

**Exodus pt. 42**  
**An Eye for an Eye**  
**Exodus 21:12 - 36**

**I. Introduction**

- A. It is hard to live in a wicked world. Daily we see senseless acts of violence, depravity, greed, and sin. It is not uncommon that we are faced with terrible tragedies and situations. When we encounter these issues our hearts cry for justice. We often wonder why God would allow such things. We often struggle to know what is just, what is good, what is right.
- B. What should be the punishment for murder and other grievous sins? How does God feel about such things? What about the death penalty? Is that biblical or just? These are all questions that we will consider today as we continue our study of the Law of Moses in Exodus.
- C. Before we dive into today's text, I'd like to point out several biblical principles that we will find in it. I'd like to share them with you here at the beginning so you will see them clearly in our text.
  - 1. God cares about justice.
    - a) The common thread to all of the laws we will see today is that God expects wrongs to be paid for in restitution.
  - 2. God cares about all human lives.
    - a) Whether it is men or women, slaves or free, adults or children God cares about every person made in His image.
  - 3. God is gracious.
    - a) Though God is just, He shows us grace in that we are not always given what we deserve for our sins.

**II. Capital Crimes**

**A. Murder**

- 1. "He who strikes a man so that he dies shall surely be put to death. But if he did not lie in wait for him, but God let him fall into his hand, then I will appoint you a place to which he may flee. If, however, a man acts presumptuously toward his neighbor, so as to kill him craftily, you are to take him even from My altar, that he may die." (Exodus 21:12 - 14)
  - a) Manslaughter
    - (1) "But if he did not lie in wait for him, but God let him fall into his hand, then I will appoint a place to which he may flee."
      - (a) This was not premeditated or planned. This murder was the result of a fight or a crime of passion.
      - (b) God provided a sanctuary for instances like these in His Law. Later when the Hebrews arrive in the Promised Land, God would provide cities of refuge where people could go in cases like this while the murder was being investigated.
  - b) Murder
    - (1) "If, however, a man acts presumptuously toward his neighbor, so as to kill him craftily, you are to take him even from My altar, that he may die."

- (a) Premeditated murders, however, had no refuge. Even if they ran to the altar of God for safety, they would be hauled out and killed.
- (b) We see an example of this when Joab flees for safety at God's altar and is forcibly removed and then executed.
- (2) "You shall not murder." (Exodus 20:13)
  - (a) We may be confused that God commands us not to murder and then command the death of murderers. Some see this as a contradiction. However, it isn't for a couple of reasons:
    - i) First, as we saw in our study of the Ten Commandments, there are several words for "kill" in Hebrew. The word used in the sixth commandment is used for homicide, not executions or deaths as a result of warfare.
    - ii) Secondly, we need to understand there is nothing of equal worth to a human life.
      - (1) "Whoever sheds a man's blood, by man his blood shall be shed, for in the in image of God He made man." (Genesis 9:6)
    - iii) Third, we need to understand that the penalty of any law is meant to prevent bad behaviors not merely punish them. Murder is such a serious crime that it merits a serious punishment in order to deter murders from happening.

#### B. Assaulting Parents

1. "He who strikes his father or his mother shall surely be put to death." (Exodus 21:15)
  - a) "The Hebrew word used here (naka) refers to a vicious assault, virtually an attempted murder. Ordinarily such a violent attack only required the death penalty if someone actually got killed. But this crime was aggravated by its assault on parental authority." (*Preaching the Word: Exodus* pg. 671)
2. "He who curses his father or his mother shall surely be put to death." (Exodus 21:17)
  - a) "[W]hat is envisioned [here] is not a one-time fit of rage that leads a child to disrespect their parents, but a total repudiation of their authority and failure to care for them." (*Christ-Centered Exposition: Exodus*, pg. 142)
  - b) Both striking and slandering a father and mother go against the Fifth Commandment: "Honor your father and mother."
  - c) Then some Pharisees and scribes came to Jesus from Jerusalem and said, "Why do Your disciples break the tradition of the elders? For they do not wash their hands when they eat bread." And He answered and said to them, "Why do you yourselves transgress the commandment of God for the sake of your tradition? For God said, 'Honor your father and mother,' and 'He who speaks evil of father or mother is to be put to death.' But you say, 'Whoever says to his father or mother, 'Whatever I have that would help you has been given to God,' he is not to honor his father or his mother.' And by this you invalidated the word of God for the sake of your tradition." (Matthew 15:1 - 6)

