

Prayer

Lord Jesus Christ, why is life so hard sometimes?
Inspire us by Your Word, that all evil may be overcome
Assure us by the love of those around us that we are valued,
Remind us by Your Spirit that we need have no fear of the present,
Confirm in us Your promises of eternal love and salvation,
That we may stand against the devil's wiles, right now:
AMEN

Prayer Suggestions

Prayer ideas

Pray today about the money you have in the bank, and wherever it is kept. Ask the Lord to guide you in using His resources.

On-going prayers

- **Pray for the police.** *Pray for any local people you know who are involved in the police, security or law enforcement agencies*
- *Give thanks to God for close friends*
- *Pray for peace and democracy in Thailand*

Meditation

God has made us all to need friendship and love.
And grow each day through sharing and trusting.

By sharing what God has placed on our hearts,
And trusting that others will listen, and care.

By sharing together both our trials and joys,
And trusting that in faith, we will help each other.

By sharing our frailties in the safety of friendship,
And trusting the respect we owe to each other.

By sharing the blessings of our gifts and graces,
And trusting the unconditional nature of love.

By sharing the new life we have found in Jesus,
And trusting the unity of the body of Christ.

God has given us the potential for glorious fellowship,
So let us enjoy His gift, and bless each other in love.

Bible passage – Exodus 22:1-17

¹ If a man steals an ox or a sheep, and slaughters it or sells it, he must make compensation at the rate of five cattle for an ox, and four sheep for a sheep. ² If the thief is caught breaking in, and is beaten and dies, there is no bloodguilt for him; ³ but if it happens after sunrise, there is bloodguilt for him. The thief must make full compensation, and if he has nothing, then he must be sold to pay for what he stole. ⁴ If what is stolen is definitely found alive in his possession, whether cattle, donkey or sheep, he must pay double in compensation.

⁵ If a man causes a field or vineyard to be grazed bare and lets his cattle loose to graze in someone else's field, he must give compensation from the best of his own field or vineyard.

⁶ If a fire breaks out and catches in the thorn bushes so that the stacked grain or the standing grain or the whole field is consumed, the one who started the fire shall must pay full compensation.

⁷ If a man gives his neighbour money or property for safekeeping, and they are stolen from the neighbour's house, then the thief, if caught, shall pay double in compensation. ⁸ If the thief is not caught, the owner of the house shall be brought before God, to determine whether or not the owner had laid his hands on his neighbour's property.

⁹ So in every wrongful claim concerning an ox, a donkey, a sheep, clothing, or any other lost item, of which one party says, 'This is mine,' the case of both parties shall come before God; the one whom God condemns will pay double in compensation to the other.

¹⁰ If a man gives a donkey, ox, sheep, or any other animal to his neighbour for safekeeping, and it dies or is injured or is carried off, without anyone seeing it, ¹¹ an oath before the LORD shall decide between the two of them that the one has not laid hands on the property of the other. The owner will accept the oath, and no compensation shall be paid. ¹² But if it was stolen, he must pay compensation to its owner. ¹³ If it was mangled by beasts, let it be brought as evidence; compensation shall not be required for the mangled remains.

¹⁴ If a man borrows an animal from his neighbour and it is injured or dies, the owner not being present, full compensation shall be paid. ¹⁵ If the owner was present, there shall be no compensation; if it was hired, only the hiring fee is due.

¹⁶ If a man seduces a virgin who is not pledged to be married, and lies with her, he must give the bride-price for her and make her his wife. ¹⁷ But if her father steadfastly refuses to give her to him, he must pay an amount equal to the bride-price for virgins.

Bible Study

Review

When we read the rules and regulations in Exodus 22, we find a mixed bag of social situations, each with its set of rules for the righting of wrongs. Today's passage speaks of robbery, animals grazing in other people's fields, field fires, disputes over property, and seduction. How can we make sense of these, and what can they possibly teach us today, with our sophisticated legal systems?

