Exodus, Part 15

We continue our study by looking at some of the laws that were a part of the Mosaic Covenant. Elaboration on these laws can be seen in both Leviticus and Deuteronomy. Their purpose was to establish Israel as a righteous people of God, assuming they followed the detailed instructions of the covenant. Sometimes they did and sometimes not so much.

The Mosaic Covenant (the Law) was made with the whole nation of Israel. Failure under the covenant would result in discipline for the nation including even being kicked out of the land and into bondage again, as did happen. However, God's objective was to incentivize them into righteousness, He promised them great blessings if they did meet the terms of the covenant.

Some of the warnings of discipline we see in these details are directed to the individual Israelite as carried out by judges. However, some specified disciplines are clearly directed to the nation collectively when that discipline is seen as administered by God and not by human judges.

Chapter 22 continues where we left off with the Laws of restitution.

> **Exodus 22:1** "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.

These regulations deal with the theft of animals. These verses expand on the eighth commandment (20:15). If a person stole and then killed or sold someone's ox or sheep he must compensate for the loss by returning the same kinds of animals. Pay (back) is *šālēm* and means "to repay a legal obligation". Here again, was retribution in kind. But five head of cattle had to be paid for the loss of one ox, and four sheep for the loss of one sheep. Probably this heavy compensation was to deter animal theft. If, however,

the stolen animal was still alive, the remuneration was less but still costly at twice the value of the stolen animal.

If the thief is caught in the act of breaking in and is “struck so that he dies,” the owner suffers no “bloodguilt,” that is he is not guilty of some form of homicide. If, however, the thief is discovered during daylight hours, it is assumed he intends no physical harm and it is forbidden for the owner to kill the thief. The thief, however, must pay, and if he cannot, he can be sold into slavery. And if the stolen animal is found alive in the thief’s possession, he must pay double.

> **Exodus 22:5** “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.
> 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.

If the grazing rights of a farmer were violated by another man’s livestock or, if a fire destroyed another’s crops, the offender had to make restitution from his own fields. Thornbushes common in Israel often burned easily and thus helped spread field fires quickly. The Mosaic Law strongly affirmed the right to both life and property.

> **Exodus 22:7** “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.
> 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.

In the ancient Near East, there were no banks so personal property was sometimes given to a neighbor for protection. The one who received someone's valuables (goods, clothing, or animals) for safekeeping was responsible for them. If personal valuables were lost and no thief was found, the one who kept the goods had to prove before the judges (come near to God) that he did not steal them or he had to make restitution by paying double (vv. 7–9). If an animal in safekeeping was injured or lost, the one taking care of it had to give evidence that he was not negligent or he had to pay for the loss.

> **Exodus 22:14** "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.

When an animal was borrowed, the borrower was responsible for its safekeeping. If the owner was not present when the animal was injured or died, the borrower had to pay for the loss; he was responsible. But if the owner was present then the borrower was not culpable. If an animal was rented and injury occurred then the owner's compensation was the rent money.

Laws About Social Justice

> **Exodus 22:16** "If a man seduces a virgin who is not betrothed 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.

These statutes elaborated the seventh commandment (20:14). Unmarried and unbetrothed daughters in Israel were considered part of their father's property; consequently the loss of a daughter's virginity diminished her value and therefore compensation was due to the father. If an unengaged virgin submitted to seduction, the male was to pay the bride-price and marry her. Normally the parents of a girl were paid a fee (bride-price) at the

time of betrothal which ratified the engagement (cf. Gen. 34:12; 1 Sam. 18:25). If her father did not want his daughter to marry him, the man was still obligated to pay the bride-price but got no bride.

The seduction of a girl who was betrothed, however, resulted in stoning for both parties.

> **Deuteronomy 22:23** If there is a betrothed virgin and a man meets her in the city and lies with her, 24 then you shall bring them both out to the gate of that city, and you shall stone them to death with stones, the young woman because she did not cry for help though she was in the city, and the man because he violated his neighbor's wife. So you shall purge the evil from your midst.

The Jewish marriage process was different from ours today. The father of the prospective groom negotiated a bride-price for the young virgin. With that agreed upon, they made a contract for the two to marry. That contract legally bound them as man and wife even though they would not consummate the marriage for some time, perhaps months or even a year later. A "betrothed virgin" was a legally married woman under the Law. It is assumed that since the woman did not resist (she did not cry for help) then she is also guilty of adultery.

> **Exodus 22:18** "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.

The three sins mentioned in these verses merited the death penalty. They anticipated Israel's struggle against the worship of idols. The first deals with female practitioners of sorcery (telling the future or controlling others by demonic power) which figured prominently in Canaanite Baal worship. Witches and wizards were not permitted to live because they were in league with the demonic powers that operated in the godless religions of the nations around Israel.

