

## Exodus 31:12-17

## "The Sabbath as a Sign, a Perpetual Covenant"

"The LORD spoke to Moses, saying, 'But as for you, speak to the sons of Israel, saying, "You shall surely observe My sabbaths; for *this* is a sign between Me and you throughout your generations, that you may know that I am the LORD who sanctifies you. Therefore you are to observe the sabbath, for it is holy to you. Everyone who profanes it shall surely be put to death; for whoever does any work on it, that person shall be cut off from among his people. For six days work may be done, but on the seventh day there is a sabbath of complete rest, holy to the LORD; whoever does any work on the sabbath day shall surely be put to death. So the sons of Israel shall observe the sabbath, to celebrate the sabbath throughout their generations as a perpetual covenant." It is a sign between Me and the sons of Israel forever; for in six days the LORD made heaven and earth, but on the seventh day He ceased *from labor*, and was refreshed.'"

After the instructions of the Tabernacle and priesthood are issued (Exodus chs. 25-30), and the commissioning of Bezalel and Oholiab as artisans is witnessed (Exodus 31:1-11), instruction highlighting the importance of the Sabbath is given. Following this in Exodus 31:1-34:15 is the dominance of the incident of the golden calf, and its aftermath of God's dealing with the Ancient Israelites. The importance of seeing the Sabbath described in this part of the narrative, is that in spite of the significant quantity of work that is about to be undertaken to construct the Tabernacle and all of its accoutrements, **God still wants His people to rest.** The Sabbath or *Shabbat* takes priority over the Tabernacle.

Various examiners have highlighted the significance of how the Sabbath is described in this part of the Book of Exodus. Jeffrey H. Tigay describes, "As God created a holy time after constructing the world, Israel must observe that holy time even while constructing the sanctuary. Suspending construction on the Sabbath indicates that holy time is more important than holy space."<sup>1</sup> J.H. Hertz states that the Tabernacle "was not of greater importance than the Divinely-ordained Sabbath, and was not to be permitted to supersede it."<sup>2</sup> The *ArtScroll Chumash*, perhaps reflecting the internal conflict today between Orthodox Judaism and other branches of Judaism, asserts, "This emphatically contradicts those who claim that the laws of the Sabbath must be pliable enough to be relaxed for 'valid spiritual considerations.'"<sup>3</sup> Terence E. Fretheim more broadly argues how with the Sabbath as a fixed, weekly reality in Israel, that this was preparatory for the construction of the Tabernacle:

"God's promise to dwell among the people (29:45) still stands. The keeping of a time that is in tune with the created order is once more a reality in Israel, and this prepares the way for the hallowing of a particular place for God's dwelling in Israel."<sup>4</sup>

While the institution of the weekly Sabbath is grounded both in God's Creation of the universe (Genesis 2:1-3) and His rest (Exodus 31:17), it is also imperative that Israel observe the Sabbath as a sign of its being separated unto Him (Exodus 31:13).<sup>5</sup>

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<sup>1</sup> Tigay, in *The Jewish Study Bible*, 182.

<sup>2</sup> Hertz, 355.

<sup>3</sup> Scherman, *Chumash*, 491.

<sup>4</sup> Fretheim, *Exodus*, 270.

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31:12-13 The significance of the Sabbath is stressed, "And the LORD said to Moses, saying, 'And you, speak to the Israelites, saying, "Yet My sabbaths you shall keep, for it is a sign between Me and you for your generations to know that I am the LORD Who hallows you"' (Alter). Keeping the Sabbath is not just a weekly observance, but is a corporate responsibility for the community of Israel, different from rites such as circumcision (Genesis 17:7, 13, 19), which are more individualistic. With observance of *Shabbat* being a means by which the people are made holy or sanctified, it is not just *Shabbat* taking priority over the Tabernacle construction that is to be noted. Walter Brueggemann makes the observation, "It is noteworthy in this text that entry into God's holiness does not depend on particular cultic scruples of clean and unclean, as we might expect (cf. 30:17-21), but only a willing, obedient work stoppage."<sup>6</sup> Only with the people stopping their normal, daily routine, can they perhaps then begin to understand the purposes of their Creator.

