

Prayer

Glorious Lord, Jesus Christ; You came into this world with the full authority of the Father, and You committed Yourself completely to us, the people of this world who need Your teaching, Your love and Your salvation. Jesus, by the power of Your Holy Spirit, come into our lives this day, and give us the assurance of our sins forgiven, so that we may enter the presence of God with joy and thanksgiving. AMEN

Prayer Suggestions

Prayer ideas

As you travel or walk, take the opportunity to pray for some of your own needs. Place them before the Lord and wait for His answers.

On-going prayers

- **Pray for the police.** *Pray for the leaders of your law enforcement agencies. Pray that they will always do their best to serve the community*
- *Pray for peace and democracy in Thailand*
- *Give thanks to God for the blessing of sleep and rest*

Meditation

Save Your people O Lord, our Saviour,
And help submit to Your piercing light

Bring to light what is useless, ineffective and lazy in us
And replace it with Your purpose, power and vitality.

Uncover what is rotten, broken, and diseased in us
And heal us deep within to make whole again.

Reveal where there is prejudice, and insecurity in us
And change our hearts to be open, secure and free.

Expose the unease, rebellion and un-forgiveness in us
And enlighten us with Your salvation and assurance.

Root out the complacency, presumption and pride in us
And restore the work of Your Kingdom, power and Glory.

Save Your people, O Lord, our Saviour
And give us the courage to face what this means.

Bible passage – Exodus 21:12-25 (12-36)

¹² He who strikes someone and he dies, shall be put to death. ¹³ If he did not lie in wait for him but God gave him into his hand, then I will designate for you a place to which he may flee. ¹⁴ But if a man plots against his neighbour and cunningly kills him, you will take him from my altar to be killed.

¹⁵ He who strikes his father or mother shall be put to death.

¹⁶ He who kidnaps a man, whether he is sold or found in his possession, shall be put to death.

¹⁷ He who curses his father or mother shall be put to death.

¹⁸ When men quarrel and one strikes his neighbour with a stone or fist so that he does not die, but is confined to bed, ¹⁹ then if he gets up and walks around outside using a staff, then the assailant will be cleared, except he must pay to support him until he is fully healed.

²⁰ When a man strikes a slave or maidservant with a club and the slave dies at his hand, he will be avenged. ²¹ However, if the slave survives a day or two, there is no vengeance; for the slave is his investment.

²² When men who are fighting hit a pregnant woman so that the child is born prematurely, yet no further harm follows, the one responsible will surely pay whatever fine the woman's husband requires, as set by the judges. ²³ But if injury follows, then you shall give life for life, ²⁴ eye for eye, tooth for tooth, hand for hand, foot for foot, ²⁵ burn for burn, wound for wound, stripe for stripe.

²⁶ When a man strikes the eye of a male or female slave and destroys it, then he will let the slave go free, to compensate for the eye. ²⁷ If the owner knocks out a tooth of a male or female slave, the slave shall be let go free, to compensate for the tooth.

²⁸ When an ox gores a man or a woman to death, the ox must be stoned, and its flesh shall not be eaten; but the owner of the ox shall not be liable. ²⁹ Now, if the ox has been accustomed to gore in the past, and its owner has been warned but has not restrained it, and it kills a man or a woman, the ox must be stoned, and its owner also shall be put to death. ³⁰ If a ransom is demanded of him, then he shall pay whatever is imposed for the redemption of the victim's life. ³¹ He will be dealt with in the same way if it gores a boy or a girl. ³² If the ox gores a male or female slave, the owner shall pay to the slave-master thirty shekels of silver, and the ox shall be stoned.

³³ If a man leaves a pit open, or digs a pit and fails to cover it, and an ox or a donkey falls into it, ³⁴ the owner of the pit shall make good the loss; he must give money to its owner, but he may keep the dead animal.