In truth, these rules are far more sophisticated than we imagine. They are God's rules, and they deal with the practical implications of the eighth Commandment (20:15) '*You shall not steal*'; just as most of yesterday's passage (21:12-25) dealt with the sixth, '*You shall not murder*' (20:13). The rules provide for punishment by compensation (occasionally by enforced labour – see 22:3), but most interestingly, they do not punish by imprisonment! Society was maintained by a principle of fair compensation, where the word for compensation comes from the Hebrew word 'shalom', meaning 'peace' or 'wholeness'. God's law sought to establish wholeness and peace by treating all people with equity, whatever the grievance.

When caught, a thief had to pay five-fold compensation for cattle, and four-fold for sheep (22:1). In addition, the thief had rights. If caught in the night, no one would be blamed if a thief was killed (2:22), but if caught during the day (22:3), the law applied a penalty of compensation, but did not allow the thief to be killed. Further, if a stolen animal had not been used, eaten or sold (22:4), then the law regarded the intent of the thief as unproven, so he was fined less, just double compensation instead of four or five (see 22:1)!

Next, the law deals with the common social problem of disputes between neighbours. Someone who allowed his cattle to eat his neighbours crops was adjudged to have stolen his neighbours livelihood, and faced a stiff compensatory fine to be paid from 'the best' of his crop (22:5). Fire was dealt with differently because of its unpredictability, so crops destroyed accidentally by fire attracted full compensation, but no greater penalty (22:6).

These situations might be straightforward, but our passage proceeds to deal with something far more difficult, the problem of the apparent theft of something loaned. The law states that in this case a thief should be found and required to pay compensation (22:7), but if a thief could not be found, then a covenant of friendship in Israel had been broken. Suspicion fell on the one to whom the property was loaned (22:8), who must be brought before God, the only arbiter of disputes where the word of one person has been set against another. What did it mean to bring a person before God? We will look at this in more detail later on, but it appears that people had to swear an oath before God in order to determine the truth (see 22:11).

Although people could lie, the ancients had a strong sense of the divine, and the fear of God was normally sufficient to extract the truth.

The last part of our reading is about sex before marriage, but it would be unfortunate if we misunderstood this because it appears to us to demean women, especially the terrible crime of rape. This passage however, is not about rape (there are other laws in the O.T. to protect against this), but about consensual sex before marriage. The law demanded that the man honour the woman, and if he had sex with her before she was married, then he had to pay a price equivalent to the marriage price (22:16). Also, if the couple acted without regard for the seriousness of the marriage covenant (22:17), a father could refuse to allow marriage and still require the price from the man! The whole system was designed to prevent casual sex and protect the sanctity of marriage.

These laws are not random or primitive! By comparison with the laws of other nations of those times, they are impressively fair, and protect the rights of all people, both men and women. Indeed, no one was locked up in prison! Those who stole had to pay up and everyone in the community had to live with each other. God's ways may have something to teach us today!

Going Deeper

The Bible study goes deeper to look at these issues:

- How do our legal systems compare with this, and what can we learn?
- What can we learn from the rules about stealing and conflict (22:1-6)
- What can we learn from the rules about neighbourly conflict (22:7-9)
- What can we learn from the rules about sex before marriage (22:16,17)