The Sabbath is something here to be observed by *b'nei Yisrael* (בְּנֵי יִשְׂרָאֵל), which has been variably rendered as: "sons of Israel" (NASU), "Children of Israel" (ATS), "people of Israel" (RSV/ESV), and "Israelites" (NIV, NRSV). Which is the correct approach? Is it just male Israelites who are to observe *Shabbat*? Is it just ethnic Israelites who are to observe *Shabbat*? Or, is the *b'nei Yisrael* here to be taken as the broad community of Israel, including natives, slaves, and sojourners? Much is actually determined by who could be put to death by potential Sabbath violation (vs. 14, 15). The tenor of what is stated, indeed seems to direct that anyone in the community of Israel, caught working on the Sabbath, could be threatened with capital punishment. Previously in Exodus 20:8-11, the categories of people who were supposed to keep the Sabbath, go well beyond the native of Israel.

With the instructions for the Tabernacle having just been delivered, the statement *af et-Shabbotai tishmoru* (אַךְ אֶת־שַׁבְּתֹתַי תִּשְׁמְרוּ), "However, you must observe My Sabbaths" (ATS), can be thought to be intensified.<sup>7</sup> Also important is why the plural, "You are to observe my *Shabbats*" (CJB) or "My *Shabbatot*" (TLV) appears. Many might come to the immediate conclusion that this speaks of not just the weekly Sabbath, but also the various High Sabbaths in association with the appointed times. More have taken the plural "Sabbaths" to represent the repetition of the weekly Sabbath. Peter Enns states, "The plural 'Sabbaths' refers to the regular keeping of the Sabbath day week in and week out, not to a multiplying of differing Sabbath days."<sup>8</sup> The *ArtScroll Chumash* reflects the view, "As a reason for the requirement to save a life on the Sabbath even at the cost of violating it, the Sages argue that it is better to transgress one Sabbath so that one may live and observe many Sabbaths (*Yoma* 85b). Or *HaChaim* reads this logic into our verse: *However*—this is the exception to Sabbath observance—so that *you shall observe My Sabbaths*, in the plural."<sup>9</sup> Concluding that a repetition of the weekly Sabbath is what is more intended by v. 13, would definitely mean for the Ancient Israelites how they were

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<sup>5</sup> Interpreters in the critical tradition, especially think that Israel observing particular signs, was of importance to P or the so-called Priestly source (Childs, *Exodus*, 529; Durham, 412).

<sup>6</sup> Brueggemann, in *NIB*, 1:923.

<sup>7</sup> Cf. Robert Alter, trans., *The Five Books of Moses* (New York and London: W.W. Norton, 2004), 491.

<sup>8</sup> Enns, *Exodus*, 544.

<sup>9</sup> Scherman, *Chumash*, 491.

not just to stop work on a single Sabbath during the construction of the Tabernacle; a Sabbath work stoppage was to take place every seven days.

The significance of the Sabbath as a permanent observance for not just the Israelites in the wilderness sojourn, but for the future, is emphasized in the statement *ki ot hi beini u'bei'nei'khem l'dorotei'khem* (כִּי אוֹת הִוא בֵּינִי וּבֵינֵיכֶם לְדֹרֹתֵיכֶם), "for sign this between-me and-between-you for-generations-of-you" (Kohlenberger).<sup>10</sup> The seventh-day Sabbath or *Shabbat* as such, is the token sign of the Mosaic covenant, the *HALOT* lexicon noting how *ot* (אוֹת) here would involve "sign (as a reminder of a duty)."<sup>11</sup> Certainly, there is future development witnessed in the Scriptures regarding the institution of the Sabbath, especially with the dynamics to be interjected per the New Covenant (Jeremiah 31:31-34; Ezekiel 36:25-27) and the Messianic Age. But, the weekly Sabbath as a permanent feature of God's own to be observed, and not easily dismissed, should be recognized. Nahum M. Sarna concludes that the institution of the Sabbath is not just a matter of God's hallowing of Israel, but also an indication of His own cosmic supremacy:

"Its observance is a declaration of faith, an affirmation that Israel is a holy nation not inherently but by an act of divine will; that the relationship between God and Israel is regulated by a covenant; and that the universe is wholly the purposeful product of divine intelligence, the work of a transcendent Being outside of nature and sovereign over space and time."<sup>12</sup>

John I. Durham goes even further than this, noting how disregard of the Sabbath can be a disregard for the activity of God in relationship not only to Ancient Israel, but Israel for the future:

"Keeping the Sabbath is set forth here with the broad significance of a general sign (אוֹת), throughout Israel's generations, that Yahweh is the one who has made them special. Keeping his sabbath is one way of realizing that specialness, of keeping keen the sense of it, just as the Tabernacle and the various symbols contained within it were a continuing way of representing the Presence at hand that made the specialness a reality...Disregard for the sabbath, either by neglect or by violation of the strictures concerning it, is disregard for Yahweh: and disregard for Yahweh is disregard for the reason and the possibility of Israel's existence as a people."<sup>13</sup>

What makes the Sabbath different than the Tabernacle, is that as a sanctification of time, such rest can legitimately be observed anywhere. History bears out that unlike the Tabernacle, and the later Temple in Jerusalem—confined by geographic location—the weekly *Shabbat* knows no geographic boundary.

31:14-15 The severity of the weekly *Shabbat* is emphasized in v. 14, with the exclamation, "You shall keep the sabbath, for it is holy for you. He who profanes it shall be put to death: whoever does work on it, that person shall be cut off from among his kin" (NJPS). Readers of the Torah witness how capital punishment can be applied for Sabbath violation.

<sup>10</sup> Kohlenberger, 1:236.

<sup>11</sup> *HALOT*, 1:26.

<sup>12</sup> Sarna, *Exodus*, 201.

<sup>13</sup> Durham, pp 412, 413.

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The first clause of note is *mechal'leyha mot yumat* (מְחַלְלֶיהָ מוֹת יוּמָת), "one-desecrating her to-die he-must-die" (Kohlenberger).<sup>14</sup> Appearing in the Piel stem (intensive action, active voice), the verb *chalal* (חָלַל) would mainly involve "profane" (*CHALOT*).<sup>15</sup> For sure, within the community of Ancient Israel, determining whether there actually was desecration or profanation of the Sabbath would need to be determined by an evaluation of evidence, consideration of testimony, and a legal decision to be issued by Israel's leaders. Only then could it be decided whether capital punishment was a legitimate option.<sup>16</sup>

The second clause of note in v. 14 is, *ki kol-ha'oseh v'a melakhah v'nikreta ha'nefesh ha'hiv miq'rev 'ameha* (כִּי כָל-הַעֹשֶׂה בָּהּ מְלָאכָה וְנִכְרְתָה הַנֶּפֶשׁ הַהִיא מִקְרֵב עַמֶּיהָ), "also every-of the-one-doing on-her work now-she-must-be-cut the-person the-that from-among people-of-her" (Kohlenberger),<sup>17</sup> "for whoever does work on it, that soul shall be cut off from among its people" (ATS). There is some ambiguity here, given the presence of the Hebrew verb *karat* (כָּרַת), which in the Nifil stem (simple action, passive voice) can mean "to be cut off, disappear," "to be exterminated," or possibly also "to be cut off, excluded from the religious community" (*HALOT*).<sup>18</sup> There is a variance of application witnessed in the Torah for *karat* (cf. 12:15; 30:38; Leviticus 10:1-3; 17:10; Numbers 9:13), and elsewhere it is true that a man would be stoned for collecting sticks on the Sabbath (Numbers 15:32-36).