³⁵ If a man's ox hurts the ox of another, so that it dies, then they shall sell the live ox and share its price; and they shall share the dead animal as well. ³⁶ But if it was known that the ox was accustomed to gore in the past, and its owner has not restrained it, he must restore ox for ox, but may keep the dead animal.

Bible Study

Review

Special introduction

Today, we will study this section of Exodus by focussing on a selected part of a longer passage. In this way, we will look closely at the principles of God's law without spending unnecessary time with rules more relevant to ancient society than today. Where justified, we will use this pattern elsewhere in Exodus. When the reading is shortened in this way, the review will cover the selected text, and any issues arising from the longer passage will be discussed in the 'going deeper' part of the Bible study.

In this way, we will discover that the revealed laws of God are built upon clear moral principles, even though they apply to us in quite different ways, today. We must learn the difference between the laws themselves and the underlying moral principles if we are to discern how to apply this Scripture to our faith today. This, in turn, will help us gain a better understanding of many of the things Jesus said about the law.

Today's review

Exodus 21:12-36 contains rules for dealing with injuries to people and animals. Our chosen section concerns appropriate punishments for intentional and unintentional killing (21:12-14), for assault on parents and kidnapping (21:15-17), and for dealing with life threatening injury (21:18-21) or permanent injury (21:22-25). This is summarised by the famous law, 'eye for eye, tooth for tooth', which is often quoted disparagingly as a principle of 'tit for tat'. As we will see, this very ancient rule has more to teach us than we might imagine, and it is called the 'Lex Talionis' (or 'law of retaliation'). The longer section of our reading applies this principle to injuries caused to slaves or by animals (21:26-36).

The laws found in Exodus are not arranged at random. Yesterday, we read regulations reflecting God's concern for the poor (21:1-11), and the laws in today's passage are about the grave issue of the taking of life. It is generally reckoned that a society may be judged by the way it treats human life, and although things have changed since ancient times, these laws present a far more disciplined approach to these matters than may be found in most other ancient cultures. Fundamentally, because God has ultimate authority over life and death (Gen 2:9, 3:24), His people may only take life according to His commandments.

To begin with, capital punishment is decreed for intentional murder (21:12), for striking parents (21:15), for cursing parents (21:17), and also for kidnap (21:16). This is the punishment for disobeying the two Commandments, 'you shall not murder' (20:13) and 'you shall honour your father and mother' (20:12), sins that strike at the heart of family life. However, unintentional manslaughter is handled differently (21:13,14), requiring that safe places be designated for the innocent who have been accused of murder (see also Numbers 35:25f.). After this, the rules about dealing with injury after conflict (21:18-25) state that a slave 'will be avenged' if killed by his master. This confirms the idea that God treats slaves and servants as people, not as objects. In ancient times, masters could do as they wished with slaves, even kill them because they were his 'property'. God would not allow such inhumanity amongst His people.

Lastly, this passage presents us with the famous principle 'eye for eye, tooth for tooth' (21:24). This sounds primitive to us, and we recoil from the idea that this should be the basis for law. However, we should remember that this law was given in response to men who had hit women, causing premature childbirth or miscarriage (see 21:22,23). This is extraordinary, for in most ancient cultures, the plight of women was ignored! Furthermore, although 'tit for tat' may seem a crude basis for law, it challenges people to be rigorously fair. People often seeking a penalty higher than the original offence, yet God forbids this. In this light, this law may be seen as an extraordinarily bold legal advance, offering protection for many people and preventing prolonged, perhaps life-long 'blood-feuds' within society; many nations have been ruined by a culture of vengeance (e.g. see Gen 4:24). With this law, God stands against the excesses of reprisal and retribution.

Now, we remember that Jesus presents us with a higher principle than 'Lex Talionis', for He banned vengeance altogether and commanded His followers to love their enemies (Matt 5:38). He said this because ultimately, His Father would not act in vengeance when He died on the Cross; instead, He raised Jesus from the dead in order to offer forgiveness and salvation to all humanity! Consequently, the principle of 'Lex Talionis' has been replaced with forgiveness within the Kingdom of God.

