

What Does “One Law” Mean in Exodus 12:48-49?

BLOGCAST

J.K. McKee

In various independent sectors of the Messianic movement, or more likely the Hebrew Roots movement, Exodus 12:48-49 and its emphasis on “one law,” is likely to be some important credo. What is the actual context of “one law” in Exodus 12:48-49?

Exodus 12:48-49

“But if a stranger sojourns with you, and celebrates the Passover to the LORD, let all his males be circumcised, and then let him come near to celebrate it; and he shall be like a native of the land. But no uncircumcised person may eat of it. The same law shall apply to the native as to the stranger who sojourns among you.”

Exodus. ch. 12 includes the Biblical record of how the Passover was to be established as the festival commemorating God’s judgment over the Egyptians, and how the Ancient Israelites were finally freed from bondage. As Israel leaves Egypt, it is clear that not only do many hundreds of thousands of native Israelites make the trek out (Exodus 12:37), but also “A mixed multitude [*eirev rav*] also went up with them” (Exodus 12:38, NASU). Every astute Bible reader recognizes the significance that the Exodus plays for Scriptural history afterward, as it helps to form a consistent pattern of how the Lord enacts His salvation, interjecting Himself into a situation where there is no hope. Within the narrative, after the slavery of Israel in Egypt has ended (Exodus 12:40-41), instructions detailing the ordinance of the Passover are given (Exodus 12:42-51). They include what to do with one who is a sojourner, somehow residing within the community of Israel, when it is time to remember the Passover.

Who would have composed the “ethnically diverse crowd” (Exodus 12:38, HCSB) that left Egypt? Many Egyptians had doubtlessly seen God’s judgment on their country, and made the right decision in choosing to follow Israel’s God. Also, as a superpower of the Ancient Near East, the Egyptians would have had other slaves, perhaps including Nubians and Ethiopians and Hyksos and other subjugated peoples, who could have joined the Israelites when they were being released. Recognizing the God of Israel as their object of worship, was His freeing of Israel something that was to only affect Israel—or was it to affect them as well? As Walter C. Kaiser describes, “With the mention of the night and the requirement that it be remembered by all future generations, it did bring to mind, especially in this context, the question of the ‘mixed multitude’ who came out of Egypt with Israel and all such persons who might join them from time to time. Were they to keep the Passover also?”¹

What is to be made of the circumstances when Israel is finally resident in the Promised Land? Peter Enns points out how in Exodus 12:43-49, “these regulations are future-oriented. For example, mention of foreign slaves, temporary residents, and hired workers is not applicable to the Israelites while they are slaves themselves.”² It is to be noted that there is a difference made between a foreigner (*ben-neikar*) in Israel, and a temporary resident (*toshav*) in Israel:

- “The LORD said to Moses and Aaron, “This is the ordinance of the Passover: no foreigner [*ben-neikar*] is to eat of it; but every man’s slave purchased with money, after you have circumcised him, then he may eat of it” (Exodus 12:43-44, NASU).
- “A sojourner [*toshav*] or a hired servant [*sakir*] shall not eat of it” (Exodus 12:45, NASU).

Ancient Israel might be a “welcoming” community in that outsiders are allowed in to work, and play a role within its economy. Yet, the commemoration of the Passover is to be a home affair for the Israelites, as “It is to be eaten in a single house; you are not to bring forth any of the flesh outside of the house, nor are you to break any bone of it. All the congregation of Israel³ are to celebrate this” (Exodus 12:46-47, NASU). Immediately following the prescription that “The whole community of Israel must celebrate it” (NIV), a third category of persons is introduced: the *ger*, defined as

¹ Walter C. Kaiser, “Exodus,” in Frank E. Gaebelin, ed. et. al., *Expositor’s Bible Commentary*, (Grand Rapids: Zondervan, 1990), 2:380.

² Peter Enns, *The NIV Application Commentary: Exodus* (Grand Rapids: Zondervan, 2000), 252.

³ Heb. *kol-adat Yisrael*.

“sojourner, alien” (*CHALOT*).⁴ The *ger* (plural: *gerim*) is different from the foreigner or temporary resident, who might be a traveler through or a worker who will eventually leave, because an opportunity to be considered a formal part of the community of Israel along with the native is only offered to the *ger*:

“And when a stranger [*ger*] shall sojourn with you and would keep the passover to the LORD, let all his males be circumcised, then he may come near and keep it; he shall be as a native of the land. But no uncircumcised person shall eat of it” (Exodus 12:48, RSV).