That the penalty of *karat* need not always mean capital punishment should be recognized, especially given the fact of how there would surely be Sabbath violations in Israel, only known between the offender and the God who observes him or her. The most frequent alternative to *karat* being capital punishment, would be excommunication or banishment from the community. Another way of applying *karat* would be God shortening a person's lifespan, or withholding offspring from a family line.<sup>19</sup> There is no requirement for readers to conclude that the threat of death for Sabbath violators, and the threat of being cut off from one's people, in v. 14, are synonymous. The *ArtScroll Chumash* concurs,

"These are two different, mutually exclusive penalties. One who violates the Sabbath despite a warning from witnesses that he is committing a capital offense is liable to the death penalty imposed by the court. But one who does so intentionally, without being warned or witnessed, is punished by God with *kareis*, i.e., his soul is cut off from the nation (*Rashi*)."<sup>20</sup>

Durham also states, "The performance of customary labor on the sabbath is accorded the penalty of exclusion from the community in v 14 and the penalty of death in v 15."<sup>21</sup> Surely these passages bore significance for the Southern Kingdom exiles having returned to the Land of Israel, as the exile was partially caused by a violation of the Sabbath

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<sup>14</sup> Kohlenberger, 1:236.

<sup>15</sup> *CHALOT*, 105.

<sup>16</sup> Cf. Hertz, 356.

<sup>17</sup> Kohlenberger, 1:236.

<sup>18</sup> *HALOT*, 1:501.

<sup>19</sup> Cf. Elmer B. Smick, "כָּרַת," in *TWOT*, 1:457.

<sup>20</sup> Scherman, *Chumash*, 491.

<sup>21</sup> Durham, 413.

(Nehemiah 13:17-18). Brueggemann takes the severity of the Sabbath in what might at first seem like an eclectic direction, but one which can be deduced from reading the wider themes of Exodus:

“The kingdom of Pharaoh still represents the quintessence of a life lived for productivity (see 5:13-14; 16:19-21). This text evidences anxiety that any violation of sabbath as obedient work stoppage means being seduced by the production values and rewards of Pharaoh, which will predictably end in slavery. The ‘profaning’ the sabbath means jeopardizing all that is most precious and definitional about Israel’s existence in the world and its loyalty to Yahweh.”<sup>22</sup>

Even though the weekly *Shabbat* is to be a time of abstention from labor, it is not as though there is no time for God’s people to work. V. 15 asserts, “For six days work may be done and the seventh day is a day of complete rest, it is sacred to HASHEM; whoever does work on the Sabbath day shall be put to death” (ATS). It is stated, *u’b’yom ha’shevi’i Shabbat Shabbaton qodesh l’ADONAI* (קֹדֶשׁ לַיהוָה שַׁבְּתוֹן שַׁבַּת הַשְּׁבִיעִי אֲדֹנָי), “but the seventh day is *Shabbat*, for complete rest, set apart for *ADONAI*” (CJB). The first six days of the week are for working. For those who violate the seventh-day Sabbath, which is to be holy to the Lord, is the severe threat of capital punishment. The text unambiguously communicates, *kol-ha’oseh melakhah* (כָּל-הַעֹשֶׂה מְלָאכָה), “every-of the one-doing-work” (Kohlenberger),<sup>23</sup> “any who doeth work” (YLT). Who might this be? Was it just the native Israelite males, or only ethnic Israelites? Or was it indeed all in the community of Israel, who were enjoined a Sabbath rest, and who could be executed if they violated the Sabbath?

For some readers of the Torah, it escapes them why an institution like the seventh-day Sabbath or *Shabbat* has a capital penalty attached to it, if ever profaned. **Violating the Sabbath is indeed**, in the Torah or Pentateuch, **placed on the same level as murder**. Associating violation of the Sabbath with capital punishment, must be to highlight its importance for the community, and with it Israel’s testimony to outsiders. Richard Elliot Friedman indicates, “periods of *time* are holy...The Sabbath is thus so phenomenally important that a violation of the Sabbath bears an extraordinary punishment.”<sup>24</sup> Fretheim goes further, actually associating Sabbath violation with a rupture in God’s salvation history intentions in and through Ancient Israel:

