

CALVARY PANDAN BIBLE- PRESBYTERIAN CHURCH

[Adapted from Bethel Bible-Presbyterian
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DHW BIBLE CLASS

LESSON 17

EXODUS

CHAPTER 21

INTRODUCTION

This chapter together with the following two chapters (22 & 23) has been called “The Book of the Covenant” taken from 24:7¹. These three chapters contain laws that deal with the civil, criminal and ceremonial aspects of the life of Israelites. The laws do not cover all the aspects relating to the life of the people, but rather specific situations that relate to the treatment of slaves, injury to persons, moral and religious duties, and human and property rights. They can be viewed as applications of the Ten Commandments (20:1-17).

It has been criticised prior to 1902 that these highly developed law codes could not have existed in the time of Moses (ca. 1445 B.C.), and that they were of a much later date. But the discovery of the famous law code of Hammurabi (ca. 1728-1686 B.C.), which was discovered in January 1902, totally

debunked such dubious thinking. Although the Hammurabi Code contains some similarities with “The Book of Covenant”, it does not mean that Moses copied from the Hammurabi code. This is what the critics now argue for. Again a comparison of the two reveals that there are significant differences². The Bible clearly states that the laws of “the book of covenant” were given by God directly to the people of Israel through Moses at mount Sinai (20:22).

The study of these laws will help us to formulate right ethical principles of fairness and justice, punishment and compassion.

OUTLINE

A. *The Book of the Covenant: the Civil Law (21:1-11)*

1. The Judgement Given by God to the Israelites (21:1)
2. The Law Concerning the Hebrew Male Servant (21:2-6)
 - a) He served six years, and he was freed the seventh year (v.2)
 - b) If he came alone, he would leave alone (3a)
 - c) If he came with his wife, they leave together (3b)

¹Exodus 24:7 And he took the book of the covenant, and read in the audience of the people: and they said, All that the LORD hath said will we do, and be obedient.

² For a discussion of this controversy, refer to John J. Davis, Moses And The Gods of Egypt (Grand Rapids: Baker Book House, 1971), pp.213-216.

- d) If his master gave him a wife, and they had children, he would be freed alone (4)
 - e) He had the option of remaining permanently with his family (5-6)
3. The Law Concerning the Hebrew Female Servant (21:7-11)
- a) She would not be freed at the seventh year (7)
 - b) If her master was not pleased with her or refused to take her as his wife or concubine, she could be bought by another Hebrew (8a)
 - c) She might not be sold to a foreigner (8b)
 - d) If she was given to be married to his master's son, she must be treated as a daughter (9)
 - e) If her husband took another wife, her rights would not be diminished (10)
 - f) If she was deprived of her rights, she was free to go without any compensation (11)
- B. The Book of the Covenant: the Criminal Law (21: 12-36)**
1. Actions Resulting in Death (21:12-14)
- a) The penalty of life for life declared (12)
 - b) If killing was not premeditated, he would be delivered from the penalty of death, but he would be appropriately punished (13)
 - c) If killing was premeditated, he would be sentenced to death (14)
2. Treatment Relating to Parents (21:15, 17)
- a) He who struck his father or mother would be put to death (15)
 - b) He who cursed his father or mother would be put to death (17)
3. Kidnapping was Penalised by Death (21:16)
4. Hurting Another: the Injured Must be Adequately Compensated (21:18-19)
5. Injuries to a Servant (21:20-21, 26-27)
- a) If the master beat his servant who lived a couple of days and then die, his master would not punished (20-21)
 - b) If the master beat the eye out of his servant, he must set the servant free (26-27)
6. Injuries to a Pregnant Woman (21:22-25)
- a) If it did not result in death, including the unborn child, he must pay adequate compensation (22)
 - b) But if death or other severe injuries occurred, he must be

appropriately punished (23-25)

7. Injuries Caused by a Person's Animal (21:28-32)

- a) If an ox gore a person to death, the ox must be stoned to death, and its meat should not be eaten (28)
- b) If the owner knew that his ox was prone to such acts, and he did nothing, the ox would be stoned to death, the man would be punished by death or his life be redeemed by payment of money (29, 30)
- c) If the victim was a son or daughter, the same principle applied (31)
- d) If the victim was a servant, the ransom money was thirty shekels of silver, and the ox stoned to death (32)