Notes on the text and translation

- V1** ***'He must make compensation at the rate of'** This phrase is more extensive than what you will find in, for example the NIV, which says 'he must pay back'. Although one can think that the two amount to the same thing, the idea of 'paying back' is not the legal principle here (see study). The actual Hebrew word is a form of the famous Hebrew word 'shalom' meaning 'make peace', or 'make whole'; in other words, compensate at the rate given.*
- V3** ***'Otherwise, the thief must make full compensation'** I have added 'the thief', because this makes clear who is being spoken about at this point. The order of words at this point in the Hebrew text is obscure, and some Bible translations swap the order of the phrases around in order to try and make sense of the text (notably the New Revised Standard). By adding the subject of the sentence at this point, my translation avoids all the problems associated with this law (see study).*
- V3** ***'... to pay for what he stole'** Most translations have 'to pay for his theft', however the Hebrew word at the end of the sentence here is defined as 'the thing stolen'. It would be possible for some to think that the translation 'to pay for his theft' was the statement of a principle. However, my translation makes it clear that it is simply a matter of appropriate compensation.*
- V8** ***'brought before God'** Much confusion is created by the fact that the word here is 'elohim' which can either mean 'God', or 'judges'. The NIV translates 'brought before judges'. However, see the study above for the reason why judges could not decide a case that was not clear cut. This was the type of case that had to come before God, see study for how this was done.*
- V9** ***'wrongful claim'** The Hebrew here says 'deed of trespass / sin', but the context makes it clear that what we are talking about is a wrongful claim of property, which is merely a matter of claim and counter claim ('wrongful' translates 'sin' and 'claim' translates the general word 'deed'). You will find a bewildering array of alternatives in the different Bible versions, from 'breach of trust' (New American) to 'illegal possession' (NIV).*

Going Deeper

How do our legal systems compare with this, and what can we learn?

Today, most legal systems use imprisonment as the main form of punishment, which is a fundamentally dehumanising process. Alongside this, some crimes, often lesser ones, are dealt with by financial penalties, such as 'on the spot' fines, or other financial settlements. Attached to this, some countries use systems of enforced labour, usually attached to the prison system or some other agency. Prison is the favoured option, yet most modern societies have great problems with this, with large percentages of people incarcerated going on to re-offend. Many become institutionalised into prison life, and can cope with nothing other than crime in normal society.

By comparison, God's system is based on compensation. In general, the system of law given to Moses by God offered three forms of punishment. Firstly, capital punishment for capital crimes, though this has been changed by Christ (as we saw yesterday). Secondly being sold into slavery for a fixed contract of six years (as in Exodus 21:1-11, and here in 22:3); this may appear primitive, but large numbers of people were engaged in the bonded 'slave' labour market, and the system was relatively humane (21:1-11). Thirdly, there is the complex system of compensation, as found in our passage today. What is of most interest to us is the nature of the justice imposed and the relative value placed on animals, people and property. Although we may not understand it fully, most of the penalties described here are a balance of harsh reality and leniency, for whatever crimes had been committed, people still had to live with each other and tolerate each other! It would certainly be worth investigating whether God's system of punishment based on comparative compensation could prove more successful than imprisonment, at least for circumstances that do not involve extreme and direct danger to the public.

The other thing we should note about the way God's justice worked is this. In general, justice was delivered by the judges or elders appointed by Moses (18:22), and it seems likely that the rules we are now reading were the guidelines given to the judges so that they could make their judgements (18:20,22). The instances quoted in these rules would give guidelines against which the judges could estimate a range of other domestic circumstances requiring judgements, and it is best to see these rules as 'examples'.

Lastly, when Moses commissioned the judges/elders, he told them to bring the more complex cases to him, and in our passage today (see 22:8,9), the example of the dispute about property is just such a case, requiring priestly intervention and a decision 'by God'. As we go further through Exodus, we will read about the creation of the priesthood that took over this function from Moses and continued as the 'higher' legal authority of Israel. In Jesus' day this function was performed by the High Priest and the 'Sanhedrin'.

What can we learn from the rules about stealing and conflict (22:1-6)

Most of us are out of touch with the social conditions of agricultural and rural society, and might not understand the relative values discussed here, or why an ox or a cow might be worth more than a sheep for, example. For a family of people in ancient times, an ox or cow did regular work for a family farm (ploughing, pulling water from wells etc.), and was consequently worth more than a sheep, which was valuable only for its end products of wool and the slaughtered carcass. This is probably the reason why the compensation required for a stolen ox is five times, but for a sheep is four times (22:1).

