 474–5; Iain Provan, V. Philips Long, Tremper Longman III, *A Biblical History of Israel* (Louisville, KY: Westminster John Knox, 2003), 149.

69. Charles Taliaferro, *Contemporary Philosophy of Religion* (Malden, MA: Blackwell, 1998), 317.

19) according to his good purposes and morally sufficient reasons. What then of “innocent women and children”? Keep in mind that when God destroyed Sodom, he was willing to spare the city if there were even ten innocent persons. Not even ten could be found. Given the moral depravity of the Canaanites, the women were far from innocent. (Compare seduction of Israelite males by Midianite women in Numbers 25.)

What then of the children? Death would be a mercy, as they would be ushered into the presence of God and spared the corrupting influences of a morally decadent culture. But what of terrorized mothers trying to protect their innocent children while Israelite armies invade? Here, perhaps a just war analogy might help. A cause might be morally justified (for example, stopping the aggression of Hitler and Japan), even if innocent civilians might be killed—an unfortunate “collateral damage” that comes with such scenarios. Furthermore, the infants and children who were killed by the Israelites would, in the afterlife, *come to recognize* God’s just purposes, despite the horrors and terrors of war. They would side with God in the rightness of his purposes—even if it had meant temporary terror. This is precisely what the apostle Paul said elsewhere: he considered his own hardships and suffering—which included being beaten, stoned, imprisoned, shipwrecked, and the like (2 Cor. 11:23–7)—to be “momentary, light affliction” in comparison to the “eternal weight of glory” that “surpasses them” (2 Cor. 4:17).

Let us turn back to Goldingay. Enduring insights derived from the wandering clan stage include the commitments of mutual love and concern and the importance of reconciliation in overcoming conflict. We see a people in between promise and fulfillment, dependent upon God who graciously initiated a covenant and then called for full trust as he leads and guides through unforeseeable circumstances. At the theocratic stage of Israel’s history, enduring insights include acknowledgment that any blessing and prosperity comes from the hand of God, not as a right but as the result of grace. The people of God must place their confidence in God rather than themselves or their holy calling. They must remember that “it is the rebellious nation that cannot exist in the world as the theocracy because of its sin.”⁷⁰

These are an example of how Israel at different stages of development faces various challenges that require distinct responses. However, the biblical narrative presents permanent insights for the people of God that rise above the historical particularities and the *sui generis*. Goldingay, urges us to appreciate the tension between the ideal and the actual—between the high

70. Goldingay, *Theological Diversity*, 85. Goldingay goes on to talk about the next stage of the judges and monarchy: “being an institutional state means that God starts with his people where they are: if they cannot cope with his highest way, he carves out a lower one. When they do not respond to the spirit of Yahweh or when all sorts of spirits lead them into anarchy, he provides them with the institutional safeguard of earthly rulers” (86).

standards God desires from his covenant people and the reality of dealing with a sinful, stubborn people in a covenant-unfriendly ANE environment.⁷¹

C. The OT canon manifests a warm moral and spiritual tone as well as a redemptive spirit, urging national Israel toward a more noble ideal than is possible through legislature.

1. Distinguishing between the legal and the moral.

In most societies, laws are often pragmatic; they stand as a compromise between the ideal and the enforceable. Critics often make the mistake of confusing law-keeping with ethics. To use contemporary categories, there is a difference between “positive law” and “natural law” (or, “divine intent”). The Mosaic Law is truly a moral improvement upon the surrounding ANE cultures—justifiably called “spiritual” and “good” (Rom. 7:14, 16) and reflective of Yahweh’s wisdom (Deut. 6:5–8).⁷² Yet it is self-confessedly less than ideal. Contrary to the new atheists’ assumptions, the Law is not the permanent and fixed theocratic standard for all nations, world without end, amen. As Gordon Wenham indicates, the OT’s legal codes do not express “the ideals of the law-givers, but only the limits of their tolerance: if you do such and such, you will be punished.”⁷³