God also condemned sexual intercourse with animals (see Lev. 20:15–16; Deut. 27:21). Not only were these practices a part of the heathen worship

of idols, but they debased human sexuality which is a precious gift from God.

The third deals with sacrificing to any god other than the One True God.

Moral Imperatives

Exodus 22:21 “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 moneylender 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.
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 material in Exodus 22:21–23:9 is usually taken to be detailed statutes. However, several factors suggest that it should be distinguished from the precepts found in 21:1–22:20 that we just looked at.

- First, this section is marked off from the surrounding material by the frame formed by 22:21 and 23:9. Both verses not only prohibit the mistreatment of aliens, but they also underline this by reminding the Israelites that they were once aliens in Egypt.
- Secondly, the way in which the material is presented does not correspond with the two distinctive forms used in the previous section; rather, it is reminiscent of the form adopted in the Decalogue.
- Thirdly, God is seen as the enforcer in verse 24 when He says, “I will kill you with the sword.” There is no other mention of penalties

enforceable by a human court for breaking the rules outlined here. The stated laws here must be seen as collectively for the nation of Israel, and any discipline would be upon the whole nation because of national failure. Yes, they apply to the individual Israelite, but the nation will suffer for national disobedience.

- Fourthly, the subject matter of this section is distinctive. It encourages both a caring attitude towards the weak and vulnerable members of society (*i.e.* aliens, widows, orphans, the needy, the poor) and a concern that the legal system be totally impartial. Those involved in disputes are to favor neither the rich, by accepting a bribe (23:8), nor the poor (23:3). Everyone, irrespective of their class, is to be treated equally (23:6, 9). A witness must not be swayed by social pressure (23:2), and should ensure that his or her testimony is truthful (23:1, 7). These observations suggest that we are dealing with moral imperatives rather than detailed laws.

The commands found here seek to encourage a standard of behavior that goes beyond the letter of the law. A human court is unlikely to prosecute someone for failing to return his enemy's straying animal; nevertheless, God demands that his people overcome evil with good (23:4–5; *cf.* Mt. 5:43–48; Rom. 12:19–21).

In the light of the special relationship being established between God and the people, it is significant that in the middle of this section is the command, "You shall be consecrated to me" (22:31). This is how God's holy people should live.

> **Exodus 23:1** "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.
> 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.
> 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.
9 “You shall not oppress a sojourner. You know the heart of a sojourner,
for you were sojourners in the land of Egypt.

The above is about setting standards for behavior and not legal issues. Do unto others …

These admonitions, which expand the ninth commandment (20:16), deal with the need for impartial justice in lawsuits. They spell out obligations to treat all men justly and with compassion.

The words “enemy’s” (23:4) and “one who hates you” (v. 5) refer to a legal adversary.

1. False testimony was forbidden. This could be testimony that slandered a righteous man or freed a guilty man. A witness was not to allow himself to be swayed by the majority view, or to be influenced by the destitution of the party against whom he might testify (23:1–3).
2. Taking advantage of an enemy was forbidden. His straying livestock were to be returned to him. In an emergency, such as a donkey collapsing under its burden, the enemy was to be assisted (23:4–5).
3. Perversion of justice was forbidden. The poorest of men was entitled to a fair trial. False charges against the innocent were to be rejected. Those who lied in court and thus brought about the execution of an innocent man would not be accepted by the Lord. Bribes to judicial officers or witnesses were forbidden. Bribes blind the eyes to truth and twist the words of testimony (23:6–8).
4. Oppression of foreigners living in the land was forbidden. Israelites were never to forget their own experience as aliens in the land of Egypt (23:9).

Laws About the Sabbath and Festivals

The material in this section is carefully structured, falling into two halves centered around verse 13, with each half subdivided into two parts. The first half deals with the seventh year (23:10–11) and the seventh day (23:12). Three features are worth noting.

- First, almost all the material in this section anticipated the Israelites enjoying a settled agricultural existence in the land of Canaan. To a fugitive slave, these instructions must have implied prosperous times ahead.
- Secondly, the observance of the Sabbath was exceptionally important because it was the sign of the covenant that was established between God and Israel (31:12–17). Anyone desecrating the Sabbath was guilty of renouncing this special relationship with God. The consequence was death (31:14–15).
- Thirdly, the Israelites were reminded of their obligation to worship God alone: “Make no mention of the names of other gods, nor let it be heard on your lips” (23:13).

The second part stresses the worship at the heart of the three annual festivals that celebrate God’s benevolence towards Israel. Israel’s religious festivals were tied to the agricultural year in a series of “sevens”. The seventh day was the Sabbath and the seventh year was the Sabbatical Year.