In communicating *v’ki-yagur itekha ger*, there is an expectation that an “alien” (NIV/NRSV) or “immigrant” (Common English Bible) will keep and eat of the Passover, and the prescription for doing so—and thus becoming like an *ezrach ha’eretz* or “a native of the land,” with some level of rights to property inheritance in Canaan—is to go through the rite of circumcision. John I. Durham details, “Slaves bought and paid for, that is, owned outright and without question, must be circumcised before they can keep Passover. Those passing through, even those engaged for temporary work, are not to keep Passover. An outsider may be allowed to keep Passover only if he and his entire family are circumcised, that is admitted to the covenant community. One rule applies to all: circumcision.”⁵

Following this it is asserted, “The same law [one law, RSV/NJPS/ATS/ESV] shall apply to the native as to the stranger who sojourns among you” (Exodus 12:49, NASU), *torah achat yih’yeh l’ezrach v’l’ger hagar b’tokkhem*. All who were to eat of the Passover sacrifice are to be circumcised, given the assertion “No uncircumcised male may eat of it” (Exodus 12:48, NASU). The summarizing statement about *torah achat* directly concerns how there are not two separate standards by which people are reckoned as Israelites here; physical circumcision reckons one as a “native of the land,” ready to fully participate in Passover. In order for the native-born male to be a real “Israelite” ready to eat the Passover, he had to be circumcised; and in order for the *ger* to be reckoned as a native and keep the Passover, he had to be circumcised. It was not as though the *ger* had to be circumcised, and *also* pay an exorbitant amount of gold or silver. The same standard applies.

Beyond the specific issue of circumcision being the cause for either natives or sojourners fully participating in the Passover, what might *torah achat* represent for the wider jurisprudence of the Torah, in regard to natives and sojourners? In the estimation of Richard Elliot Friedman, at least, “The context here concerns the Passover statute, but this principle of treating a resident alien the same as any citizen will be repeated many (about fifteen) times in the Torah.”⁶

Nahum M. Sarna also thinks that if a *ger* underwent circumcision, “Having done so, no discrimination between him and the citizen was allowed,” and he is also right to confirm, “Just like an uncircumcised non-Israelite, so an uncircumcised Israelite was also excluded.”⁷ So, in a manner of speaking, it is theoretically possible in the Pentateuch for a number of non-ethnic Israelites to be more “Israelite” in following the direction to keep Passover, if any ethnic Israelites are found to dismiss it, in finding themselves uncircumcised.

Anyone not native born of Israel, but who would be a sojourner in the community, would be in a rather odd predicament when it came time in the course of the year for the people to observe the Passover. Native male Israelites who were circumcised from the time of birth would be able to eat the Passover lamb without any problems. A family of sojourners, who had fully recognized and confessed faith in the God of Israel and His goodness, and were by no means idolaters, might stand out—if the males had not undergone circumcision—in not being able to fully participate in eating of the Passover.

Exodus 12:19 previously does state, “Seven days there shall be no leaven found in your houses; for whoever eats what is leavened, that person shall be cut off from the congregation of Israel, whether *he is an alien [ger] or a native of the land [ezrach ha’eretz]*” (NASU), indicating that during the season of Passover, a family of sojourners would have been able to partake of the unleavened bread and bitter herbs. Yet, even if so, they would have been incapable of entirely commemorating the focal point of salvation that delivered the chosen nation from bondage: the Passover lamb. If fully committed to Israel’s God, circumcision of the male sojourners would need to be in order, so that they could partake of the Passover fully. Given the national significance that the Passover held for Israel, it would not seem very likely for sojourners within the community to always disregard full participation in it, with many committed to the One True God being aware of the prescription to be circumcised. That sojourners should be circumcised to fully participate in Passover is an impetus detected from Exodus 12:48-49. Many such sojourners undoubtedly, in becoming circumcised, went through a useful status change that permanently bound their progeny to the community of Israel.

What is circumcision *primarily for* in relation to Exodus 12:48-49? Is it for being a member of the community of Israel? Or is it for fully partaking of the Passover and eating of the Passover sacrifice?⁸ It is easy to see how the central theme of Exodus 12:48-49 is not circumcision of the *ger/sojourner*, but rather *v’asah Pesach l’ADONAI*, “and would keep the passover to the LORD” (Exodus 12:4, RSV)—**the full observance of the Passover**. While it is tempting to think that Exodus 12:48-49 presents circumcision as the entryway for the *ger/sojourner* into Ancient Israel; it is actually the commemoration of the Passover and remembrance of the Exodus which defines Israel and God’s salvation activity on Israel’s behalf, and is the real issue here. Full participation in the Passover requires circumcision, and then results in “native of the land” status being

⁴ *CHALOT*, 64.