Let us consider polygamy as an example: Why did God not ban polygamy outright in favor of monogamy? Why allow a double standard for men who can take multiple wives while a woman can only have one husband?⁷⁴ For one thing, despite the practical problems of polygamy, Wenham suggests it was permitted perhaps because monogamy would have been *difficult to enforce*.⁷⁵ Furthermore, the biblical writers “hoped for better behavior,” as the Pentateuch makes clear the ideal that existed at the very beginning (Gen. 2:24—note the singular “wife” as well as “father and mother”). Indeed, Scripture regularly portrays polygamy as an undesirable marital arrangement,⁷⁶ and it warns the man most likely to be polygamous—the king: “He shall not multiply wives for himself, or else his heart will turn away”

71. Goldingay, *Theological Diversity*, chap. 5.

72. Keeping and doing Yahweh’s commandments is “your wisdom and your understanding in the sight of the peoples who will hear all these statutes and 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 is the LORD our God whenever we call on Him? Or what great nation is there that has statutes and judgments as righteous as this whole law which I am setting before you today?” (Deut. 4:5–8).

73. Wenham, *Story as Torah*, 80. Some comments below taken from Wenham.

74. Other male-favoring double standards exist: males can initiate divorce, not women (Deut. 24:1–4; this changes in the NT [e.g., Mark 10:12; 1 Cor. 7:10–13]); women were expected to be virgins on their wedding day, though not necessarily men (Deut. 22:13–19).

75. Wenham, *Story as Torah*, 86.

76. E.g., Lamech (Gen. 4:19–24); Abraham’s taking Hagar; Jacob.

(Deut. 17:17).⁷⁷ King Solomon in particular is guilty in this flagrant act of disobedience (1 Kings 11:3).

And even if polygamy was tolerated (and, we could add, divorce fairly easy to obtain), this does not negate the ideal of a husband and wife loving and cleaving to each other in a lifelong faithful monogamous relationship set forth at the beginning (Gen. 2:24).⁷⁸ The mutuality of an exclusive marriage was the general expectation,⁷⁹ and this is precisely what Yahweh models with Israel (cp. Hosea; Jer. 3:18; Mal. 2:16). Biblical writers hope that God's people will recognize and live by this ideal—and be aware that polygamy is a deviation from it.

2. *The “hardness of heart” and “forbearance” principles as insights into the status of much Mosaic legislation.*

In Matthew 19, Jesus sheds light on matters Mosaic when he comments that the Law tolerated morally inferior conditions because of the *hardness of human hearts*. Jesus's discussion of Deuteronomy 24:1–4 (which deals with a certificate of divorce *permitted* under Moses) marks moral progress that moves beyond the Mosaic ethic. Jesus acknowledges Deuteronomy 24's limits to permitting divorce due to human hard-heartedness: “Because of your hardness of heart Moses permitted you to divorce your wives; but from the beginning it has not been this way” (Matt. 19:8). Jesus' approach reminds us that there is a multilevel ethic that cautions against a monolithic, single-level approach that simply “parks” at Deuteronomy 24 and does not consider the *redemptive* component of this legislation. The certificate of divorce was to protect the wife, who would, by necessity, have to remarry to come under the shelter of a husband to escape poverty and shame. This law *took into consideration the well-being of the wife*, but it was not an ideal or absolute ethic.

The same can be said of God's permitting a strong patriarchy, slavery, polygamy, primogeniture laws, and warfare that were common within the ANE context: “Because of your hardness of heart Moses permitted *slavery* and *patriarchy* and *warfare* the like, but from the beginning it has not been this way.” When challenged about matters Mosaic, Jesus frequently pointed to the spirit or divinely-intended ideal toward which humans should strive.⁸⁰ God's condescension to the human condition in the Mosaic Law is an attempt to move Israel toward the ideal without being unrealistically optimistic. Rather than banishing all evil social structures,

77. Wenham, *Story as Torah*, 86–7.

78. *Ibid.*, 104; Barton, *Understanding Old Testament Ethics*, 29–30; see also Parry, *Old Testament Story*, 65–6.