> **Exodus 23:10** “For six years you shall sow your land and gather in its yield, 11 but the seventh year you shall let it rest and lie fallow, that the poor of your people may eat; and what they leave the beasts of the field may eat. You shall do likewise with your vineyard, and with your olive orchard.
> 12 “Six days you shall do your work, but on the seventh day you shall rest; that your ox and your donkey may have rest, and the son of your servant woman, and the alien, may be refreshed. 13 “Pay attention to all that I have said to you, and make no mention of the names of other gods, nor let it be heard on your lips.

The Lord instructed Israel concerning the sabbatical year and the Sabbath Day, which expanded the fourth commandment (20:8–11). The sabbatical year was the seventh year of a series of seven years. For the first six years, the Israelites were allowed to plant and harvest from their lands, but the seventh year was set aside to allow the land to rest and recover. Whatever crops came up naturally were left in the fields to allow the poor to glean from them. It served to remind Israel that God owns the land and it was theirs merely as a trust.

> **Leviticus 25:23** The land shall not be sold in perpetuity, for the land is mine. For you are strangers and sojourners with me.

The weekly Sabbath not only reminded the Jews that they belonged to God but it showed God's care for the health of man and beast. By resting on the seventh day, man and animals could be refreshed for another six days of work. The Sabbatical Year gave the land the opportunity for rest and restoration. God is concerned about the way we use the natural resources that He has graciously given us.

> **Exodus 23:14** "Three times in the year you shall keep a feast to me.
> 15 You shall keep the Feast of Unleavened Bread. As I commanded you, you shall eat unleavened bread for seven days at the appointed time in the month of Abib, for in it you came out of Egypt. None shall appear before me empty-handed. 16 You shall keep the Feast of Harvest, of the firstfruits of your labor, of what you sow in the field. You shall keep the Feast of Ingathering at the end of the year, when you gather in from the field the fruit of your labor. 17 Three times in the year shall all your males appear before the Lord God.
> 18 "You shall not offer the blood of my sacrifice with anything leavened, or let the fat of my feast remain until the morning.
> 19 "The best of the firstfruits of your ground you shall bring into the house of the Lord your God.
> "You shall not boil a young goat in its mother's milk.

Here God gave instructions for three agricultural festivals to be held annually:

1. The Feast of Unleavened Bread in the month of Abib (March–April), about the time of the barley harvest.
2. The Feast of Harvest in the spring at the beginning of the wheat harvest (cf. 34:22) when the firstfruits of the crops were to be given to the Lord.
3. The Feast of Ingathering in early autumn (September–October).

The first of these great agricultural feasts was a memorial to the hasty Exodus from Egypt. The second feast, in which two loaves made of new grain were presented to the Lord (Lev. 23:15–21), was also called the

Feast of Weeks (Ex. 34:22) because it was celebrated seven weeks (50 days) after the Feast of Unleavened Bread. In the New Testament (Acts 2:1; 20:16; 1 Cor. 16:8) it is called the day of Pentecost. The third festival, the Feast of Ingathering at the end of the agricultural or civil year was also called the Feast of Tabernacles or Feast of Booths (Lev. 23:33–36; Deut. 16:13–15; 31:10).

These were constant reminders to Israel of God's provisions for His people. So three times a year all adult males in Israel were supposed to worship at the Tabernacle (later, at the Temple) with grain and animal offerings. When an offering was consumed on the altar it had to be without yeast. Only the best of the crops' firstfruits were to be given to the Lord.

The prohibition against cooking a young goat in its mother's milk (23:19; cf. 34:26; Deut. 14:21) may have been because of religious practices in which the Canaanites cooked goats in their mother's milk in a fertility rite. God did not want His people to partake of anything related to idolatrous worship.

In the Feast of Ingathering, the Israelites may have been tempted to follow the common bedouin practice of cooking the meat of young goats in goat's milk, whereas the young goats should have been left with their mothers. In other words, perhaps the prohibition meant that the Israelites were not to take what was intended to promote life (goat milk) and use it to destroy life. This stipulation may be the basis for the present Jewish custom of not mixing milk products with meat.

Conquest of Canaan Promised

The section beginning at 20:22 has a comforting promise about God's directing His people into the Promised Land wherein the laws just enumerated would be practiced. It contains promises of cursings for disobedience and blessings for obedience, similar to those found in Leviticus and Deuteronomy.

> **Exodus 23:20** "Behold, I send an angel before you to guard you on the way and to bring you to the place that I have prepared. 21 Pay careful attention to him and obey his voice; do not rebel against him, for he will not pardon your transgression, for my name is in him.

