

The Book of Exodus

Lesson 12

Chapters 21

Ordinance of The LORD

Exodus 21:1 "Now these are the Ordinance which you are to set before them.

After completing the delivery of the Ten Commandments, the LORD instructed Moses to give the following ordinance to the people. The Hebrew word “ordinance” means *judgment*. As such, the following ordinance represents the judgment of the LORD and the specific details and parts of the ordinance are not optional!

Instructions Concerning Slaves

Part 1 - Slaves

Exodus 21:2 "If you buy a Hebrew slave, he shall serve for six years; but on the seventh he shall go out as a free man without payment. ³ **"If he comes alone, he shall go out alone; if he is the husband of a wife, then his wife shall go out with him.** ⁴ **"If his master gives him a wife, and she bears him sons or daughters, the wife and her children shall belong to her master, and he shall go out alone.** ⁵ **"But if the slave plainly says, 'I love my master, my wife and my children; I will not go out as a free man,'** ⁶ **then his master shall bring him to God, then he shall bring him to the door or the doorpost. And his master shall pierce his ear with an awl; and he shall serve him permanently.**

Today, we are offended by the words "**If you buy a Hebrew slave,**" but virtually all the English versions fail to render this line properly. The ancient meaning would be better said today, "**If you acquire a servant.**" We must come to an understanding of the background for this part of the judgment of the LORD. The people receiving this message had been slaves/servants in Egypt for the vast majority of 430 years. They understood clearly the idea of slavery because they had just broken away from the bonds of Egypt in the last 90 days. In their mindset, they surely still thought as slaves even though they were free. For that reason, the LORD addressed this topic first in His judgment.

Several scenarios exist in which a person could become the slave or servant of another. One example should suffice. If a person found the need to mortgage his property for some reason in that day, he would sign over his property to a wealthier man and then work off the debt as a servant or slave. In that sense, the wealthier man had bought or acquired a slave by way of the mortgage on the land, assuming the original debt or outstanding loan. What kind of loan would he have had? He might have borrowed money to purchase food, clothing or livestock for his family. He might have also had a loan on the land he had purchased. During a time of famine, to keep his land and home for the family, he would sign it over to someone who could absorb the debt payment. In return, he would work off the new debt by being a slave/servant. The wonderful thing about the LORD’s judgment in this ordinance is that God will not allow the debt to last more than six years; in the above example, a slave could not put himself in the place of a

servant debt/bondage for more than six years – the seventh year, his debt was paid, his property was his and he was debt free. That is what is meant when the passage says, “**he shall go out as a free man without payment.**” All payments were paid and no debt remained. It is interesting that this part of the ordinance is given concerning debt; later, in the Levitical Law, the ordinance will be expanded and explained.

To make sure the wealthier man did not take advantage of the servant, the LORD said, “**If he comes alone, he shall go out alone; if he is the husband of a wife, then his wife shall go out with him.**” In other words, at the end of the six years when the debt was paid, the wealthy man could not still hold a family member of the servant hostage.

Suppose a man became a servant for some reason and during his stay at the wealthy man’s plantation he fell in love with the daughter of the wealthy man and married her. When his debt was paid at the end of the six years, could he take his wife and their children with him? The LORD answers that question when He says, “**If his master gives him a wife, and she bears him sons or daughters, the wife and her children shall belong to her master, and he shall go out alone. But if the slave plainly says, “I love my master, my wife and my children; I will not go out as a free man,” then his master shall bring him to God, then he shall bring him to the door or the doorpost. And his master shall pierce his ear with an awl; and he shall serve him permanently.**” The piercing of a man’s ear was a sign of attachment in the Hebrew culture because of this ordinance. It represented two things. First, he now belonged to the house or the family of the wealthy man who had helped him. Second, he would listen to the wealthy man and obey his instructions as a member of the family. In other words, the man who was once a free person but put himself in submission as a servant willingly decided to stay in the household of the wealthier man and forgo almost all possibilities of ever being his own master again. Because he had married into the family, it was assured that upon the death of the wealthy man, the oldest son would inherit everything leaving the son-in-law under the control of the heir who had become the new master.