It is still hard to decide whether the idea of an 'eye for an eye' remains valid within secular society today. It certainly challenges people's concept of vengeance, but it has also been used to justify the death penalty, especially for murder. Christians believe that through forgiveness, God has shown us a better way to resolve conflict and perhaps murder, but whether the world is ready to listen to this Gospel is another matter. Nevertheless, the principle of forgiveness remains precious to all Christians because it is Christ's teaching and His testimony.

Going Deeper

The Bible study goes deeper to look at these issues:

- Why do the evils mentioned in this text require the death penalty (21:12-17)?
- What lies behind the penalties given for injury (21:18-21)?
- Why does this text emphasise the 'Lex Talionis' in this way (21:22-25)?
- How does the rest of today's passage connect with these laws (21:26-36)?

Notes on the text and translation

V13 *'but God gave him into his hand ...'* I have retained here a translation that is close to the Hebrew, but many translations attempt to explain this by saying things like this; 'God let it happen', or 'it happened by an act of God'. I reckon that the direct translation is understandable even though it is an unusual way of speaking.

V14 *'But if a man plots against his neighbour and kills him cunningly'* It is difficult to convey the Hebrew here, which says literally; 'if a man seethes against his companion and slays him in craftiness'. You will find all manner of different adaptations of this in the Bible versions.

V19 *'except he must pay to support him until he is fully healed.'* This is a little difficult, and many translations are wildly different; e.g. 'he must pay the injured man for the loss of his time and see that he is completely healed' (NIV). Much of this is supposition, for the Hebrew reads; 'only he will give his living to his full healing'. A simpler translation is to be preferred in case people read too much into the law.

V21 *'for the slave is his investment'* Most Bibles have 'for the slave is his property'. However, this is not a matter of ownership, as this would imply. The Hebrew word I have translated 'investment' is in fact the word for 'money'. For the meaning of this, see below.

Going Deeper

Why do the evils mentioned in this text require the death penalty (21:12-17)?

Death is called for in this passage as a sentence against murderers including those who murder slaves or maidservants, those who commit kidnap, and those who abuse their parents physically or mentally.

In order to understand this law, we need to remember that almost without exception, ancient societies practiced vengeance by 'blood feud'. This is often unspoken within a society, and where it is practiced today, it is done behind the scenes, and works like this. If someone is killed, the family of that person has a duty to kill the one responsible, whatever the circumstances under which it happened, and so the bloodshed escalates. In addition, many believe that vengeance requires more blood than originally shed. The destructive power of such law is obvious, and it certainly makes people live in fear of committing these crimes; but where killing is accidental, great injustices are done and much unnecessary suffering caused. We should colour our distaste at 'legal murder' in Exodus by observing that if these laws could be accepted by some people today, significant peace would be obtained immediately. God's response to this in ancient Israel is twofold; firstly, He says, 'Vengeance is mine says the Lord, I will repay' (Deut 32:35); in other words, we cannot exact vengeance; and secondly, He gave these laws.

The punishments against hitting or cursing parents appear severe. However, in addition to protecting the fifth Commandment, this text has more to say. The expression 'he who strikes his father or mother ...' (21:15) begins in the same way as verse 12, meaning that the blow intends to kill. The law therefore says that one who attacks a parent with intent to kill (even without succeeding) is liable to the death penalty. Such action strikes at the basis of social life, and this rule in Exodus is remarkably similar to Jesus' call to people to look at the motive for people's actions, not just their actions (Matt 5:21f.). Also, the action of 'cursing' was not similar to what we mean by this today. In ancient times, to curse someone was to call for their destruction and ruin, so the rule in verse 17 exposes the same attitude towards parents as found in verse 15.