The beginning of this passage today describes theft in a rather complex manner, and verses 1 to 4 flow quickly through a number of circumstances, each of them giving situations that would give guidelines to judges about many other cases. Crimes at night, in this case theft, were regarded as more heinous (22:2) because without light, it would be impossible for someone to be able to make a judgement about the force required to stop an offender. If a caught thief died, whatever the circumstances, there was no 'bloodguilt'; for how could the startled householder know better? If someone was caught in the act of theft during the day, help could be summoned, reasonable force used to prevent the crime, and therefore even if a thief was killed, it was counted as murder (2:3). It is also interesting to note that a case instance is given of an offender unable to pay the compensation required (2:3), and in this case, as we have already noted, the money for the compensation would come from his sale as a bonded servant. However, it has been suggested that if money was left over after the payment of the compensation, it would properly belong to the criminal! Israelite society had no concept of a 'common purse' that could be used for such deposits, and God's laws were not designed to be punitive for the sake of it!

We have already looked at the neighbourly crimes of verse 5, but it is interesting to see here an echo of the on-going conflict between agriculturalists and pastoralists in the farming community, the one growing crops and the other tending cattle. Of course, most large families would do some of both (see 22:5), but they would tend to specialise in one or the other, and since the days of Cain (grower of crops) and Abel (herder), competition between these two was fierce (Gen 4)!

Again, we should note that what we are dealing with here is crimes committed between people who had to live with each other come what may, and although the compensation may seem modest, they were perhaps both tough enough and modest enough to prevent the penalty itself being a source of sustained anger and antagonism. The aim was peace in the community more than vengeance.

What can we learn from the rules about neighbourly conflict (22:7-9)

Again, in verses 7 to 9, the words used to describe those involved are literally, 'a man and his companion / neighbour'. This is not about organised criminal behaviour, but about neighbourly disputes, and we all know that these can get out of hand all too easily. Here, someone has given a neighbour some property to look after; imagine an ox being handed over for a time whilst someone went on a journey or pilgrimage. Verse 7 paints the picture of the owner returning to find that his neighbour says the animal has been stolen. Now if the thief is caught then the compensation is double, but we might say why? Should it not be the four or five

times mentioned in the first verse? The point is this; the circumstances of the loss are not very clear, and it is possible that the neighbour could have been part of a conspiracy and benefitted from the theft, and the uncertainties are reflected in the lower level of compensation. However, the likelihood of a thief being caught are probably slim, so the ruling continues by throwing suspicion on the neighbour, who must be 'brought to God' to determine whether he is telling the truth. If the neighbour had been untruthful, then the judge would surely impose a compensation settlement of the usual order (see 22:1f.).

The interesting thing is that our previous assumption that these cases are given as illustrations for the judges is clearly verified in verse 9, where it says; 'so in every wrongful claim concerning an ox, a donkey etc.'. So, yes, verses 7 and 8 are about dealing with deception and 'wrongful claims', and yes, the judge is indeed told to extrapolate from this case what to do in a whole range of other cases. In fact, the whole scenario indicates what we might call the level of competence of the judge and the point at which a higher authority (God!) is required!

You may not have been aware that the Bible dealt with matters of law in such a complex way, including the competency levels of those involved in the judiciary! It remains crucial to this day to know the proper limits of any judicial process. Some cases can be tried at local level, and others need further expertise and must be handed on, but those involved must act with utter integrity in determining competency otherwise justice is not done! The Bible makes this very clear!

What can we learn from the rules about sex before marriage (22:16,17)

The very mention of 'bride-price' will make some people suspicious of a law such as this in 22:16,17, but this law is extremely important, indeed, it is indeed the dilemma faced by Joseph when Mary became pregnant. Knowing this law, doing the 'right thing' by Mary meant that Joseph faced giving her father the 'bride price' although he had done no wrong. Also, when Matthew (1:18-25) says that Joseph had no sex with Mary until she gave birth, it means that he kept the spirit of God's laws of marriage. This was unquestionably an act of love, and few have properly understood Joseph's actions or why they were recorded by Matthew. The story is Matthew's clear statement that Mary's pregnancy and Jesus' birth did not contravene God's law in any way.