Part 2 – Female Slaves

Exodus 21:7 “**And if a man sells his daughter as a female slave, she is not to go free as the male slaves do.**”⁸ “**If she is displeasing in the eyes of her master who designated her for himself, then he shall let her be redeemed. He does not have authority to sell her to a foreign people because of his unfairness to her.**”⁹ “**And if he designates her for his son, he shall deal with her according to the custom of daughters.**”¹⁰ “**If he takes to himself another woman, he may not reduce her food, her clothing, or her conjugal rights.**”¹¹ “**And if he will not do these three things for her, then she shall go out for nothing, without payment of money.**

With all the disgusting human trafficking today, it is hard to believe anyone would ever sell a daughter into slavery, but it happens among disgusting people, hidden in the shadows away from the law. But in this part of the judgment, the LORD is preempting the possibility of taking advantage of a young lady. Females were important to the livelihood of the family but only under the authority of a male. The females might have spun the wool, taken it to the market to sell, but the money transaction occurred between the men of the families. Rarely would a

Hebrew sell or trade a daughter into servanthood, but in some cases, it did happen. Later, in the story of the Bible, after the deaths of their husbands, Ruth and Naomi were perfect examples of women who needed help from their male relatives to exist. They were not sold into slavery as in this passage, but their circumstances could have ended that way had Boaz not married Ruth.

A woman traded to a man for some financial reason could be held as collateral for the debt for only six years. But in the seventh year, even though the debt was paid, the woman could not be sent away to fend for herself because she did not have the wherewithal to do so in that culture. In the seventh year, she was no longer a slave and therefore it was required that she be treated with all the dignity that any other free woman would have enjoyed.

During her six years, if she did not meet the standards expected of her, she still had protection. She could not be sold but she could be **“redeemed,”** meaning that the nearest kinsman to her could absorb her into the family in an appropriate way – adoption or marriage, as was the case with Boaz and Ruth. The connection through marriage did not have to be with the new master himself, she could have been acquired for a son to marry. With that arrangement, she would be required to have the same status in the new family as a biological daughter. In other words, in this part of the ordinance, the LORD was protecting all Israelite females from the evils of the world.

During her six years as a slave, regardless of what the master thought of her, she was due three things, **“her food, her clothing, or her conjugal rights.”** Food and clothing are plainly understood; however, the word “conjugal” may be an English mistranslation. The Hebrew actually means *habitation* and as such probably refers to a safe place to live rather than our definition of the word “conjugal.” If during her six years of servanthood these three things were not provided, she was free to return to her own family and the original debt was paid in full.

Instructions Concerning the Death Penalty

Part 3 – Striking a Man

Exodus 21:12 "He who strikes a man so that he dies shall surely be put to death.¹³ " 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.¹⁴ "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.¹⁵ "And he who strikes his father or his mother shall surely be put to death.

The sixth commandment says, **“Thou shalt not murder.”** This part of the ordinance pronounces the judgment of the LORD upon all those who commit murder; it is the death penalty. But the LORD shows a difference between the intentional and accidental death of a person. Speaking of the accidental, the LORD says, **“But if he did not lie in wait for him ... then I will appoint you a place to which he may flee.”** The place is not mentioned in this passage; however, records of the cultural setting of the Israelites after they entered the Promised Land reveal two ways in which this part of the ordinance was fulfilled. First, an altar dedicated to the LORD was a place of refuge for someone who had accidentally killed someone. The place of the altar was revered as sacred ground and no one would dare avenge a dead relative at the

altar. Second, eight cities of refuge were established where people could remain in safety until the judges of the land could decide their guilt or innocence. These sanctuary cities were not places for known criminals to hide from the courts and the law; they were places where people could wait safely until they faced the courts and the law. Even in the book of Genesis family members took the law into their own hands and killed a person outside the boundaries of the law. Such was the case when Shechem loved Dinah and had an inappropriate relationship with her outside the customs of marriage. Her brothers killed him and all the men of his village in revenge. The law did not exist at that time for the Israelites, but it does from this point. What occurred before the law was somewhat overlooked by the LORD and the death penalty was not imposed although the event did bring the loss of a blessing to the sons of Jacob who participated in the vengeance.

The main point in this part of the ordinance is to establish a judicial system in the Israelite nation whereby no one took the law into his own hands. Notice that the passage says, "**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.**" The altar was not a permanent place of safety for the guilty. If the judge found a person guilty, he could be taken from the sacred ground of the altar for the punishment of the death penalty.

The fifth commandment required giving honor to one's parents and as we discussed, children were even to bring honor to parents who did not deserve honor. Killing a parent was an act that was dishonoring and the punishment was the death penalty. A parent had no right to attack a child without a ruling by a judge; therefore, if the child proves that he was defending himself from a parent's attack, the death penalty would not be imposed which the LORD will explain later in the Law.

Part 4 - Kidnapper

Exodus 21:16 "And he who kidnaps a man, whether he sells him or he is found in his possession, shall surely be put to death.

As seen in the first part of this ordinance, permanent slavery or servanthood was never to be permitted in the nation of Israel. When a person was indebted, six years was the limit of that work done to repay a debt. Despite the ordinance, the LORD knew that the Israelites understood the nature and widespread trafficking of humans into slavery in Egypt and around the world. Here, the LORD addresses that topic with the Israelites. Anyone who participates in the capture and selling of a human "**shall be put to death.**" Had this part of the ordinance been in place more than 430 years before, all the brothers except Reuben and Benjamin would have faced the death penalty for selling Joseph into slavery had their deed been discovered. However, the ordinance was not in place and became effective from the time of this announcement only.