8. Injuries Caused by Negligence (21:33-36)

- a) If a man did not put up proper warning after having dug a pit and caused the death of another's ox or ass, he must compensate, but he could take the dead animal (33-34)
- b) If a man's ox killed another's, the surviving ox would be sold and the money shared equally and also the dead ox (35)
- c) If a man knew that his ox was prone to kill and neglected to take preventive measures, he

must pay an ox for an ox, but he might take the dead ox (36)

COMMENTARY

Slavery

Human slavery was a common phenomenon in the ancient world. These slaves were treated as the property of their owners and they had no rights whatever. That God should address this first is understandable since the Israelites were slaves in Egypt, and they had been treated cruelly. While God permitted this practice then, the "judgements" or laws, which He gave, were an advancement to protect and safeguard the rights of the slaves. They were given to regulate the practice. The laws here concerned Hebrew slaves. Hebrew slaves were acquired by purchase. The father could either sell his children only to another Hebrew to pay for his financial obligations or sell himself to pay a debt.

When a Hebrew buys another Hebrew to be a servant, the servant serves him only for six years, and in the seventh year he must be set free without any compensation (v.2). The Hebrew does not serve permanently nor does he serve against his will. This was unique in the practice of slavery in Israel as contrasted with the practice of slavery in the Ancient Near East.

If he came alone, he would leave alone after six years. If he came with his wife, then his wife would leave with him

after he had completed his servitude (v.3). But if his master gave him a wife, and children were born to him, after six years, he should leave alone, and his wife and children remained with the master (v.4). This may seem harsh. We must consider the economic and cultural conditions at that time. The freed servant could not support his wife and family. If his wife and family left with him, the extra mouths and accommodation to provide would be a deterrent for another master to consider taking them in. The imposition that he could not take his wife and family was to ensure that his family had continued support and sustenance. In addition to this, the freed servant had a better chance of serving another master, if he was alone. However, the servant could of his own free will choose to remain with his master. In that case, it would be formally done. His master would bring the matter before the judges and then he would bore his ear. He and his family would then serve his master permanently.

In the case of a man who sold his daughter to be a maidservant, the conditions of her release after serving six years would not be the same as the menservants. If his master who had wanted her in the first place to be his wife or secondary wife, but refused to do so, he must let her be redeemed by another Hebrew. He was forbidden to sell her to a foreigner (vv.7, 8). Moreover, if the master had acquired her to be married to his son, then the master must deal with her as his own

daughter with all the benefits and privileges. If her husband took another wife, her provision, her clothes and her marriage rights remain intact. If any of these essentials or her rights were broken, she was to be freed and her father would not have to pay any compensation (vv. 9-11).

These laws governing slavery were unique in the ancient world. They were more superior for they promoted the welfare of the slaves and they protected their basic human rights.

Acts of Homicide

The Word of God is very clear regarding premeditated murder. This intentional murder is punishable by death (v.12). God who gives life to man holds a high premium on the life of a person. In fact, the life of a person belongs to God. God only has the right when that life should be shortened or extended. No man has that right to take the life of another person. By doing so, he usurps the position of God, deprives another person of his right to live and enjoy life, and has violated the law of God (the sixth commandment), he forfeits his own right to live. The judges could sentence the man to be put to death because the sentence was sanctioned by God. The judges do not commit murder in this case, for they act on behalf of God. If the killing of a man is not pre-planned as suggested by the phrase, *lie not in wait*, and God delivers (or permits) the enemy to fall into his hand, the man who commits the fatal blow escapes the death penalty,

but he would be remanded in places which God would reveal later on.³

Violence to Parents

If a person strikes his father or mother (not even resulting in death), or curses his father or mother, he shall surely be put to death (vv. 15, 17). We see this as a practical expression of the violation of the fifth commandment. This indeed shows that God takes a serious view with regard to honouring one's parents. The sentence serves as an effective deterrent to subvert the fundamental unity of a family, which is vital to the welfare of the nation as a whole.

Kidnapping

The Word of God is clear on the matter of kidnapping. Kidnapping a man for sale or for ransom is capital crime. It is punishable by death (v.16). This crime is a violation of the eighth and tenth commandment. Kidnapping a man is a form of stealing and to sell or demand money for their victims is an unjust means borne out of greed and covetousness.

Personal Injuries

If two men are engaged in a fight, and one hits the other unfairly with an object or just his fist, but did not result in death, the one who hurts the other must compensate the injured for the loss of his time (to work) and for the

cost of medical expenses for the healing of his wounds (vv. 18, 19). While the law is silent on the infliction of permanent injury, it would not be far wrong to understand that compensation must commensurate with the extent of the injury. In other words, the injured would be cared for the rest of his life.