This may help us to understand that unlike the dreadful system of dowry, by which a father has to give away his daughter to her husband with money, effectively buying her a good marriage, the bride price is quite different. We should not think that the bride-price demeans the woman because it requires a prospective husband to value his future wife, and reflects that in property and money as part of the process of arranging a marriage. This passage says that foolish or impulsive sexual activity before marriage is an affront to the marriage contract, or 'covenant', because sexual union is properly the sign and seal of the marriage covenant (see Gen 3:24). Whoever is responsible for the seduction, sexual activity before marriage is required by law to be taken seriously, and the two have a duty to God to present themselves for marriage.

Now, this is not what we might call a 'shotgun wedding', because this is not the father making the two get married, it is the two taking responsibility for their actions, something that must lie at the heart of any marriage. However, in an entirely unexpected twist to this law, God rules that the father may say no to the marriage if he deems it inappropriate, and we are left to imagine for ourselves under what circumstances this might happen. In any case, the man must pay the bride price, because by losing her virginity, a bride may find it difficult to marry; but note, this was not impossible, for Israelite society was never 'prudish' in a Victorian sense. The payment of the bride price protected the woman and her family; it was a powerful incentive to men not to take advantage of women, and it raised the social standing of marriage for all. That is one of the purposes of good law.

Application

Many criticise the Old Testament by saying that the rules and penalties do not account for circumstances that we have to deal with today; organised crime and terrorism, for example. However, if true neighbourliness and social identity were to be encouraged within our modern and complex world, then the instances of those drawn into socially dysfunctional criminal behaviour would be significantly less. In a world where too many people do not know their neighbours and have little contact with them, and people of different faiths do not speak to each other, we have lost the social structures and neighbourliness that create stable society. It is therefore not surprising that we face horrendous problems of crime on a scale unimaginable in Old Testament times. The purpose of God's laws and rules here are to enable people to live in peace with each other at the local level, so that we might be able to provide healthier communities in which people can grow, creating social stability.

I am no expert in law, but the more I read these rules and regulations in Exodus, the more I feel that they have a major contribution to make to the way we deal with law in our own societies today. Clearly, much would have to be changed, but the idea that God suggests there is a real option to prison is one that people

should perhaps both see and accept. Surely this is worth exploring in the face of the fact that locking up people is inherently inhumane, especially for the ninety percent of people who are traumatised and institutionalised by it. Their punishment can often be said to be out of proportion to the crime, though we live in a world where people pay for punishment with little attempt to understand the complexities of human relationships. God's laws have much to offer us.

Discipleship

Questions *(for use in groups)*

1. Does prison work, and does Scripture present us with a realistic option for many who are sent to prison?
2. Discuss whether you think the compensation scheme in this passage is realistic.
3. Is there any merit in the system of 'bride-price', especially if we add a 'groom price' as well?

Personal comments by author

The more you look into this Scripture, the more you see, and it is hard to just wave away what God has given to the people of Israel here and say that this is law that has been superseded by Christ (as many Christians who do not read these texts say). I really feel that although we could not take a compensation system directly into our systems of law today, it has more to teach us than many will accept.

Ideas for exploring discipleship

- *Think about the life of your own church, and consider whether the laws that are given here have any merit or value in the 'fellowship' of your church. All kinds of situations of conflict arise; is it possible to find a way of dealing with them from these laws?*
- *Pray for the law-makers in your country, and ask the Lord to bless them and open their eyes to God's law.*

Final Prayer

Lord Jesus, we thank You for the priceless truths we find in Your Word. May we take hold of them and treasure them, so that when we find ourselves in troubled waters, we are guided to think about what is right and good, and brought safely back into Your ways of peace. Thank You Lord Jesus: AMEN
