
Justice: Property and People

Exodus 21:33-23:9

Introduction What could be more boring than reading the law code? What if we were to take just 3 minutes to read from the Ohio Revised Code? I looked it up and decided to spare you the pain.

Well that is our challenge this morning. Here we have a whole set of laws that ring true, ought to frame our own legislation and yet are a part of the fenced and fearful mountain. What's up with this? Well, Paul told us that the whole of Scripture was able to make us wise to salvation and mature us into useful and fully equipped servants. So I hope to take up this text that way this morning.

But think about some contemporary situations:

Consider the demand that we, the taxpayers, bail out lending institutions who acted foolishly with home mortgage borrowers, over half of whom made fraudulent statements on their applications. Further, we are being asked to bailout the mortgage holders!

Remember the recent scandals where a number of large corporations were brought into disgrace through the greed and dishonesty of its officers?

What should we do both with the teenage boys who intentionally set the fires in California or with the campers who set some accidentally both of which led to massive property loss and to the taxpayers in fire fighting costs?

Situations like this are clearly dealt with in the Mosaic Law. They governed Israel. They provide wise guidance to legislators and leaders in national governments. Yet they do not exist merely for regulatory reasons. They illuminate the character of God and point us to the Lord Jesus. So, in our listening and learning this morning, may we continue to grow into the mature people in Christ God intends.

Restitution and Resolution**(21:33-22:15)**

One important feature of the Mosaic Law was the focus on restitution. God has established as fundamental to human justice that damage be repaid. So throughout the national law and covenant for Israel, damage to or loss of property was resolved through payment for the injury suffered.

Laws about the Destruction of Animals**(v.33-36)**

First, we find God's concern for animals and their value to their owners.

Due to Human Negligence**(v.33-34)**

³³ "When a man opens a pit, or when a man digs a pit and does not cover it, and an ox or a donkey falls into it, ³⁴ the owner of the pit shall make restoration. He shall give money to its owner, and the dead beast shall be his.

Restitution was to be made when there is injury or death to an animal due to negligence on the part of another. Here, this is illustrated by the failure to cover a hole so that an animal would not fall in. Often in the Mosaic Law, the safety of animals and people was an important consideration. If an animal was injured or died, then the person responsible for the hole had to pay the owner of the beast the full value. The care for or disposal of the beast become the perpetrator's responsibility.

Due to Animal Attack**(v.35-36)**

³⁵ "When one man's ox butts another's, so that it dies, then they shall sell the live ox and share its price, and the dead beast also they shall share. ³⁶ Or if it is known that the ox has been accustomed to gore in the past, and its owner has not kept it in, he shall repay ox for ox, and the dead beast shall be his.

Restitution was also to be made when one animal injures or kills another. In an interesting principle, the animal causing the damage is to be sold and the amount received to be split between them. If the animal has a history of causing harm, then the full price goes to the other owner, the dangerous animal is destroyed and the owner of the attacking animal is responsible for the injured or dead animal.

Due to Theft**(22:1-4)**

If a man steals an ox or a sheep, and kills it or sells it, he shall repay five oxen for an ox, and four sheep for a sheep. ² "If a thief is found breaking in and is struck so that he dies, there shall be no bloodguilt for him, ³ but if the sun has risen on him, there shall be bloodguilt for him. He shall surely pay. If he has nothing, then he shall be sold for his theft. ⁴ If the stolen beast is found alive in his possession, whether it is an ox or a donkey or a sheep, he shall pay double.

The Mosaic Law also addressed the issue of the theft of animals. Several clauses to this Law bear special attention. First, a thief was never allowed to profit from his theft. If he destroyed or sold what he stole, then he had to repay five times its value to the owner. If he was caught and could return the beast, then he had to also, in addition, repay twice its value to the owner.

If the owner catches the thief and kills him at night, he is not chargeable for homicide. But if he kills him during the daytime, he shall be chargeable. In other words, the owner is allowed to defend his property, but is not allowed

to kill a thief during the daytime. The reasons for this difference were not given. The supposition is that during the day time, an owner is dressed, people are about and help is available while at night, without lights, the owner is vulnerable.

If the thief is injured, he still owed reparations to the owner. If he is unable to make the reparations, he is to be sold into slavery and the price paid to the owner as restitution.

The right to own and protect ones' animals and livelihood was encoded into the Mosaic Law. God thus establishes the principles for protecting this kind of property. This reflects the fact that God is the ultimate owner of everything. He has the ultimate eminent domain. He will hold Satan accountable as the thief he is. God will deal with him and demand a full accounting.