79. Cp. Judah's hypocritical infidelity (Gen. 38:20–3); Job's covenant with his eyes (Job 31:1; cp. 31:10); Mal. 2:16.

80. William J. Webb, *Slaves, Women, and Homosexuals* (Downers Grove, IL: InterVarsity, 2001), 41–3. Another example of such a progression is from the death penalty for sexually promiscuous acts for OT Israel to the parallel of excommunication from the church in the NT (1 Cor. 5:1–3) (Webb, *Slaves, Women, and Homosexuals*, 42–3).

Sinaitic legislation frequently deals with the practical facts of fallen human culture while pointing them to God's greater designs for humanity.⁸¹ So on the *obverse* (human) side of the coin, we have the "hardness of heart" principle. Yet on the *reverse* (divine) side, we have the "forbearance" principle, which is in place up to the Christ-event. God in Christ "demonstrates His righteousness" though "*in the forbearance of God He passed over the sins previously committed*" (Rom. 3:25). Likewise, Paul declares to the Athenians: "Therefore having *overlooked the times of ignorance*, God is now declaring to men that all people everywhere should repent, because He has fixed a day in which He will judge the world in righteousness through a Man whom He has appointed, having furnished proof to all men by raising Him from the dead" (Acts 17:30–1). Both the hardness-of-heart and divine-forbearance principles go hand in hand, offering a corrective to the new atheist assumptions that OT legislation is the ideal.

3. The "restraining" rather than "ideal" Mosaic legislation as part of Scripture's redemptive movement and warm moral impulse.

The new atheists tend to view OT ethical considerations in a static manner—a one-size-fits-all legislation for all nations. They fail to note the unfolding "redemptive-movement" of God's self-revelation to his people even within the OT.⁸² As we read the Scriptures, we are regularly reminded of an advancing, though still-imperfect, ethic on the surface while various subterranean moral ideals (for example, the divine image in all humans, lifelong monogamous marriage, and Yahweh's concern for the nations) continue to flow gently along. Yahweh redirects his people morally, theologically, and spiritually to move beyond the mindset of surrounding cultures. As we have seen, he does not, on the one hand, completely abolish ANE problematic, socially-accepted practices as slavery, polygamy, patriarchy, and the like. On the other hand, Israel's laws reveal a dramatic, humanizing improvement over the practices of the other ANE peoples.

Let us revisit the case of slavery, going into a bit more detail here. Slavery is not prohibited outright. There are certainly negative aspects to it such as the possibility of limited beating of slaves (which, if severe, was punishable), the favoring of Israelite slaves over foreign slaves, and so forth. Yet Mosaic legislation simultaneously expresses the hopeful goal of eradicating slavery—a theme of Deuteronomy 15—while both diminishing the staying power of slavery in light of the exodus and controlling the institution of slavery in light of the practical fact that misfortune in a subsistence culture could reduce anyone to poverty and indebtedness.⁸³ Indeed, God's reminder to Israel of her own history exposes the reality of this institution as less-than-ideal. God had redeemed Israel from slavery to become his people (Exod.

81. Goldingay, *Approaches to Old Testament Interpretation*, 60.

82. Webb makes this point in his *Slaves, Women, and Homosexuals*.

83. McConville, *Grace in the End*, 148–9.

20:7), and his redemptive activity was to be a model for Israel's conduct within society—however miserably she happened to fail at this: “You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt (Exod. 22:21). Even more poignant is Exodus 23:9: “You shall not oppress a stranger, since you yourselves know the feelings of a stranger, for you also were strangers in the land of Egypt.” Indeed, the command to love a stranger as oneself is rooted in the fact that “you were aliens in the land of Egypt” (Lev. 19:34). The new atheists overlook or avoid these strong undertones, which help sow the seeds of slavery's own destruction.