“Keeping the sabbath is a sign in the present of the eventual realization of that new creation which God, through Israel, is bringing into being. The exceptionally strong penalties for breaking the sabbath seem to connect with this creational function, especially in view of the apostasy in chapters 32-34. The shape of the future of God’s creative work in and through Israel is at stake.”<sup>25</sup>

**31:16-17** With capital punishment having been prescribed by the Torah for Sabbath violation for those within the community, it is hardly a surprise how the Sabbath is enjoined as a permanent institution: “And the Israelites shall keep the sabbath to do the sabbath for their generations, a perpetual covenant” (v. 16, Alter). The key terminology

<sup>22</sup> Brueggemann, in *NIB*, 1:923.

<sup>23</sup> Kohlenberger, 1:236.

<sup>24</sup> Friedman, *Commentary on the Torah*, 278.

<sup>25</sup> Fretheim, *Exodus*, pp 277-278.

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here is *l'dorotam b'rit olam* (לְדֹרוֹתָם בְּרִית עוֹלָם), "throughout their generations, as a covenant forever" (ESV), "an eternal covenant for their generations" (ATS),<sup>26</sup> "for their generations; it is a never ending covenant" (LITV), "throughout the ages as a covenant for all time" (NJPS). Debate certainly has ensued, especially among Christian examiners who think that the seventh-day Sabbath is only a pre-resurrection era institution, over how to approach the term *olam* (עוֹלָם), which *CHALOT* indicates has a number of possible applications, including: "long time, constancy, all (coming) time," "adv. for all time, for ever," "long time ago, the dim past."<sup>27</sup> *BDB* also defines it along the lines of "long duration, antiquity, futurity."<sup>28</sup> To some, the seventh-day Sabbath being "a covenant for the ages" (Fox)<sup>29</sup> is an indication that *Shabbat* would not be a permanent institution, but rather one which would later give out subsequent to the arrival of the Messiah.

Still, many take *b'rit olam* as a firm indication of the Sabbath's permanence for the people of God, and as a part of His future plan to restore Israel's Kingdom. This would concur with Hertz' assertion, "The weekly hallowing of the Sabbath by the Israelites, being a proclamation of belief in God and obedience to His law, effects a perennial renewal of the covenant of God with the Patriarchs."<sup>30</sup> Many Protestant Christians have thought, in seeing the Sabbath as a *b'rit olam* or "eternal covenant," that while the arrival and sacrifice of the Messiah has remitted the capital penalties of Sabbath violation (cf. Colossians 2:14), and in their view that the day has been transferred to Sunday—it is not the Sabbath as a godly institution which has been abolished.

The seventh-day Sabbath or *Shabbat* is an institution grounded in Creation, as this passage closes with the affirmation, "It will be a sign between me and the Israelites forever [*l'olam*, לְעוֹלָם], for in six days the LORD made the heavens and the earth, and on the seventh day he abstained from work and rested" (v. 17, NIV). V. 17 actually ends with the verb *nafash* (נָפַשׁ), which in the Nifil stem (simple action, passive voice) involves "take breath, refresh oneself" (*BDB*).<sup>31</sup> It is rendered as such by Fox, "he ceased and paused-for-breath,"<sup>32</sup> and also Alter, "He ceased and caught His breath." Why the verb *nafash* appears in v. 17 has often explained along the lines of it having appeared earlier in Exodus 23:12, and to highlight how the rest that God experienced, is to also be experienced by non-natives in the community of Israel. Friedman elaborates,

"This verb occurs only twice in the Torah: here, referring to God's Sabbath rest; and in Exo 23:12, where it refers to the Sabbath rest of 'your maid's son and the alien.' It is remarkable that the parallel cases are the son of a slave and an alien. And this comes in the middle of one of the most blatant cases of *imitatio Dei* in the Torah: humans are to cease on the Sabbath because God ceased creating on the Sabbath. This now conveys that every human participates in this divine phenomenon. One cannot rest but still require his

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<sup>26</sup> Scharfstein, *The Five Books of Moses*, 244 also has "eternally."