Laws about the Destruction of Property (23:5-14)

The next set of laws deal with the category of physical property, illustrated by land and buildings. These laws probably extend to other kinds of *things* as well.

Due to Negligence with Beasts (v.5)

⁵ "If a man causes a field or vineyard to be grazed over, or lets his beast loose and it feeds in another man's field, he shall make restitution from the best in his own field and in his own vineyard.

The owner of beasts is responsible for any damage caused by his animals. If they graze on or damage a crop, he is responsible to pay for the damages. If he has the same kind of crops as was destroyed, he is expected to repay out of the best of his own crops so that the victim may be able to restore his livelihood.

Due to Negligence with Fire (v.6)

⁶ "If fire breaks out and catches in thorns so that the stacked grain or the standing grain or the field is consumed, he who started the fire shall make full restitution.

Anyone starting a fire in or near a field will be responsible to repay damages and restore the victim's livelihood. The Mosaic Law makes no difference between intentional and accidental acts in this case. If an Israelite set a fire, he was responsible to contain it or face the consequences if he didn't.

Due to Breach of Care or Trust (v.7-9)

⁷ "If a man gives to his neighbor money or goods to keep safe, and it is stolen from the man's house, then, if the thief is found, he shall pay double. ⁸ If the thief is not found, the owner of the house shall come near to God to show whether or not he has put his hand to his neighbor's property. ⁹ For every breach of trust, whether it is for an ox, for a donkey, for a sheep, for a cloak, or for any kind of lost thing, of which one says, 'This is it,' the case of both parties shall come before God. The one whom God condemns shall pay double to his neighbor.

The Mosaic Law also dealt with cases of what is known as liability due to breach of trust or care. If someone was given property to take care of, he was responsible to take due diligence to protect it and return it in good condition. If he claimed it was stolen then a judge had to decide whether the claim was

true. If the claim is false, then he is to repay double the value for the lost property.

While Loaned to Another's

(v.10-13)

¹⁰ "If a man gives to his neighbor a donkey or an ox or a sheep or any beast to keep safe, and it dies or is injured or is driven away, without anyone seeing it, ¹¹ an oath by the LORD shall be between them both to see whether or not he has put his hand to his neighbor's property. The owner shall accept the oath, and he shall not make restitution. ¹² But if it is stolen from him, he shall make restitution to its owner. ¹³ If it is torn by beasts, let him bring it as evidence. He shall not make restitution for what has been torn.

The Mosaic Law also covered when one was given the care of animals. Taking into account that an animal may wander, be killed by predators or simply take ill and die, the Law required the one who borrowed it or who was responsible for it to give an oath or a sworn deposition as to the facts. He may bring a torn animal as evidence of his story. If the owner of the property accepts the story, then no restitution is due. However, if he allows it to be stolen from him, since animals were essential to livelihood, then he was to make simple restitution to the owner.

While Borrowed from Another

(v.14-15)

¹⁴ "If a man borrows anything of his neighbor, and it is injured or dies, the owner not being with it, he shall make full restitution. ¹⁵ If the owner was with it, he shall not make restitution; if it was hired, it came for its hiring fee.

Finally, the Law recognized the special case of a person borrowing an animal. If anything happened to it and the owner was absent, restitution was owed. If the owner was present, no restitution was due because the owner was responsible due to being present. However, the full cost of the hire or loan of the animal was due.

These laws in the Mosaic Law point us to the Lord Jesus Christ who has made and ultimately owns the whole world, the whole universe. The rights of property given to men for their personal and public good reflect his ownership. We are thieves, and fire-setters and negligent care-takers and so under the condemnation of God for all our sins against him. But the debt we owe we cannot pay. So the Lord is our restitution. He has paid our debt and reconciled us to God through His work on the cross.

Relationships and Responsibilities (22:16-23:9)

The Laws in this section looked to various relationships and the responsibilities in them. This section is a bit difficult to organize in way that makes sense to the western mind. Three features stand out. First, it has a major emphasis on not taking advantage of those who are weak or vulnerable in the Jewish culture. Second, it has a strong emphasis on going beyond the letter of the Law, on living a life higher than the mere demands of the Law. Third, it is bracketed partly by opening and closing references to the sojourner.

I have chosen to cluster around one other feature: the last of each set of Laws is a command in relationship to God and their responsibility to Him. This will help us most as we work through the text.

In not Committing Sexual Sins (v.16-20)

¹⁶ "If a man seduces a virgin who is not engaged to be married and lies with her, he shall give the bride-price for her and make her his wife. ¹⁷ If her father utterly refuses to give her to him, he shall pay money equal to the bride-price for virgins.