What is more, the three main texts regarding slave legislation (Exod. 21; Lev. 25; Deut. 15) reveal a morally-improved legislation *as the text progresses*. Some might argue that these texts are hopelessly contradictory. Christopher Wright (in response to Gordon McConville) persuasively contends, however, that we should give the final Pentateuchal editor(s) the benefit of the doubt, who would certainly have been aware of these differences but kept all these texts in place; this suggests a possible reconciliation or rationale for doing so. Wright sees Deuteronomy “modifying, extending, and to some extent reforming earlier laws, with additional explicit theological rationale and motivation.” He goes so far as to say that while Exodus 21 emphasizes the humanness of slaves, even the ancient Israelite would recognize that Deuteronomy 15 was in tension with earlier legislation. So, to obey Deuteronomy “necessarily meant no longer complying with Exodus.” This point serves to illustrate the “living, historical and contextual nature of the growth of Scripture.”⁸⁴ Reflecting upon the wider canonical framework reminds us that we should not focus on one single text alone. Indeed, Genesis 1–2 remind us of God's creational ideals that were clouded and distorted by human fallenness.

We have something of a parallel scenario in the patriarchal laws of primogeniture, which are subtly undermined in the OT. Despite male-favoring Mosaic legislation at various points, we see another side in Numbers 27:1–11. The daughters of the deceased and sonless Zelophehad appeal to Moses against the male-favoring inheritance laws in light of women's particular circumstances. Moses takes this matter before Yahweh, and the daughters' appeal is granted. We see Yahweh's willingness to adapt ANE structures when humans seek to change in light of a deeper moral insight and willingness to move toward the ideal. Even earlier, various OT narratives subtly attack the laws of primogeniture as the younger regularly supersedes the elder (Abel over Cain, Isaac over Ishmael, Jacob over Esau, Joseph/Judah over Reuben).⁸⁵ In this biblical sampling, we have a *subversive* and more *democratic*

84. Christopher Wright, “Response to Gordon McConville,” in *Canon and Biblical Interpretation*, ed. Craig Bartholomew, et al. (Grand Rapids, MI: Zondervan, 2006), 283. See Wright's fuller explanation in this chapter.

85. Parry, *Old Testament Story*, 68.

ethic that, though not ideal and in places overlapping, is a drastic improvement over cuneiform law.⁸⁶

When we get to the NT, Jesus—and we could add Paul—points us beyond a static interpretation of various OT requirements to the moral, redemptive *spirit* underlying the text. He considers Sabbath laws in terms of what benefits humans (Luke 13:14–16; John 7:22–4). He appeals to OT narratives such as David’s taking the priestly showbread when he and his men were hungry (Mark 2:24–7). He observes that even priests “break” the Sabbath yet are exempt from censure (Matt. 12:5; John 7:22). He emphasizes the inner condition of the heart over a strict kosher diet (Mark 7:18–23)

To sum up here, the Law of Moses contains seeds for moral growth and glimmers of light illuminating a clearer moral path. Yes, God prohibits the worship of other gods and the fashioning of graven images, but the ultimate desire is that Yahweh’s people love him wholeheartedly. Love cannot be reduced to the restraining influence of laws, and enjoying God’s presence is not identical to simply avoiding idols.⁸⁷

4. *The seriousness of sin and the sovereign prerogatives of Yahweh.*

Like Narnia’s Aslan, Yahweh, though gracious and compassionate (Exod. 34:6), is not to be trifled with. The new atheists seem to resist the notion of Yahweh’s rightful prerogatives over humans precisely because they seem uncomfortable with the idea of judgment in any form.⁸⁸ Yes, Yahweh begins with the thus-and-so-ness of life in the ANE, graciously accommodating a sinful people surrounded by sinful social structures in hopes of directing them towards the ideal.⁸⁹ Deuteronomy regularly notes the radical sinfulness and stubbornness of Israel, not their moral superiority over other nations. In Deuteronomy 9:4–13, Yahweh reminds Israel that their inheriting the land is not by virtue of their own “righteousness” or “uprightness” but rather because of the other nations’ “wickedness.” After all, Israel is “a stubborn people”—indeed, “rebellious” ever since they left Egypt. God must reveal himself with holy firmness—at times, fierceness—to get the attention of these rebels, not to mention the surrounding nations.