22 “But if you carefully obey his voice and do all that I say, then I will be
an enemy to your enemies and an adversary to your adversaries.
23 “When my angel goes before you and brings you to the Amorites and
the Hittites and the Perizzites and the Canaanites, the Hivites and the
Jebusites, and I blot them out, 24 you shall not bow down to their gods
nor serve them, nor do as they do, but you shall utterly overthrow them
and break their pillars in pieces. 25 You shall serve the Lord your God,
and he will bless your bread and your water, and I will take sickness
away from among you. 26 None shall miscarry or be barren in your land; I
will fulfill the number of your days. 27 I will send my terror before you and
will throw into confusion all the people against whom you shall come,
and I will make all your enemies turn their backs to you. 28 And I will
send hornets before you, which shall drive out the Hivites, the
Canaanites, and the Hittites from before you. 29 I will not drive them out
from before you in one year, lest the land become desolate and the wild
beasts multiply against you. 30 Little by little I will drive them out from
before you, until you have increased and possess the land. 31 And I will
set your border from the Red Sea to the Sea of the Philistines, and from
the wilderness to the Euphrates, for I will give the inhabitants of the land
into your hand, and you shall drive them out before you. 32 You shall
make no covenant with them and their gods. 33 They shall not dwell in
your land, lest they make you sin against me; for if you serve their gods,
it will surely be a snare to you.”

Although these verses describe events that will take place when the Israelites come into the land of Canaan, the form of speech is striking. On the one hand, most of the promised action is God’s, not the people’s. God will send an angel (v. 20), and He will fulfill their days (v. 26), send His “terror” into the land (v. 27), drive out the inhabitants (v. 28), set the borders of the territory of his people (v. 31) and give them the land to inhabit.

On the other hand, these pledges depend on their obedience. God will be an enemy to the enemies of His people if they obey Him (v. 22). He will take sickness away if they serve Him (v. 25). And their possession of the land is related clearly to their devotion to the Lord alone; they are not to make any covenant with the Canaanites or the gods of the Canaanites (v. 32).

This is very clearly the language of the covenant, in which the covenant King will bring His people into the land, just as He said to Abraham (Gen. 12:1, 7). In doing so, the King, in His strength and by His grace, will fulfill His promises to His people. To that extent, the covenant is entirely a covenant of grace.

Yet there are elements of conditionality within this covenant. While its fulfillment is not entirely dependent on the obedience and service of the people, for them to *enjoy* the full benefits of what He is to do for them, they must obey Him. The King is looking for obedience from His people, not as the reason for which He will act on their behalf, but as the response on their part to what He will do for them.

The Lord promises to send an angel to lead them (v. 20). Who is this "angel" that God promises to send before them, to guard them on their journey, and whom they must obey? This is the same "angel of the Lord" that appeared to Hagar in Genesis 16:7, and in Genesis 22:11 and 15 appeared to Abraham. This angel is both distinguished from God, yet speaks as God. More importantly, Moses' great encounter at the burning bush was with the angel of the Lord (Exodus 3:2); there, the Lord's name was revealed, and here God says of the angel that 'my name is in him' (v. 21), in other words, the presence of this Angel *is* the presence of God.

The remarkable thing is that this Angel would speak to them and lead them to the land. In a wonderful, supernatural provision, God Himself would be among His people, setting His commands before them, leading and guiding them, and enabling them to possess the land.

God would gradually give them possession of the land. The fear of God, like the sting of a hornet, would cause the inhabitants of Canaan to turn and flee. The borders of their inheritance would extend from the Red Sea in the southeast to the Mediterranean Sea in the west; from the southern desert to the Euphrates River in the north.

The possession of the land of Canaan will mean that the Amorites, Hittites, Perizzites, Canaanites, and Hivites will be driven out of the land. This raises an important moral question about ethics: how can it be right for God

to dispossess the dwellers of Canaan to settle the Israelites there? Further, how can it be right for God to “blot them out” (v. 23)?

God is not showing any capriciousness or malice against the individuals who live in Canaan; he is dealing with them as an entity, an entire race. That, however, does not really solve the moral dilemma.

The Canaanites were dispossessed as punishment for their own wickedness and idolatry. In Genesis 15:16, God had said to Abram that his descendants would inhabit the land when the iniquity of the Amorites would be complete. Now God is moving nearer to fulfilling that promise. The Canaanites will lose their land through sin; the Israelites will possess it through grace.

The Lord intends to have a holy nation in the world, as a testimony to his existence and faithfulness, out of which a Savior for the whole world would come. The Canaanites would have been a threat to that purpose if they had been permitted to live on in the midst of the Hebrew nation. These incorrigible degenerates of the Canaanite civilization were a sinister threat to the spiritual survival of Abraham’s race.

> **Exodus 23:33** They shall not dwell in your land, lest they make you sin against me; for if you serve their gods, it will surely be a snare to you.”

That story will unfold as God fulfills his promise and the Old Testament history runs its course.