#### C. Kidnapping

1. "He who kidnaps a man, whether he sells him or he is found in his possession, shall surely be put to death." (Exodus 21:16)
  - a) The word "kidnaps" here is the same word as "steal" in the eighth commandment. Stealing a man is against the Law of Moses.

- b) “This law forbids any kind of kidnapping, but what it mainly has in mind is the slave trade. [...] As far as God is concerned, such a sin demands the death penalty. God does not tolerate free men to be turned into slaves against their will. What is surprising about this law is that it applied to everyone. In Hammurabi’s Code, the prohibition against kidnapping only applied to the upper class. Common people could be captured without breaking the law. But every person is made in the image of God, and therefore in Israel it was illegal to kidnap anyone - rich or poor - upon the pain of death.” (*Preaching the Word: Exodus*, pg. 672)
- c) I always feel the need to remind us that slavery is still a very present reality today. We may be tempted to consider slavery as an ancient problem but it happens everyday right here in our own backyard. Especially living near ports and waterways, our area sees traffickers and kidnappings every day.
- D. It’s worth noting that even these cases of capital offenses were balanced with measures to protect justice.
  - 1. The Law required more than a single witness for the death penalty to be an option.
  - 2. God clearly commanded that no one should “bear false witness against his neighbor.” This commandment is much more than simply “thou shalt not lie.” It has in view, giving false testimony in a criminal case that leads to death.

### III. Personal Crimes

- A. “If men have a quarrel and one strikes the other with a stone or with his fist, and he does not die but remains in the bed, if he gets up and walks around outside on his staff, then he who struck him shall go unpunished; he shall only pay for his loss of time, and shall take care of him until he is completely healed.” (Exodus 21:18 - 19)
  - 1. This punishment covers an injury caused by a fight. Notice that the penalty for injuring a man without killing him is to take care of his medical needs as well as “pay for his loss of time” - essentially workman’s comp.
    - a) God’s people should not be quick to fight. There is a time and a place to fight. It is acceptable to defend ourselves and, even more so, to defend innocent life around us. However, fighting should be the last resort for any child of God. We should not be hotheads that fight quickly. We should not be egotistical, rash, or violent.
  - 2. Obviously, the penalty for a quarrel leading to loss of life would be covered in the previous section.
- B. “If men struggle with each other and strike a woman with child so that she gives birth prematurely, yet there is no injury, he shall surely be fined as the woman’s husband may demand of him, and he shall pay as the judges decide.” (Exodus 21:22)
- C. “But if there is any further injury, then you shall appoint as a penalty life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, bruise for bruise.” (Exodus 21:23 - 25)
  - 1. We will look at Jesus’ comments about this in a moment, for the now just realize that the heart of these laws is the idea of fair payment and restitution.
- D. “If a man strikes the eye of his male or female slave, and destroys it, he shall let him go free on account of his eye. And if he knocks out a tooth of his male or female slave, he shall let him go free on account of his tooth.” (Exodus 21:26 - 27)
  - 1. You will often hear critics of our faith proudly proclaim that the Bible is “pro-slavery.” I’d like to think through this with you briefly to equip you with some reasonable responses to statements like that.

