

Laws given to Israel for the Protection and Regulation of their Society

Exodus 21

Exodus 21 - *"Now these are the judgments which you shall set before them: ² If you buy a Hebrew servant, he shall serve six years; and in the seventh he shall go out free and pay nothing. ³ If he comes in by himself, he shall go out by himself; if he comes in married, then his wife shall go out with him. ⁴ If his master has given him a wife, and she has borne him sons or daughters, the wife and her children shall be her master's, and he shall go out by himself. ⁵ But if the servant plainly says, 'I love my master, my wife, and my children; I will not go out free,' ⁶ then his master shall bring him to the judges. He shall also bring him to the door, or to the doorpost, and his master shall pierce his ear with an awl; and he shall serve him forever.*

⁷ "And if a man sells his daughter to be a female slave, she shall not go out as the male slaves do. ⁸ If she does not please her master, who has betrothed her to himself, then he shall let her be redeemed. He shall have no right to sell her to a foreign people, since he has dealt deceitfully with her. ⁹ And if he has betrothed her to his son, he shall deal with her according to the custom of daughters. ¹⁰ If he takes another wife, he shall not diminish her food, her clothing, and her marriage rights. ¹¹ And if he does not do these three for her, then she shall go out free, without paying money.

¹² "He who strikes a man so that he dies shall surely be put to death. ¹³ However, if he did not lie in wait, but God delivered him into his hand, then I will appoint for you a place where he may flee. ¹⁴ "But if a man acts with premeditation against his neighbor, to kill him by treachery, you shall take him from My altar, that he may die. ¹⁵ "And he who strikes his father or his mother shall surely be put to death. ¹⁶ "He who kidnaps a man and sells him, or if he is found in his hand, shall surely be put to death. ¹⁷ "And he who curses his father or his mother shall surely be put to death. ¹⁸ "If men contend with each other, and one strikes the other with a stone or with his fist, and he does not die but is confined to his bed, ¹⁹ if he rises again and walks about outside with his staff, then he who struck him shall be acquitted. He shall only pay for the loss of his time, and shall provide for him to be thoroughly healed. ²⁰ "And if a man beats his male or female servant with a rod, so that he dies under his hand, he shall surely be punished. ²¹ Notwithstanding, if he remains alive a day or two, he shall not be punished; for he is his property.

²² "If men fight, and hurt a woman with child, so that she gives birth prematurely, yet no harm follows, he shall surely be punished accordingly as the woman's husband imposes on him; and he shall pay as the judges determine. ²³ But if any harm 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 "If a man strikes the eye of his male or female servant, and destroys it, he shall let him go free for the sake of his eye. ²⁷ And if he knocks out the tooth of his male or female servant, he shall let him go free for the sake of his tooth.

²⁸ "If an ox gores a man or a woman to death, then the ox shall surely be stoned, and its flesh shall not be eaten; but the owner of the ox shall be acquitted. ²⁹ But if the ox tended to thrust with its horn in times past, and it has been made known

to his owner, and he has not kept it confined, so that it has killed a man or a woman, the ox shall be stoned and its owner also shall be put to death. ³⁰ If there is imposed on him a sum of money, then he shall pay to redeem his life, whatever is imposed on him. ³¹ Whether it has gored a son or gored a daughter, according to this judgment it shall be done to him. ³² If the ox gores a male or female servant, he shall give to their master thirty shekels of silver, and the ox shall be stoned.

³³ “And if a man opens a pit, or if a man digs a pit and does not cover it, and an ox or a donkey falls in it, ³⁴ the owner of the pit shall make it good; he shall give money to their owner, but the dead animal shall be his. ³⁵ “If one man’s ox hurts another’s, so that it dies, then they shall sell the live ox and divide the money from it; and the dead ox they shall also divide. ³⁶ Or if it was known that the ox tended to thrust in time past, and its owner has not kept it confined, he shall surely pay ox for ox, and the dead animal shall be his own.”

Background Notes

In Exodus 20, the Ten Commandments were given. As we study the next three chapters, we will find many different laws dealing with various aspects of life. Why so many detailed laws? They were given for both the protection and regulation of the society of the children of Israel. When we look at the civil laws under the Mosaic Covenant in these chapters (as well as the rest of the Pentateuch), we should think not only in terms of protection for the people, but also of regulation of existing conditions in the society of the children of Israel at that time.

Doctrinal Point

The Mosaic Law was given for the protection and regulation of society.

Under this one doctrinal point, we will look at several sub-points from the different sections of this chapter.

1. Under the law, slaves were given their freedom.

In verses 1-11 we have regulations concerning the rights of Hebrew slaves. Notice—Hebrew slaves. Laws about foreign slaves are covered in Leviticus 25. It is important to notice that God is not condoning slavery here, but regulating an existing practice in that society. God did allow this practice to continue, but it was to be strictly regulated.