¹⁸ "You shall not permit a sorceress to live.

¹⁹ "Whoever lies with an animal shall be put to death.

²⁰ "Whoever sacrifices to any god, other than the LORD alone, shall be devoted to destruction.

This is the only set of laws here that don't seem to cluster together. But there were four distinct commands that end with a command relating to God. Two of the commands concerned sexual relations and two concerned spiritual relations. The first law was the "Casanova" law – if a man seduces an unmarried lady he is responsible to pay the bride-price to the father and to marry her. If the father refuses to give her in marriage, then the he is still financially liable. The point here is to restrain and punish men who habitually seduce young women. Additionally, sex with animals is forbidden.

Two of the commands governed spiritual relationships. A female sorcerer must be executed. She has had concourse with Satan and offers the powers gained thereby to seduce believers. While witchcraft is a distinct subculture in the west, in most parts of the world, it is the dominant and culture controlling religion. Given the prevalence of witchcraft and sorcery around them, this command is given, yet often disobeyed down through Israel's sordid and wicked history.

The second command was clear in what is being forbidden, yet obscure in what the consequences are. Interpretations vary. The ESV is very literal in its translation. This command was basically saying that anyone who sacrifices to any except Yahweh was to certainly be destroyed. The language here may also be connecting the past destruction of the flood and the future destruction of the world by fire with the idolatry and adultery of unbelievers.

Two observations about the Mosaic Law, and the Scripture in general.

- It is important to not confuse the culture in which we are to live righteously with righteousness itself. In other words, much of the Mosaic Law recognized and codified God's Law within a particular culture. For example, the culture had the idea of dowries and bride-prices, a common

feature of agrarian economies. However, the Bible is not making the paying of dowries and bride-prices a necessary part of righteousness. The Pharisees made this kind of mistake when they read Moses' regulations of divorce as permitting or even requiring divorce. Christians are doing this with the idea of replacing "dating" with "courtship" where fathers choose or at minimum approve a daughter's future husband. Such a thing may be wise, but it is not a part of New Covenant morality.

- The Bible often uses adultery as a motif or a model for understanding sin. So the interleaving of these commands is not as strange as at first it might seem. It is a grave sin to seduce people away from the Lord, to entice them into sorcery and thus to cause them to commit bestiality with Satan. Human beings who give their souls and their bodies to Satan are committing a gross and vile sin much like the perversion of bestiality.

The Lord fulfills these commands by worshipping, serving and loving His Father God wholly and exclusively. He has rejected the seduction of Satan and sacrificed only to the true God. His righteousness is put the account of believers in this as well.

In not Taking Advantage of the Vulnerable (v.21-28)

²¹ "You shall not wrong a sojourner or oppress him, for you were sojourners in the land of Egypt. ²² You shall not mistreat any widow or fatherless child. ²³ If you do mistreat them, and they cry out to me, I will surely hear their cry, ²⁴ and my wrath will burn, and I will kill you with the sword, and your wives shall become widows and your children fatherless.

²⁵ "If you lend money to any of my people with you who is poor, you shall not be like a money-lender to him, and you shall not exact interest from him. ²⁶ If ever you take your neighbor's cloak in pledge, you shall return it to him before the sun goes down, ²⁷ for that is his only covering, and it is his cloak for his body; in what else shall he sleep? And if he cries to me, I will hear, for I am compassionate.

²⁸ "You shall not revile God, nor curse a ruler of your people.

God has a great concern for the weak and vulnerable in a society. All through the Mosaic Law were clusters of regulations governing the oppression of the poor and the weak. The alien, the foreigner, the guest worker, the traveler, the sojourner were to be taken care of. They were to remember what it was like when they were in Egypt. So the poor, the orphan, the widow, the stranger were to be equally treated under the Law. Now, they were not being given a special status under the Law – just ensured that the Israelites treated all equally. The New Covenant picks this up with the benevolent care the church provides for the needy in its own number.

In view of this, the poor were protected in a special way from usurious loans and unreasonable collateral. The receiving of one's cloak as collateral on a loan illustrates the idea of the Law. It is Law by example. Any basic necessity of life was to be treated in the same way. The Israelite was warned that anyone so mistreated had recourse to God. This was no idle or meaningless threat. God will hear. He will hear because He is compassionate.