- a) Though the Bible acknowledges the reality of things does not condone them. Just in today's passage we have seen murder and assault. These things are not good but they are real.
- b) Slavery in the Jewish culture was very different than what was experienced in the American South.
  - (1) We see here that Jewish slaves were not to be abused. If they were harmed, even a tooth knocked out, they were set free.
  - (2) Additionally, this form of slavery was temporary. Jewish slaves would work for six years and then be set free. In that sense it would be more comparable to indentured servitude than what we think of slavery.
  - (3) Lastly, "during the time of Moses, it was voluntary (people hired themselves into service of others, often because of debt). They worked hard in exchange for room, board, and an honest wage." (*Christ-Centered Exposition: Exodus*, pg. 138)
  - (4) Slaves commonly chose to remain as part of the household they served after their years of service were completed.

#### **IV. Neglectful Crimes**

- A. "If an ox gores a man or a woman to death, the ox shall surely be stoned and its flesh shall not be eaten; but the owner of the ox shall go unpunished. If, however, an ox was previously in the habit of goring and its owner has been warned, yet he does not confine it and it kills a man or a woman, the ox shall be stoned and its owner also shall be put to death. If a ransom is demanded of him, then he shall give for the redemption of his life whatever is demanded of him. Whether it gores a son or a daughter, it shall be done to him according to the same rule. If the ox gores a male or female slave, the owner shall give his or her master thirty shekels of silver, and the ox shall be stoned. If a man opens a pit, or digs a pit and does not cover it over, and an ox or donkey falls into it, the owner of the pit shall make restitution; he shall give money to its owner, and the dead animal shall become his. If one man's ox hurts another's so that it dies, then they shall sell the live ox and divide its price equally; and also they shall divide the dead ox. Or if it is known that the ox was previously in the habit of goring, yet its owner has not confined it, he shall surely pay ox for ox, and the dead animal shall become his." (Exodus 21:28 - 36)

#### **V. The Law of Christ**

- A. For of His fulness we have all received, and grace upon grace. For the Law was given through Moses; grace and truth were realized through Jesus Christ. No one has ever seen God at any time; the only begotten God who is in the bosom of the Father, He has explained Him. (John 1:16 - 18)
- B. "You have heard that it was said, 'An eye for an eye, and a tooth for a tooth.' But I say to you, do not resist an evil person; but whoever slaps you on your right cheek, turn the other to him also. If anyone wants to sue you and take your shirt, let him have your coat also. Whoever forces you to go one mile, go with him two. Give to him who asks of you, and do not turn away from him who wants to borrow from you. You have heard that it was said, 'You shall love your neighbor and hate your enemy.' But I say to you, love your enemies and pray for those who persecute you." (Matthew 5:38 - 44)

1. Jesus says not to resist an evil person when he strikes you. Notice that He is not disagreeing with Moses. He is not saying that a person who harms someone is not guilty under the Law. This attacker would still be liable to the Law. What Jesus is saying is directed to us as people. We should not retaliate.
  2. We also should remember that Jesus uses strong and shocking language in the Sermon on the Mount to convey His points. If we take Jesus' words concretely here instead of abstractly we would have to say that even fighting for self defenses is sinful.
    - a) Is Jesus really saying here that if someone breaks into your home seeking to harm your family you should simply allow that to happen? I think not. Rather, Jesus is using extreme examples to teach us that we should be the kind of people who are gracious, generous, and giving.
  3. We see this in the rest of the examples Jesus gives:
    - a) If they sue you for your shirt let them have your coat also.
    - b) If they make you go one mile, go an extra mile with them.
    - c) Let them borrow from you.
  4. Jesus sums up His own words by saying, "You have heard it was said, 'You shall love your neighbor and hate your enemy.' But I say to you, love your enemies and pray for those who persecute you."
- C. The Law came in so that the transgression would increase; but where sin increased, grace abounded all the more, so that, as sin reigned in death, even so grace would reign, through righteousness to eternal life through Jesus Christ our Lord. (Romans 5:20 - 21)

## **VI. Conclusion and Application**