When reading about Hebrew slaves, don’t think of the pictures that usually come to mind in connection with slavery -- slaves working in the fields, under the whip of the slave master, perhaps even in chains. The people of Israel were enslaved under cruel slave masters when they were in Egypt, but this type of treatment was not to be tolerated in Israel. Hebrew slaves were to be treated like “indentured servants.” In fact, we know that many Hebrews chose to sell themselves as slaves because they were poor, or they needed to pay off a debt. This was actually not a bad deal for them, because they were able to pay off their debts, and they received food, shelter and clothing in exchange for their work as “slaves.”

All Hebrew male slaves went free after six years, and they did not have to buy their freedom. Furthermore, at the time of the slave's release from service, the master had to provide him with provisions, including livestock, so he could begin his new life. (See Deuteronomy 15.) So, you can see why some men would sign up to be slaves – it meant a fresh start, with debts paid!

A man could sell his daughter to be a servant with the hopes that the well-to-do master, or his son, might marry her. If things did not work out, she was either fully provided for, or redeemed, or given her freedom (v7-11).

2. Under the law certain crimes were capital offences.

In verses 12-21 we have several laws concerning personal injury, that involved the death penalty. The penalty for murder was death. Cities of refuge were provided for manslaughter—that is, accidental death—but not for murder. Even if the murderer went to the altar and cried for mercy, the penalty for murder was death (v14). Striking your parents, even if they did not die, carried the death penalty (v15). Kidnappers were to be put to death (v16). Cursing your parents and thus rebelling against God's line of authority meant the death penalty (v17). This law would certainly help prevent the breakdown of society, such as we see in our own country today.

If men fought and one died, the penalty was death if it was determined to be murder. If one was injured, but didn't die, the other one not only paid the hospital bills, but took care of the injured until he was healed.

If a man hit his slave, and the slave died, it was treated as manslaughter. This presumes that a master would not mean to murder his slave. However, the master was punished by the courts (v 20). There was no escaping the punishment by fleeing to a city of refuge, for example. If the slave lived, the master, of course, bore the responsibility of taking care of his injured property and had to give the slave his freedom if the injury was severe (v26-27).

3. Under the law the unborn had human status.

In verses 22-25, God emphasizes that an unborn child is to be regarded as a human life – not a “piece of tissue” or a “potential” human.

Notice in verse 22 that translations differ as to whether the woman who got involved in the fray had a miscarriage, or she gave birth prematurely. We can't tell from the Hebrew language here, because it just says, “if the fruit of her womb comes out” (the King James translation). I think that you can see that it makes a big difference whether the unborn child died—that is, a miscarriage—or the child was born alive—that is, a premature birth. If it was a miscarriage, then the further injury of verse 23 only refers to the mother. But if it was a premature birth, then the further injury of verse 23 refers to either mother or baby, and the law of retaliation applied—that is, eye for eye, tooth for tooth, life for life.

Assuming that it was an accident and not premeditated, the death of the mother **or** the unborn child was not treated as murder, but as manslaughter—that is, accidental death.

The clear implication of this passage is that the unborn was to be treated as a human being. And thus this passage, along with the rest of the Bible, is against abortion. Does everybody follow the logic? It's very clear.

4. Under the law, owners were responsible for their property.

Verses 26 and 27 would certainly guard against abusive treatment of slaves. Even the loss of a tooth meant the slave went free.

In verses 28-36, under the law owners were totally responsible for the safety of others on their property. This included animals, buildings and land. If, for example, you had a vicious ox that killed a person, not only was the ox put to death, but you (the owner of the ox) were subject to the death penalty, as well! You could redeem your life by financial compensation, but it was a stiff penalty.

If you dug a pit on your property (presumably a cistern for collecting rain water), and you didn't enclose it, and an animal fell into it and died, you were responsible and had to make full restitution to the owner of the animal. Under the law you were responsible for the behavior of your animals, and you were responsible to make sure your property was safe.

Many of these laws set a good precedent for laws governing society today, don't they? The Mosaic Law was given for the protection and regulation of society.

Practical Application

Don't miss the spiritual picture of the pierced ear.

When a slave was given his freedom, he could give up that freedom because of his love for his wife and family (v5-6). In that case, he would have his ear pierced with an awl as a permanent sign of his decision.

Here is a beautiful spiritual picture of what our Lord has done for us! The Church is the Bride of Christ, according to the New Testament. In the spiritual picture in Exodus 21, the Lord Jesus is the Servant, and we are the "wife and children" that the Servant loves. Our Lord voluntarily was pierced at the Cross because of His love for us, and He will bear the marks of the cross forever. Don't miss the spiritual picture of the pierced ear!