The proposal for the covenant which God made with Israel is found in Exodus 19. It was an agreement by which the people of Israel could become under God a peculiar treasure, a kingdom of priests, and a holy nation. In Exodus 20 we find the terms of the covenant in what is commonly called the ten commandments. But before either of these events took place we read of an enlightening incident that happened in connection with the father-in-law of Moses.

His name was Jethro, and he is set forth as being "the priest of Midian" (Exo. 18:1). From all that we know of him he was a man who knew God, who feared God, and had become under God the priest to the people of Midian, and his receptivity in regard to truth quickly revealed itself (18:11). When he saw the overworked condition of Moses, he advised him to select from among all the people, "able men, such as fear God, men of truth, hating covetousness, and place them as rulers over thousands, over hundreds, over fifties, and over tens" (18:21). However he tells Moses that he should not do this unless God commanded him to do so (18:23). Then, we are told that Moses hearkened to his voice and did all that Jethro had said.

The "able men" in Israel at this time probably numbered about 800,000. Simple calculations would show that at least 80,000 men would have to be found who qualified, so that at least one man in ten in Israel was a God-fearing man of truth who hated covetousness. These men were producing the very morality the ten commandments demanded even before the law was given. In view of these facts it should be plain to the most hardened, legalistic mind that if men like Abel, Enoch, Noah, and Abraham lived lives that pleased God long before the law was given; and if at least 80,000 men in Israel were living God-fearing, truth-loving, righteous lives before the ten commandments were spoken, then a man of today who is an active believer in the Lord Jesus Christ can also live a life that is well pleasing to God, even though he insists that he is not under the law God gave to Israel. There is today a very high morality, that in the believer is the fruit of the Spirit, and is not the result of observing laws. See Gal. 5:22, Eph. 5:9.
When God proposed the covenant, before any of its terms were revealed, Israel accepted it. This is not strange, since God could be trusted. When He revealed the terms of the covenant, they were neither unreasonable nor impossible. They required nothing more than what the faithful in Israel were already doing.

From Exodus 20, when the covenant was made, to Exodus 32 when the covenant was broken, about forty-seven days elapsed. During this time the people of Israel kept the terms of the covenant. Yes, the law was kept by Israel for forty-seven days. And if it were kept for forty-seven days, there is no reason why it could not be kept for forty-seven months, or forty-seven years, and so on in perpetuity.

This forty-seven-day period was probably the finest in Israel's history. They had a covenant with God and they were fulfilling the terms of the covenant. Never before had they been in such a favorable position. Before long they would in reality by divine action become a peculiar treasure, a kingdom of priests, a holy nation. But when Moses, their leader, remained quite long in the mount, they panicked. Reason gave way to emotion, and they demanded that Aaron make them gods, images that they could see and follow as they pushed them along ahead of them. Thus they committed a most grievous sin and also broke the first two terms of their agreement with God.

To have made a golden calf and to have worshipped it as being God at any time during the 2500 years before the ten commandments were given would have been an appalling sin. Law or no law, it was always wrong. For Israel to have done such a thing before Sinai would have been an act of flagrant wickedness. To do it after the law was given, after the covenant had been proposed and accepted, was more than sin. It was the breaking of a covenant. As Yahweh said: "My covenant they brake, although I was an husband to them, saith the LORD" (Jer. 31:32).

In the covenant God made with Israel there was no arrangement made for the repair of it. There was no clause in it which said that if they did not succeed in keeping it at first, they could try again. There was no second chance once they failed. This can be seen in the anger of God, in His threat to consume them, and in the advocacy of Moses, as recorded in Exodus 32.

When Moses at Yahweh's direction hurried down from the mount, carrying the two tables of stone, he saw for himself the sin of Israel. Fully realizing that the covenant was broken, he cast the record of its terms and promises out of his hands and they were broken to pieces at the foot of the mount.