In the context of how they were to look to those who were less fortunate, they were also to take care in their relationship to those who were over them. They were not to revile God nor curse the ruler. The two are being joined. Honoring the king honors God. To take advantage of the poor or the dishonor the rulers is to revile God. It is an expression of disdain for God and His rule worked out in practical living. So Christ upheld the honor of God and revered His Name by submitting Himself to His Father. The New Covenant authors specifically work this out as believers both individually and corporately are to honor the rulers God allows to come to power.

Here is the point for us. God's people are to be kind and compassionate with one another because God in Christ has been kind and compassionate to us. When we were spiritually poor, bankrupt and without help or hope, He simply moved on our behalf out of sheer compassion and mercy. He was compelled by nothing except who He is in an overflow of unmerited favor and love.

In not Withholding Offerings (v.29-31)

²⁹ "You shall not delay to offer from the fullness of your harvest and from the outflow of your presses. The firstborn of your sons you shall give to me. ³⁰ You shall do the same with your oxen and with your sheep: seven days it shall be with its mother; on the eighth day you shall give it to me.

³¹ "You shall be consecrated to me. Therefore you shall not eat any flesh that is torn by beasts in the field; you shall throw it to the dogs.

The Mosaic Law as a part of its covenant as a nation required the faithful return of offerings. In other words, the Levitical offerings and tithes were a practical working out of being God's covenant people. The giving of offerings was to come from a consecrated people. Under the Mosaic Law, a consecrated people could not eat "road kill" or any animal killed by another beast.

Here is an odd juxtaposition of something that transcends the Law (giving) and something that seems arbitrary in the Law (no road-kill). The point here is that consecrated people will be obedient to God in the large and the little things, in the things that seem important and the things that seem to make no sense.

In not Undermining the Judicial Process (23:1-3)

You shall not spread a false report. You shall not join hands with a wicked man to be a malicious witness. ² You shall not fall in with the many to do evil, nor shall you bear witness in a lawsuit, siding with the many, so as to pervert justice, ³ nor shall you be partial to a poor man in his lawsuit.

These laws protected the integrity of the national judiciary. All of these were designed to prevent a criminal enterprise from eroding the ability of the judges to enforce the Law. The enforcement of the Law must not be undermined. Alongside of that, the poor were to be given no special consideration. This also undermined social justice and disenfranchised those whom God had blessed.

In not Ignoring the Plight of Your Enemies' Beasts (v.4-5)

⁴ "If you meet your enemy's ox or his donkey going astray, you shall bring it back to him. ⁵ If you see the donkey of one who hates you lying down under its burden, you shall refrain from leaving him with it; you shall rescue it with him.

Here were an interesting two Laws. It is about how they were to treat the beast of an enemy. If a person finds it wandering, return it. If they find it abused, rescue it. The good of the beast is in view. The fact that the owner was an enemy should not turn someone into a thief so that they do not return his animal. But the fact that the man was an enemy should not keep them from stopping an enemy from abusing the animal. What is right is right regardless of the relationship with the other person.

In not Perverting Justice (v.6-8)

⁶ "You shall not pervert the justice due to your poor in his lawsuit. ⁷ Keep far from a false charge, and do not kill the innocent and righteous, for I will not acquit the wicked. ⁸ And you shall take no bribe, for a bribe blinds the clear-sighted and subverts the cause of those who are in the right.

Like verses 1-3, these Laws were aimed at maintaining justice. The poor get no special consideration but neither were they to be ignored. The innocent must never be knowingly convicted. Finally, to preserve the integrity of the judicial, the receiving of a bribe was forbidden. All through the Old Covenant, bribes were condemned as corrupting of the moral fiber of the people and a symptom of deep moral failure.

In not Oppressing Sojourners (v.9)

⁹ "You shall not oppress a sojourner. You know the heart of a sojourner, for you were sojourners in the land of Egypt.

In the closing of this section which also serves to open the next, Israel was reminded to not oppress the sojourner. They know what it was like. They knew the heart of foreigner and alien for they had been sojourners in Egypt

So much here to speak of Christ. Let me just point the perfect justice of God by which our sins are dealt with. The work of Christ on the cross is not subverting nor circumventing the holy justice of God. He upholds His own justice by punishing Christ in our stead. His holiness and our own breaking of His Law and falling short of His glory demanded punishment, retribution and restitution. In pouring out His wrath on Jesus, God satisfied His own justice, upheld His character and set us free from the condemnation and curse of the Law. **Conclusion**

So God has worked marvelously in the Mosaic Law to bring us to Christ who fulfills what God requires, meets the demands of the Law in its perfect obedience, its just punishment and in the payment of its debt. So will you believe and bow this morning? Will you turn from self-righteousness and self-salvation and put your faith and trust in Christ alone?