The law against kidnapping (21:16) is the answer to all who might accuse the Old Testament of condoning slavery. Whilst the Bible accepts that slavery existed in an accepted, ordered and structured sense, the forceful taking of any human being against their will, that is, into slavery, was punishable by death. The reason for this is simple; the Old Testament accepts the sanctity of all individual human life. In addition to this, it is notable that the same word for 'stealing a man' in verse 16 and translated 'kidnapping', is the same word used for 'stealing' in the eighth Commandment; 'You shall not steal'. The idea that a human being could be taken into slavery against their will or be valued simply by a sum of money and be sold, was abhorrent to God and to ancient Israel.

What lies behind the penalties given for injury (21:18-21)?

There is considerable force in the rule given in verses 18 and 19. The original circumstance of the injury is a dispute of some kind that results in physical violence, and although a stone is mentioned, this merely implies a tool used with intent to injure or kill. Again, the word for striking (21:18) is the same as that found in verse 12, and indicates intent to kill. It is often forgotten today that when people fight, the intent to do harm is frequently murderous, even if injury rather than murder results.

Nevertheless, the fact that no one is killed means that a different order results. Life has not been taken. However, the social equitability of this rule is remarkable, because the consequences of the fight have to be managed without regard to the justice of the argument or the rights or wrong of who started what! We would all find that very hard to accept, but as a social law it is impressive! The one who survives the fight intact has the full legal and financial responsibility for the safe healing of the injured party! Again, there is much to commend in a law that makes it extremely unattractive to enter into a fight in the first place!

The second instance mentioned here is in verse 20, and is of the striking of a slave or maidservant with a club by a master. The word 'strike' and the use of a club again demonstrate the awfulness of the crime, and after it is made clear that the death penalty applies for killing a slave (see above), a rather extraordinary comment is made about the survival of the one who has been beaten. The passage says; 'if the slave survives a day or two, there is no vengeance; for the slave is his investment.' As you can read in the notes above, many translations say 'the slave is his property', but the issue is not property, it is investment. Yesterday, we saw that owning slaves was a hard financial matter to a master. Therefore, if a slave survives, there is no 'vengeance' because a death has not occurred, and secondly, it is in the interests of the master to protect his investment in the labour of the slave; and see to it that he or she recovers!

Why does this text emphasise the 'Lex Talionis' in this way (21:22-25)?

At the end of our passage, we do not simply read 'eye for eye and tooth for tooth', but the same law for life, eye, tooth, hand, foot, burn, wound and stripe. After 'life', the first four are parts of the body and the next three are serious injuries to the body. It sounds as if we are reading a charted list of common injuries that have to be dealt with equitably!

Unfortunately, that would be to misunderstand 'Lex Talionis' and the form of law it represents. Firstly, we should be aware of the common form of compensation in ancient times for injuries resulting from conflict. Generally, most societies had a system of financial penalties similar to modern systems of compensation, where an eye was worth so much, a limb something else and so on. The trouble with this law, as it is to this day, is that rich people can buy themselves out of trouble. Lex Talionis, however, proposed a different way of treating injuries on an equitable basis; but although the law itself said 'eye for eye', there is no evidence from ancient times that this law meant literally taking out the eye of someone who had permanently damaged the eye of someone else (etc.). Using the same example, if a someone caused an injury to another by which he lost an eye, and the injured party could therefore only ply his trade half as much as before, then Lex Talionis gave a penalty equivalent to the loss of the eye to the first man. In this instance, the city elders or judges punished the offender by taking away his 50 percent of his living! Only when we have understood this, can we see that 'Lex Talionis' was an real advance in law, for its day. It is debatable whether it is practicable or helpful today, when properly understood, but law in some countries incorporates some aspects of this 'equality of treatment'.

It is now worth looking again at the first part of this text, at where it describes men fighting and hurting a pregnant woman; and all is now clearer. As a consequence of the fight, if a child was lost, a husband could require under Lex Talionis (if the judges approved) a slave or a servant in compensation! If the woman was subsequently unable to conceive, he could require of them a daughter or a female maid servant, to replace the child-bearing ability that was lost, and so on. It sounds very primitive to us, but it does not take much for us to understand how important such things must have been to people in ancient times.