<sup>27</sup> *CHALOT*, 267.

<sup>28</sup> *BDB*, 761.

<sup>29</sup> Fox, *Five Books of Moses*, 436.

<sup>30</sup> Hertz, 356.

<sup>31</sup> *BDB*, 661.

<sup>32</sup> Fox, *Five Books of Moses*, 436.

or her slave to work. One cannot rest but still count on non-Israelites in the community to do the work.”<sup>33</sup>

**Exodus 31:12-17 application** Few Bible readers can dispute the fact of how the institution of the seventh-day Sabbath or *Shabbat* would be a major distinguishing sign for the community of Ancient Israel, as the entire population would stop work for an entire day, as a sign of its commitment and relationship with its God, the One True Creator. A breach of this commitment by working, could very well mean the death of the offender, and Sabbath violation was certainly taken seriously later by Israel’s Prophets (Jeremiah 17:19-27; Ezekiel 20:12-24).

The permanency of the Sabbath has been approached in different ways, by both Jews and Christians throughout the centuries. Some of the most liberal Jews today, such as those of the Reform movement, will continue to observe some kind of *Shabbat*, even though they may not keep kosher or totally keep the annual holidays, given how Sabbath observance has bound the Jewish community together. Many Christians have believed that the Sabbath has been abolished for the post-resurrection era, with the arrival of the Messiah. At the same time, many Christians have believed in the continuance of the Sabbath-principle, at least, and have applied it to the first day of the week. Many of the non-Jewish Believers in today’s Messianic movement, including this writer, come from a Protestant theological background of semi-Sabbatarianism. Commenting on this passage from such a standpoint, is J.A. Motyer, who does make some remarks which today’s Messianic people can agree with to an extent:

“While we must take note of the fact that the New Testament never quotes the fourth commandment, and Colossians 2:16 rules out any legalistic approach to the question of Sabbath observance, nevertheless we must be careful to take account of the rather wonderful—and deeply theological—understanding of the Lord’s Day given here in Exodus. The Sabbath is to be a sign to the world of our holy separation as the Lord’s holy people (13), and that separation itself is a sign of our determination to fashion our lifestyle in imitation of the Lord (17). It is not meant to be an exercise in restriction but in devotion, for in this situation as in others ‘imitation is the sincerest form of flattery’.”<sup>34</sup>

More probing would be the assertions made by Brueggemann, who firmly directs against the modern temptations of overwork, the marketplace, and the need for human beings to alter many of their priorities:

“[T]he difficult question posed by this text is whether the sabbath is a viable, practical undertaking in our busy, driven world. The hard fact is that sabbath cannot be added on to an ideology of production. There will never be enough time or energy or will or leisure or peaceableness for sabbath, as long as one is in pursuit of one more

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<sup>33</sup> Friedman, *Commentary on the Torah*, 279.

There is likely to never be complete agreement over the universal applicability of the seventh-day Sabbath for both Jewish and non-Jewish Believers, in the contemporary Messianic movement. The debates over whether the Sabbath was a universal instruction for all (Philo *On the Decalogue* 97-98; *On the Creation* 89) or something restricted to ethnic Israelites and Jews (*Jubilees* 2:19-21, 31; *m.Shabbat* 16:6-8), were present within the Second Temple period.

Toby Janicki, *God-Fearers: Gentiles & the God of Israel* (Marshfield, MO: First Fruits of Zion, 2012), pp 75-77 considers the seventh-day Sabbath to have a narrow focus for ethnic Israel in Deuteronomy 5:15, but that Exodus 20:8, 11 has some wider significance for humanity at large.

<sup>34</sup> Motyer, *Exodus*, 289.

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achievement, one more sale, one more commodity, one more party, or one more advance. The issue of sabbath, while it has practical economic outcomes, is first of all an eminently pastoral, spiritual one. It concerns being weaned away from the deep disorder of distrust, anxiety, and self-sufficiency that haunts all modern people.”<sup>35</sup>

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<sup>35</sup> Brueggemann, in *NIB*, 1:926.