The new atheists consider Yahweh to be impatient, jealous, and easily provoked. In actual fact, God endures much rejection from his people. God is often exasperated with and hurt by his people, asking, “What more was there to do for My vineyard [Israel] that I have not done in it?” (Isa. 5:4). Again: “How I have been hurt by their adulterous hearts which turned away from

86. Gordon McConville. “Old Testament Laws and Canonical Intentionality,” in *Canon and Biblical Interpretation*, ed. Craig Bartholomew, et al. (Grand Rapids, MI: Zondervan, 2006), 263.

87. Wenham, *Story as Torah*, 81. Interestingly, the last commandment of the Decalogue (“You shall not covet”) directs our ethical perspective in the direction of the heart’s dispositions and intentions—beyond property/theft laws.

88. Goldingay, *Theological Diversity*, 163.

89. *Ibid.*, 153–4.

Me, and by their eyes which played the harlot after their idols” (Ezek. 6:9). And again: “I have spread out My hands all day long to a rebellious people, who walk in the way which is not good, following their own thoughts, a people who continually provoke Me to My face” (Isa. 65:2–3).

Thus when Dawkins accuses God of breaking into a “monumental rage whenever his chosen people flirted with a rival god”—as “nothing so much as sexual jealousy of the worst kind”—he seems to show utter disregard for the significance of the marriage covenant—and, in particular, this unique bond between God and his people. Israel had not simply “flirted” with rival gods, but had cohabited with them, going from one lover to another, “playing the harlot” (cp. Ezek. 16 and 23). Hosea’s notable portrayal of Israel as a prostitute—not a mere flirt—is far more serious than Dawkins’s casual dismissal. The appropriate response to adultery is anger and hurt. When there is none, we rightly wonder how deeply and meaningfully committed to marriage one truly is.

5. The repeated call to imitate Yahweh’s character and redemptive activity as capturing the OT’s ethical spirit and providing an abiding moral norm.

Brevard Childs remarks that OT ethics is not a mere cultural phenomenon of mimicking ANE cultures. Rather, it offers judgments and wisdom based on the context of a divine-human covenant relationship and the human response to God’s character—an *imitatio Dei*.⁹⁰ God’s holy character becomes a norm for Israel: “be holy, for I the Lord your God am holy” (Lev. 19:2). In addition, his redemptive activity serves as a model for the people of Israel to follow: “He executes justice for the orphan and the widow, and shows His love for the alien by giving him food and clothing. So show your love for the alien, for you were aliens in the land of Egypt” (Deut. 10:18–19).

Likewise, in Deuteronomy 24:18, Yahweh tells his people: “But you shall remember that you were a slave in Egypt, and that the Lord your God redeemed you from there; therefore I am commanding you to do this thing.” This is the chief reason Israel was to show compassion to the poor, the stranger, the oppressed; Israel was in a similar position while enslaved in Egypt, and Yahweh repeatedly reminds Israel of his partiality to the dispossessed.⁹¹

The model of Yahweh’s character and saving action is embedded within and surrounding Israel’s legislation. This is what Christopher Wright calls a “compassionate drift” in the Law. This drift cannot be reduced to a moral code, but involves something far deeper:

protection for the weak, especially those who lacked the natural protection of family and land (namely, widows, orphans, Levites, immigrants and resident aliens); justice for the poor; impartiality in the courts; generosity at harvest time and in general economic life; respect

90. Brevard S. Childs, *Biblical Theology of the Old and New Testaments: Theological Reflection on the Christian Bible* (Minneapolis: Fortress, 1993), 678–84.

91. Birch, *Let Justice Roll Down*, 131.

for persons and property, even of an enemy; sensitivity to the dignity even of the debtor; special care for strangers and immigrants; considerate treatment of the disabled; prompt payment of wages earned by hired labour; sensitivity over articles taken in pledge; consideration for people in early marriage, or in bereavement; even care for animals, domestic and wild, and for fruit trees. . . . it would be well worth pausing with a Bible to read through the passages in the footnote, to feel the warm heartbeat of all this material.⁹²

Along these lines, Mignon Jacobs notes an OT “theology of concern for the underprivileged.”⁹³ Yahweh’s character and activity provide God’s people—indeed, all humanity—with a clear moral vision.