Part 5 – Curses Father or Mother

Exodus 21:17 "And he who curses his father or his mother shall surely be put to death.

This ordinance has already stated the death penalty for a child who killed a parent; in this part the LORD places the same penalty on one who curses a parent. King David failed to follow this ordinance with Absalom; repeatedly, Absalom dishonored his father; therefore, the LORD strung

him up by his hair and David's men thrust their swords though him without the approval of the king. The LORD's judgment on Absalom was fulfilled.

Instructions Concerning Restitution

Part 6 - Quarrels

Exodus 21:18 "And 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 bed; ¹⁹ 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. ²⁰ "And if a man strikes his male or female slave with a rod and he dies at his hand, he shall be punished. ²¹ "If, however, he survives a day or two, no vengeance shall be taken; for he is his property.

Regardless of the reason for a quarrel, physical contact was forbidden. In this case, the one who caused the injury, regardless of what was said, the one who started the quarrel was responsible to pay retribution for the time the injured person could not work. If the injured person could continue to work, even though physically hampered, the one who caused the injury did not have to pay restitution. The passage continues to say, "**And if a man strikes his male or female slave with a rod and he dies at his hand, he shall be punished.**" We must remember, permanent slavery has been forbidden in Israel by the LORD. This passage is speaking of those who have entered a debt relationship for a period not to exceed six years. As a servant who is working off his debt, he, in essence, belongs to the master until the debt is paid. If the master strikes the servant and kills him, the death penalty is to be invoked; if no death occurs, then the master is not to be killed.

Part 7 – Struggles among Men

Exodus 21:22 "And if men struggle with each other and strike a woman with child so that she has a miscarriage, yet there is no further injury, he shall surely be fined as the woman's husband may demand of him; and he shall pay as the judges decide.

Here we find the first idea of a payment of retribution for a loss besides the death penalty. In this case, if a pregnant woman is injured while men are fighting and she miscarries the baby, the father is to take the other man or men to court and the judge will impose a monetary fine for the death of the baby. Notice here that the father was not to take vengeance on his own but to direct the matter to the duly appointed judge.

Part 8 – Other Injuries

Exodus 21:23 "But if there is any further injury, then you shall appoint as a penalty life for life, ²⁴ eye for eye, tooth for tooth, hand for hand, foot for foot, ²⁵ burn for burn, wound for wound, bruise for bruise.

The ordinance concerning retribution continues here with punishments that are less than the death penalty yet they should be just as feared. It is in some ways a catchall for what occurs when people become physical in their quarreling - "**life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, bruise for bruise.**" Under this part of the ordinance, one should carefully consider the extent of the injury imposed because

the retribution will be the same as the initial injury. If that injury leads to death, death would be imminent, if loss of limb, loss of limb would be imposed.

The Eye and Tooth

Exodus 21:26 "And 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. 27 "And if he knocks out a tooth of his male or female slave, he shall let him go free on account of his tooth.

In this part of the ordinance, the injury of a slave pays the debt in full regardless of where they are in the six-year process. The loss of an eye is a major loss; the loss of a tooth is minor; nevertheless, whether a major loss or a minor one, the debt was paid. Physical abuse was not tolerated by the LORD.

Instructions Concerning Animals

The Ox

Exodus 21:28 "And 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. 29 "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. 30 "If a ransom is demanded of him, then he shall give for the redemption of his life whatever is demanded of him. 31 "Whether it gores a son or a daughter, it shall be done to him according to the same rule. 32 "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. 33 "And if a man opens a pit, or digs a pit and does not cover it over, and an ox or a donkey falls into it, 34 the owner of the pit shall make restitution; he shall give money to its owner, and the dead animal shall become his. 35 "And 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. 36 "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.

In this interesting turn in the ordinance we see the death penalty imposed on the animal that kills a person and the requirement of retribution by its owner. Notice that the meat of the animal cannot be used as food. In other words, the action of the animal causes a total loss for his owner; not only does the owner lose the working power of the animal, its offspring that might come from it, its meat to feed the household once it has been killed. He must also must pay retribution in monetary means for the injury. This part of the ordinance puts immense pressure on the owner of animals to always control them. Notice the price that is to be paid for the loss! **“The owner shall give his or her master thirty shekels of silver, and the ox shall be stoned.”** It was the same price paid for the Son of God.

Wells were dug regularly for water and they were basically large holes in the ground. If the owner of the well left it unsecured so that another man's animal fell in it and died, the well owner was liable to pay for the dead animal. Additionally, the dead animal in the well was now the well owner's property and problem.