⁵ John I. Durham, *Word Biblical Commentary: Exodus*, Vol 3 (Waco, TX: Word Books, 1987), 173.

⁶ Richard Elliot Friedman, *Commentary on the Torah* (New York: HarperCollins, 2001), 212.

⁷ Nahum M. Sarna, *JPS Torah Commentary: Exodus* (Philadelphia: Jewish Publication Society, 1991), 64.

⁸ While *pesach* is often associated with the commemoration of Ancient Israel’s deliverance from Egypt, let us not forget that the term can also be used in relation to “lamb(s) for *pesah*” or “sacrificial animal(s) for *pesah*” (*HALOT*, 2:948).

granted to the sojourner. *Passover is actually to be the central focus of national identity in Ancient Israel*, of which being circumcised has a part.

In undergoing circumcision to fully observe the Passover, an outsider to Ancient Israel would undeniably be considered an Israelite, who could participate in all of the rights and privileges of being a member of the chosen nation, notably including the possibility of tribal inheritance (although this would require marrying into one of the tribes). Walter Bruggemann observes, “what matters is a readiness and willingness to be counted an Israelite, and that is signified by a readiness to be circumcised. Thus the regulation is inclusive (though obviously gender specific), but it is not careless or casual.”⁹ The stipulation of circumcision is also not that cumbersome. But be aware of how the Exodus 12:48-49 circumcision is not the later, sometimes rigorous, post-Maccabean process of a Greek or Roman proselytizing to Second Temple Judaism (b.*Keritot* 9a), encountered in the Apostolic Scriptures. Furthermore, circumcision in the Ancient Near East¹⁰ was not as taboo as it was for the later classical civilizations of Greece and Rome.

What is the significance of circumcision here? Why is it that the males who would partake of the Passover have to be circumcised? Why not simply specify that anyone wanting to eat the Passover wash themselves thoroughly, or wear clothing a certain color, or put on a special hat or an accessory like some sash made from the Passover lamb’s wool?

The narrative has provided an important clue as to why the Ancient Israelite males were to make sure they were circumcised before eating of the Passover. Leaving Egypt we see, “at the end of four hundred and thirty years, to the very day, all the hosts of the LORD went out from the land of Egypt” (Exodus 12:41, NASU), an affirmation that Abraham’s descendants would only be in Egypt for a limited time (Genesis 15:13). God was faithful to make sure that Israel’s bondage to Egypt eventually ended, and so being circumcised to keep the Passover, commemorating their freedom from oppression, would allow them to remember how He has kept His word to Abraham (cf. Genesis 17:10). With Israel having departed from Egypt, Bible readers witness the beginning of a singular community of God. Terence E. Fretheim observes,

“Circumcision is the distinctive factor because that is a sign of membership in the community of faith which confesses the God of the passover. This is not a new level of exclusivism but a recognition that passover is a festival for persons who have faith in this God. These others are invited to join that community by being circumcised, a sign that they have made the confession of this ‘congregation’ as their own. The experience of freedom is hereby integrated with the confession of faith in the God who liberates.”¹¹

Enns also astutely notes,

“The appeal to circumcision also emphasizes that, although the meal is to be celebrated inside the home, it is more properly considered a community affair. This is not private worship. It is a community of believers bound by circumcision to their covenant God.”¹²

We should all agree with J.A. Motyer, who concludes, “That this is a community with two components, not two degrees or levels of membership, is rather more explicit in the Hebrew,”¹³ making light of Exodus 12:47, which says *kol-adat Yisrael* are to remember the Passover, and we do not see any sort of discouragement for the sojourner to keep the Passover. Motyer squarely associates the sojourner as being a part of the assembly of Israel, stating, “The circumcised alien is able to come into full membership under the same principle as the native-born.”¹⁴ Israel is to be a people principally defined by the Passover and its theme of deliverance, though, **not** circumcision. In the analysis of Brian D. Russell,

“God’s people are an inclusive community, not merely defined by ethnicity. God’s people were created and sustained by God’s gracious actions [like the Passover/Exodus]. The inclusion of a mixed group serves as a reminder that God’s ultimate purpose for God’s people is for them to serve as God’s human’s agents to extend God’s salvation to all peoples and nations (cf. Gen 12:3; Exo 19:5-6; Matt 28:18-20).”¹⁵

Moving forward in salvation history, and noting Exodus 12:49, Motyer makes reference¹⁶ to Ephesians 3:6 speaking of the nations’ being “fellow heirs and fellow members of the body, and fellow partakers of the promise in Messiah Yeshua through the gospel” (NASU). In Messiah Yeshua, all Believers should remember the Passover for what it teaches not only about the deliverance of Ancient Israel from Egypt, but also our Lord’s Last Supper, His sacrifice for our sins, and His resurrection from the dead (cf. 1 Corinthians 5:7). Such a Passover in Messiah is much more deep and significant for us to commemorate as Believers today, than what the Israelites of old were able to do, *as important as that was*.