How does the rest of today's passage connect with these laws (21:26-36)?

It is also now obvious that what is said in the next verse (21:26,27) is a description of the application of Lex Talionis! The loss of a slave's eye or even a tooth due to the violence of a master was equivalent, in those days, to making a slave 'un-useable', so the master was penalised equivalently by being required to let the slave go free!

The remaining laws in the larger passage today apply such laws to the circumstances of ancient life, in which the most dangerous domestic animal was the ox. Most domesticated animals (sheep and goats) would not be likely to cause injury of themselves, but an ox was easily capable of causing injury unless it was properly controlled and handled. If it caused death, it was to be killed, but the owner had to take full responsibility, and if his ox had done this before, then he was as liable as the animal in the eyes of society, particularly in the case of what amounted to murder (21:29). In most cases, however, if an ox caused injury or death, then along with its slaughter, a fine could be imposed on the owner according to the damage done, with no distinction for men and women, boys and girls, but with a fixed rate of thirty shekels for a the loss of a slave (21:32).

The remaining laws continue this theme of equality, showing, to a certain extent how Lex Talionis was applied, in the case of a pit left open and unprotected (21:33,34), and of ox damaging ox (21:35,36). All in all, it is an impressive system of law.

Application

After reading the full study, you may well feel that the notion of equivalence ('Lex Talionis') has more to commend it than we have given it credit. However, the Christian must return to the theme of Jesus' rejection of this. If we were to believe in equivalence in justice, none of us would be able to stand with our Lord before Almighty God and claim His death for our sin, for there is no true equivalence there; we would merely be insulting God! So, perhaps strangely, given that we have just been engrossed in a detailed analysis of ancient law that has demonstrated its merits, we are directed back to the work of Jesus and manner in which His death has broken through every human understanding of law, not just that of the Pharisees!

It may be wise for us to recommend to secular society to look again at the merits of Lex Talionis, and ensure that a true equivalence is found in pronouncing judgements in today's complex world. The journey the Christian must make is to understand both the Old Testament law and also how Jesus changed this to enable His own work of salvation to be done in this world. Then we will be able to appreciate the difference between how God seeks to deal justly with a fallen world, and how He seeks to bring salvation to it, for the two are not always the same. Eventually, whatever systems of justice our countries decide to use, each of us will need to call on Jesus and His power to forgive, so that we may be made righteous, just and faultless before God.

Discipleship

Questions *(for use in groups)*

1. Discuss in your group what you believe about the social use of the death penalty, and whether it can be sanctioned by the church?
2. How are our 'rules' about injuring people different from those found in this passage?
3. Discuss the pro's and the con's for social justice based on the legal principle of 'tit for tat'.

Personal comments by author

I have not written this in the main Bible study, but this may be one way of applying the Scriptures about penalties. If Jesus put aside 'Lex Talionis', then it seems to me that alternative of God's love must be applied in all circumstances of the need for justice within the church. For this reason, we can hardly argue that someone should be 'thrown out' or 'excommunicated' from the fellowship of a church, for example, because to do so would be like a spiritual death penalty; whatever reason may be given for it. Someone may be in dispute with the church, but surely no real church of God just throws people out; it must exercise forgiveness, as Jesus taught, and bear the cost of this, even if conflict continues.

Ideas for exploring discipleship

- *Write down a set of laws you believe to be essential for a civilised society. How close are they to what you know in your own country, and how close are they to what you experience in your church? Research this if necessary!*
- *If you are a member of a church that has documentary foundation statements, then obtain these and see what you think about the basic beliefs of the church in which you worship. It is unwise for us to be unaware of what our churches formally 'believe'!*

Final Prayer

Speak to me Lord in the quiet moments offered by this day. Touch me when I need to be reminded to turn to You and choose Your way. Encourage me to exercise the gifts and graces You have given me, as a child of God. Walk beside me all the way, Your wisdom ever present in what I do and say; AMEN