If an owner strikes his manservant or his maid, with a rod and the servant dies then and there (*under his hand*), his motive is without question, it is a capital crime, and he shall surely be put to death. However, if the servant does not die but lives on for one or two days, and then dies, the master is given the benefit of the doubt, and he is delivered from the death penalty (vv.20, 21).

When men fight and one of them hurt a pregnant woman so that a miscarriage results, but no other damage ensues, the one responsible for the injury must pay compensation according as the husband of the woman demands or as the judges determine. But if there are other injuries, the compensation shall be *life for life, eye for eye, tooth for tooth* (vv.23-25). This is the principle of *lex taliones*, a law that is well known in the ancient Near East. Although this is the most exact way of judgement, it nevertheless present some problems: how is the force of a blow to be accurately measured, how much burns or wounds to be inflicted as to be equitable, what happens if one has one eye, who shall pay for the price of his blindness. The intention of the law is

³ These places were the cities of refuge which God commanded Joshua to set up for people to flee. There were six such cities, three on the western part of Jordan and three on the eastern part of Jordan (Joshua 20).

to establish appropriate justice or fairness in giving judgements for certain criminal acts. The principle of equity is envisaged here. However, in the case of a man who strikes his manservant or maidservant so that one of his or her eyes is irreparably damaged, the man must let the servant go free. The same applies if the servant loses a tooth.

Injuries Caused by Animals

If an ox should gore a man or a woman to death, that ox should be stoned and its flesh could not be eaten (v.28). The owner of the ox is acquitted. On the other hand, if the owner has foreknowledge that his ox is uncontrollable and has previously injured others, and he does nothing to prevent his ox of harming others, the owner of the ox that kills another man or woman must also be sentenced to death (v.29). Here the law provides an escape for the owner from the death sentence. In reality the crime committed by the man is not intentional, but one of negligence. He is allowed to redeem himself by a payment of money. The amount to be paid will be determined by the judges (vv.30, 31). In the case of the ox which kills a manservant or a maidservant, the redemption money is thirty shekels of silver (the redemption price of a slave). The ox shall be killed (v.32).

Injuries Caused by Negligence

If a man left open a pit or digs one and an ox or an ass falls into it, the owner of the pit shall compensate to the owner of the ox or ass, but the animal

will be his (v.33). Pits and cisterns were very common in those regions where there was a lack of rainwater. These cisterns and pits were necessary for the storage of water during the dry season. They were usually covered by stone and it was the duty of one who owned that cistern to be sure that it was covered over so that animals should not fall into it.

If a man's ox hurt another man's ox that one of the ox dies, then the two men will sell the living ox and the money is divided into half, and also the dead ox. That is fair. On the other hand, if it is known that one of the ox has a history of hurting the other ox and the owner does nothing to prevent such occurrence, he shall pay for the ox that is killed, but the dead ox shall be his. It is fair.

SUMMARY

This is not an exhaustive list of cases. Indeed it would be impossible and also voluminous. What can be drawn from these specific cases is the principles underlying the decisions that are made. This chapter covers the relationship between a man and his slave (this can be applied to modern day employer and employee relationship), injuries to parents and persons, injuries committed by the animals, and injuries caused by acts of negligence. These laws and judgements are both righteous and good. We do realise that the laws of many countries are based on these.

**DAILY READINGS & DISCUSSION
QUESTIONS**

Daily Readings

MONDAY: Exodus 21:1-11; Ephesians
6:5-9; Philemon 1:1-25

TUESDAY: Exodus 21:12-17;
Deuteronomy 21:18-21

WEDNESDAY: Exodus 21:18-27;
Numbers 35:9-15. Matthew 5:38-48

THURSDAY: Exodus 21:28-32;
Romans 13:7-13

FRIDAY: Exodus 21:33-36; James
4:17-5:8; Romans 7:12

Discussion Questions

1. Why do you think slavery of any kind
was permitted?

2. Why did God disallow the freedom of
the maid-servant on the same basis
as the man-servant?

3. What crimes (in this section) were
subject to capital punishment?

4. Do you think that these crimes
should be subject to capital
punishment?

5. What legal rule forms the basis against those guilty of causing injuries to others?

6. Did the Lord Jesus Christ break this rule in His teachings?

7. Is the law harsh in treating the animal and its owner in the situations as described here?

8. What attitude towards one's own and that of others do we find here?

9. In what way do these laws preserve and promote the welfare of society?

10. What two or three words summarise this chapter?