In their zealous preoccupation with the negative in OT ethics, the new atheists neglect this repeated undertone in the Law of Moses itself—Yahweh’s gracious, compassionate character and his saving action.

6. *The planned obsolescence of the Mosaic Law and its fulfillment in Christ.*

A final consideration for our discussion is the self-confessed “planned obsolescence” for national Israel and the Mosaic Law. Although Sinai makes significant advances over surrounding ANE cultures, the Law is not viewed as the final word. A new covenant will come, in which the Law is written on the heart—a covenant bypassing the old one and incorporating the nations as the people of God (for example, Jer. 31; Ezek. 36–7). In the words of N. T. Wright, “the Torah is given for a specific period of time, and is then set aside—not because it was a bad thing now happily abolished, but because it was a good thing whose purpose had now been accomplished.”⁹⁴

Robin Parry reminds us that if we allow that the Christ-event is part of the plot line, then we are obligated to allow it to “cast its significance back onto our understanding of earlier texts.”⁹⁵ The broader canonical context of the NT sheds light on OT legal texts and further draws out the creational designs and the “compassionate drift” found in OT texts. Yet we cannot forget that the Hebrew Scriptures themselves reveal a moral development and a dynamic ethical response to emerging situations. (For instance, the killing of the Canaanites, which is limited to Joshua’s generation, stands in sharp contrast to Israel’s duty to “seek the welfare” of Babylon where it was exiled [Jer. 29:7].)

Again, in their own right, OT texts provide us with enduring, normative perspectives about human dignity and fallenness and with moral insights

92. Wright, *Old Testament Ethics*, 300. Wright uses a three-fold paradigmatic approach to ethics—namely, the theological (God), the social (Israel), and the economic (land).

93. Mignon R. Jacobs, “Toward an Old Testament Theology Concern for the Underprivileged,” in *Reading the Hebrew Bible for the New Millennium: Form, Concept, and Theological Perspective*, vol. 1, *Theological and Hermeneutical Studies*, Studies in Antiquity and Christianity, ed. Wonil Kim, et al. (Harrisburg, PA: Trinity Press International, 2000), 205–29.

94. N. T. Wright, *Climax of the Covenant* (Minneapolis: Fortress, 1993), 181.

95. Parry, *Old Testament Story*, 78.

regarding justice, faithfulness, mercy, generosity, and the like. Indeed, Christ is often reaffirming this by normatively citing OT texts about loving God and neighbor or calling Israel back to live by God's creational designs rather than hardened hearts.⁹⁶

However, given an enlarged canonical perspective, the OT anticipates a further work that God achieves in Christ. Hebrews reminds us that he brings a "better" and more substantial fulfillment out of the OT's "shadows." He fully embodies humanity's and Israel's story. So if we stop at OT texts without allowing Christ—the second Adam and the new, true Israel—to illuminate them, our reading and interpretation of the OT will be greatly impoverished.

Final Thoughts

I would like to draw a few strands together here by revisiting the comments of our new-atheist friends.

A. Naturalism's foundations cannot account for ethical normativity; theism is better positioned to do so.

Though Dawkins accuses Yahweh of being a moral monster, one wonders how Dawkins can launch any moral accusation. This is utterly inconsistent with his total denial of evil and goodness elsewhere:

If the universe were just electrons and selfish genes, meaningless tragedies . . . are exactly what we should expect, along with equally meaningless *good* fortune. Such a universe would be neither evil nor good in intention . . . The universe we observe has precisely the properties we should expect if there is, at bottom, no design, no purpose, no evil and no good, nothing but blind pitiless indifference.⁹⁷

In *The Devil's Chaplain*, he asserts: "Science has no methods for deciding what is ethical. That is a matter for individuals and for society."⁹⁸ If science alone gives us knowledge, as Dawkins claims (actually, this is *scientism*), then how can he deem Yahweh's actions to be immoral?