This took place on the very day that God was to bestow upon them a blessing. See Ex. 32:9. It may have been that on this day God intended to declare this company of
people to be His peculiar treasure, His priestly kingdom, His holy nation. Indeed, it may have been that He intended to transfer the truth of the law from the tables of stone to the tables of their hearts. We cannot say for sure what blessings they missed, but we do know that no blessing was given. Israel had sinned, punishment was decreed, and three thousand Israelites lay dead in the camp (Exodus 32:28). Upon surveying the action that Israel had taken, Moses declared that they had "sinned a great sin," but announced he would go up before the Lord in the hope that some covering for their sin could be found. He knew they could not make a new start under the covenant. The very record of its terms lay shattered at the foot of the mount. When God threatened to consume them and make a new start with Moses alone becoming a great nation, his plea on their behalf is most eloquent. He offered himself in Israel's behalf, but his offer was refused.

"And the LORD said unto Moses, Whosoever hath sinned against Me, him will I blot out of My book. Therefore now go, and lead the people unto the place of which I have spoken unto thee: behold mine Angel shall go before thee: nevertheless in the day when I visit I will visit their sin upon them" (Exo. 32:33,34).

From this time onward, Israel was under the curse of the law. The law was no longer favorable to them; it was contrary to them. It was already broken, so it could not be kept. Nevertheless, Moses was ordered to hew two new tables of stone to replace the ones he had broken, and so Israel is placed "under the law."

In order to have a clearer understanding of this, let us consider the law of California against murder. I readily admit that this law is good; it is for me and not against me; it is in my favor and is not contrary to me. It protects me and my loved ones. If there were no such law in this state, I would unite with all other law-abiding citizens in working for the passage of one.

However, this law is dormant so far as I personally am concerned. Even though it is very strong, yet it cannot touch me, since I am no murderer. But if I commit murder, it will no longer be dormant; it will no longer be favorable to me. It will become contrary to me, and move against me to exact its penalty. I will be under its curse and must remain there, unless some way can be found to redeem me from it. Since no arrangement for redemption is found in the law against murder, I will remain under its curse and must pay its penalty.

Even so it was with Israel. God gave them a law that was holy, just, and good. It was favorable to them. By following its precepts they could receive great reward. But the terms of the law were of such nature that to violate them was an act of sin that could bring God's wrath. They did break the law and came under its curse.
We might understand this better by saying that from Exodus 20 to 32 Israel was on top of the law. When they sinned they came under the law. And to be under the law was to be under its curse. Even as Paul so forcefully states it:

**For as many as are of the works of the law are under the curse: for it is written, Cursed is everyone that continueth not in all things which are written in the book of the law to do them. But that no man is justified by the law in the sight of God, it is evident: for the just shall live by faith. And the law is not of faith: but, the man that doeth them shall live by them.** Gal. 3:10-12.

The terms "on top" and "under" which were used in the foregoing paragraph were employed for the sake of emphasis and to create a contrast. To clarify this further, it can be said that the law of the state regarding murder applies to me, but I am not under it. I come under it only if I have broken the law. This is the Scriptural meaning of "under the law." The exact Scriptural distinctions are being without the law, being in the law, and being under the law.

To be "without the law" was to be among those (the nations) to whom the law did not apply. However, to be "without the law" does not mean that these had no principles or precepts by which they lived. Paul speaks concerning this in 1 Cor. 9:21: "To them that are without law, as without law, (being not without law to God, but under the law to Christ,) that I might gain them that are without law." and in Romans 2: 14 he says: "For when the Gentiles, which have not the law, do by nature the things contained in the law, these, having not the law, are a law unto themselves."

To be "in the law" was to be among that number and their descendants after them to whom the law was given at Sinai, the descendants of Israel. This was a blessed state, but it was not for the Gentile.

To be "under the law" was to be a part of that nation to whom the law had been given and by them had been broken. This was an undesirable state, and it gives us the meaning of God's words to Ezekiel recorded in Ezek. 20:25: "Wherefore I gave them also statutes that were not good, and judgments whereby they should not live,"

"Under the law" became Israel's state when they "sinned the great sin" by making the golden calf. The breaking of the tables of stone signified the breaking of the covenant, but it did not end their obligations to the law, nor did it cover their sin. God gave the tables to Moses a second time. These were placed in the ark of the covenant, under the blood-sprinkled mercy seat. Here they remained as a constant witness to Israel's transgression, her need of redemption from the curse of a broken law, and the ground of her redemption, the blood of the spotless Lamb of God.

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