The degree by which Yeshua’s being offered up as our Passover sacrifice has changed some of the orientation of Exodus 12:48-49, inaugurating the era of New Covenant (Luke 22:20; cf. Jeremiah 31:31-34; Ezekiel 36:25-27), and perhaps altering the emphasis of how an outsider enters into the community of Israel (cf. Ephesians 2:11)—can be a debated issue among today’s Messianic Believers. It can be easily recognized how various proponents of a One Law/One Torah theology, might suggest that physical circumcision of males is required to commemorate the Passover *seder* (which frequently lacks

⁹ Walter Bruggemann, “The Book of Exodus,” in Leander E. Keck, ed., et al., *New Interpreter’s Bible*, Vol. 1 (Nashville: Abingdon, 1994), 783.

¹⁰ “[C]ircumcision was not an exclusively Israelite practice. Rather, the rite was common among most of those with whom Israel had direct contact...practiced in one form or another from at least the third millennium B.C....In these other ancient Near Eastern cultures, circumcision seems to have been chiefly a marriage or fertility rite, carried out either at puberty or as part of the prenuptial ceremony” (P.R. Williamson, “Circumcision,” in T. Desmond Alexander and David W. Baker, eds., *Dictionary of the Old Testament Pentateuch* [Downers Grove, IL: InterVarsity, 2003], 122).

¹¹ Terence E. Fretheim, *Interpretation, A Bible Commentary for Teaching and Preaching: Exodus* (Louisville, KY: John Knox Press, 1991), 143.

¹² Enns, *Exodus*, 251.

¹³ J.A. Motyer, *The Message of Exodus* (Downers Grove, IL: InterVarsity, 2005), 148.

¹⁴ *Ibid.*, 149.

¹⁵ Brian D. Russell, “Exodus,” in Joel B. Green and William H. Willimon, eds., *The Wesley Study Bible* (Nashville: Abingdon, 2009), 84.

¹⁶ Motyer, *Exodus*, 149.

any lamb today). Many other people in the Messianic community, though, would conclude that with the Second Temple destroyed, and with the *seder* now reoriented for Messiah followers to memorialize not only the Exodus but also the Last Supper and Yeshua’s sacrifice, that some post-resurrection era realities need to be factored in.

It is clear from the Apostolic Scriptures that male circumcision does not have the same significance, this side of Yeshua’s sacrifice, as it did in the pre-resurrection era (cf. Deuteronomy 30:6; Philippians 3:3). The Passover commemoration of the Corinthians, for example (1 Corinthians 5:7), likely included many uncircumcised Greek and Roman Believers. While it is true that such a Passover commemoration would have lacked a lamb, which could only have been slaughtered at the Temple complex in Jerusalem—more important to recognize is how such a Passover commemoration would have been focused on themes of both the Exodus *and* the work of the Messiah as Passover Lamb.

Ancient Israel’s observance of the Passover, with the availability for the *ger* or sojourner to be circumcised, eat the Passover lamb, and thus be considered not only a full member of the community *but* a native of the land, can be recognized as supportive of the legal fairness present within the Law of God, involving diverse sectors of people. Recognizing how the terminology *torah achat* or “one law” is first mentioned in association with Passover circumcision, we should recognize how both native Israelites and welcome sojourners had to both be circumcised in order to eat the Passover. Sojourners who entered in to the community did not have to be circumcised *and* do something else, while natives had to only be circumcised.

But when we see Exodus 12:49, “There shall be one law for the native and for the stranger who sojourns among you” (RSV), quoted liberally by various supporters of a One Law/One Torah theology—do they think that today only those who are circumcised can participate in Messianic Passover *seders*? Or are they willing to concede that there are indeed some new spiritual dynamics in play, in this post-resurrection era, which have directly affected Torah institutions such as male circumcision? While we should not think that circumcision has been abolished as a rite (in addition to being a valuable medical procedure), recognize how the venerable Apostle Paul had to focus many of his fellow Jewish Believers on the greater necessity of being circumcised in heart (Romans 2:29).

When invoking Exodus 12:49 as a credo for stressing the importance of all of God’s people paying attention to His Instruction, those of the One Torah/One Law sub-movement have, perhaps unknowingly, been also stressing male circumcision—an institution which has been affected by the new realities inaugurated by Yeshua’s sacrifice. This is something which they either fail to recognize, or have not fully processed.