Furthermore, Sam Harris's attempt to "demolish the intellectual and moral pretensions of Christianity" is quite ironic for a several reasons. First, contrary to assertions by the new atheists, who view biblical theism as the

96. Goldingay points out that the OT tension of God's revealed ideals in the midst of fallen human culture is instructive for Christians who find themselves in the already/not-yet tensions of a realized eschatology (*Approaches to Old Testament Interpretation*, 62).

97. Richard Dawkins, *River Out of Eden: A Darwinian View of Life* (New York: Basic Books, 1995), 132–3.

98. Richard Dawkins, *A Devil's Chaplain* (Boston: Houghton and Mifflin, 2003), 34.

enemy, it has historically served as a moral compass for Western civilization, despite a number of notable *deviations* from Jesus's teaching across the centuries (for example, the Crusades, Inquisition). In fact, a number of recent works have made a strong case that biblical theism has served as a foundation for the West's moral development.⁹⁹

Second, despite the new atheists' appeals to science, they ignore the profound influence of the Jewish-Christian worldview on the West's scientific enterprise.¹⁰⁰ Despite naturalists' hijacking the foundations of science as their own, physicist Paul Davies sets forth the simple truth: "Science began as an outgrowth of theology, and all scientists, whether atheists or theists . . . accept an essentially theological worldview."¹⁰¹

Third, the new atheists somehow gloss over the destructive atheistic ideologies that have led to far greater loss of human life within one century than "religion" (let alone "Christendom") with its wars, Inquisitions, and witch trials. Dinesh D'Souza notes this "indisputable fact": "all the religions of the world put together have in 2,000 years not managed to kill as many people as have been killed in the name of atheism in the past few decades. . . . Atheism, not religion, is the real force behind the mass murders of history."¹⁰²

Fourth, while we can certainly agree with Harris that we can know objective moral truths "without reference to scripture," we are left wondering how human value and dignity could emerge given naturalism's valueless, mindless, materialist origins. If, on the other hand, humans are made in the divine image and are morally constituted to reflect God in certain ways, then atheists as well as theists can recognize objective right and wrong and human dignity—without the assistance of special revelation (Rom. 2:14–15). But the atheist is still left without a proper metaphysical context for affirming such moral dignity and responsibility. And despite Harris's claims, naturalism seems to be morally pretentious in claiming the moral high ground, though without any metaphysical basis for doing so. No, biblical theism,

99. Alvin J. Schmidt, *How Christianity Changed the World* (Grand Rapids, MI: Zondervan, 2004); Jonathan Hill, *What Has Christianity Ever Done For Us? How It Shaped the Modern World* (Downers Grove, IL: InterVarsity, 2005); Dinesh D'Souza, *What's So Great about Christianity?* (Washington, DC: Regnery Gateway, 2007); and Rodney Stark, *The Victory of Reason* (New York: Random House, 2006).

100. Michael Foster, "The Christian Doctrine of Creation and the Rise of Modern Science," *Mind* 43 (1934): 446–68; "Christian Theology and the Rise of Modern Science," part 1, *Mind* 44 (1935): 439–83, and part 2, *Mind* 45 (1936): 1–27; Stanley L. Jaki, *The Savior of Science* (Washington, DC: Regnery Gateway, 1988); Stanley L. Jaki, *The Road of Science and the Ways to God* (Chicago: University of Chicago Press, 1978); Christopher Kaiser, *Creation and the History of Science* (Grand Rapids, MI: Eerdmans, 1981); A. R. Hall, *The Scientific Revolution, 1500–1800: The Formation of the Modern Scientific Attitude* (Boston: Beacon, 1954).

101. Paul Davies, *Are We Alone?* (New York: Basic Books, 1995), 96.

102. Dinesh D'Souza, "Atheism, Not Religion, Is the Real Force Behind the Mass Murders of History," *Christian Science Monitor*, November 21, 2007, <http://www.csmonitor.com/2006/1121/p09s01-coop.html>.

with its emphasis on God's creating humans in his image, is our best hope for grounding objective moral values and human dignity and worth.¹⁰³

B. The new atheists ignore the sui generis status of Israel's theocracy.

Dawkins is concerned about those who "bossily try to force the same evil monster (whether fact or fiction) on the rest of us." Those who scare Dawkins scare me as well. Despite theonomists and Manifest Destiny Americans who may press for a "return to Christian America," such positions are a misrepresentation of Scripture, which opposes any theocratic utopianism for Christians in this fallen world.¹⁰⁴ National Israel's theocratic status, however, was unique, short-lived, and unrepeatabe, and her political role and identity as God's people in redemptive history came to a dramatic end in AD 70.¹⁰⁵ An interethnic (Jewish-Gentile) community in Christ has emerged as the true Israel (cp. Rom. 2:28–9; 1 Pet. 2:9). For Dawkins, Hitchens, and Harris to assume that a consistent Christianity is essentially theocratic is out of touch with Scripture's emphasis on Christians as resident aliens, whose ultimate citizenship is not of this world (Phil. 3:20; 1 Pet. 2:11). The nonnationalistic, multiethnic church—the new Israel—is now called to live as salt and light in this world, revealing by lives of love, peacemaking, and unity that they are Christ's disciples (John 13:35).

C. The new atheists wrongly assume that the OT presents an ideal ethic, while ignoring the OT's redemptive spirit and creational ideals.

Despite Dawkins's surprising hostility towards religious belief, he has something of a point when he mentions the "ubiquitous weirdness" of the OT. Similarly, Hitchens refers to OT authors as "crude, uncultured human animals." The Christian can agree that aspects of the OT reflect a problemat-

103. I have attempted to make such a case: Paul Copan, "The Moral Argument," in *The Rationality of Theism*, ed. Paul Copan and Paul K. Moser (London: Routledge, 2003); "The Moral Argument," in *The Routledge Companion to Philosophy of Religion*, ed. Chad Meister and Paul Copan (London: Routledge, 2007); "The Moral Argument," in *Philosophy of Religion: Classic and Contemporary Issues* (Oxford: Blackwell, 2007). See also John M. Rist, *Real Ethics* (Cambridge: Cambridge University Press, 2002); Gordon Graham, *Evil and Christian Ethics* (Cambridge: Cambridge University Press, 2001); Robert M. Adams, *Infinite and Finite Goods* (Oxford: Oxford University Press, 1999).

104. See Os Guinness and John Seel, *No God But God* (Chicago: Moody, 1992).

105. See, e.g., R. T. France, "Old Testament Prophecy and the Future of Israel: A Study of the Teaching of Jesus," *Tyndale Bulletin* 26 (1975): 53–78; Stephen Sizer, *Christian Zionism: Road-map to Armageddon?* (Downers Grove, IL: InterVarsity, 2004).

ic and more-primitive ANE moral framework, which Israel had assimilated. Rather than idealize it, though, we should look to certain fixed creational considerations such as the image of God and committed monogamous marriage to inform us as we navigate the OT's challenging waters. Genesis 1–2 undercuts ANE structures approving of racism, slavery, patriarchy, primogeniture, concubinage, prostitution, infant sacrifice, and the like.

So Harris's claim that the OT represents "God's timeless wisdom" is a gross misrepresentation. While the Mosaic Law represents marked moral improvements over other ANE cultures, it still permits but regulates imbedded negative patterns due to the hardness of human hearts.

The new atheists repeatedly attack the biblical witness for what it does not endorse. Christians can readily acknowledge that the OT text itself is not claiming an ideal or ultimate ethic. So we can, with Daniel Dennett, "thank heaven" that those thinking blasphemy or adultery deserves capital punishment are a "dwindling minority."¹⁰⁶

106. I am grateful for the suggestions and comments of an anonymous referee, which helped strengthen—and lengthen!—this essay.

