

Exodus 21

God continues His law for Israel, through Moses. Here, He uses the word “judgments” which are understood to be laws. These laws relate to slavery (Israel just left slavery), murder, respect for parents, and uncontrollable animals. Some have questioned the lack of organization in these laws. However, it might be that God revealed these laws to Israel as they asked questions, illustrated in the event from Exodus 18. The phrase “book of the covenant” is used in 24:7 and is usually applied by scholars to 20:22-23:33. However, “covenant” is first used in Exodus, relative to God’s relationship to the nation of Israel, at 19:5 (the word was used earlier at 2:24; 6:4-5). We believe the whole content of the Law of Moses is the “book of the covenant.”

TRANSLATION - 21:1-6:

1 “Now these are the judgments which you will put before them: **2** If you buy a Hebrew slave, six years he will serve and in the seventh he will go out as a free [man] without compensation. **3** If by himself he comes, by himself he will go out. If a husband of a wife, his wife will go out with him. **4** If his master gives to him a wife and she bears for him sons or daughters, the wife and her children will be to her master and he will go out alone. **5** And if to say the slave will say, “I love my master, my wife and my sons, I will not go out free,” **6** then his master will bring him to God and he will bring him to the door or to the doorpost and his master will bore his ear in the doorpost and he will serve him indefinitely.

HEBREW WORDS:

“Judgments” (ver. 1) was seen earlier at 15:25. “To buy” (ver. 2) was used earlier at 15:16. “Hebrew” was used earlier at 1:15-16, 19. “To be free” is used 17 times; in Exodus only in this context: 21:2, 5, 26-27. “Without compensation” is used 32 times; only in this context in Exodus: 21:2, 11. “Husband” (ver. 3) is the Hebrew word *baal*, which often refers to the false god Baal. It also means “owner” or “husband.” It is used 16 times in the OT; in Exodus, in this context: 21:3, 22, 28-29, 34, 36 and 22:7, 10-11, 13-14. The related verb means “to rule over, marry, own.” It is used 16 times. “Master” (ver. 4) is used 774 times; 439 times it refers to God. It’s the verbs from this word which were added to the name Yhvh to give the name “Jehovah.” The word is used in Exodus 16 times, first at 4:10, 13. “To love” (ver. 5) is used 217 times, only here in Exodus.

“To bring or approach” (ver. 6) was used earlier at 19:15, 22. “Doorpost” was used in 12:7, 22-23. “To bore” is used only here, at 21:6. “Indefinitely” is the word often translated “forever.” It is used in Exodus 17 times. It clearly cannot mean “forever” in this context.

HEBREW GRAMMAR:

“To say, he will say” (ver. 5) is the first of 10 statements in this chapter which reflect the Hebrew grammatical construction denoting emphasis. It is the infinitive absolute followed by the same verb in the imperfect.

REFERENCES AND ALLUSIONS TO GENESIS:

“Hebrews” were descendants of Abraham (Gen. 14:13), who was descended from Eber (Gen. 10:21, 24-25). Israelites are called “Hebrews” 33 times in the OT. Jonah claims to be a Hebrew (Jonah 1:9). Israelites were not called “Jews” until after the exile in Babylon. It is the common designation for Israelites in the NT.

COMMENTARY:

This first paragraph relates to “Hebrew” slaves (ver. 2). Foreign slaves will be dealt with later (see below under “Moses’ Contemporaries”). Slavery in biblical times was not like slavery in more modern times. A Hebrew might become a slave in order to pay debts or a parent could sell a child for slavery or to become a wife if there was no dowry (21:7-11). Yet, the law of

Moses elevated the status of slaves above Ancient Near Eastern laws and required Israel to treat them with respect and honor.

The slave was to serve his master for six years and in the seventh year, regardless of the unpaid debt, he was to be freed (ver. 2). If the slave entered his servitude as a single man, he would leave as a single man. If he entered as a married man, he would leave as a married man. If he obtained a wife by his master (who had children) while in servitude, the wife (and children) still belonged to the master; the slave would leave alone (ver. 4).

For reasons of his family or because the master was godly and generous, the slave might decide to stay with that master. In which case the master would bring him to the leaders ("God" or *elohim* in the Hebrew language since the leaders served in the place of God; ver. 6; see also the translation in 22:8-9), who would bring him to the door or doorpost of his master's house (or perhaps the temple) and bore a hole through his ear into the doorpost. At that point, the slave would serve that master indefinitely.

APPLICATION:

Moses' contemporaries - For further OT laws on slavery and the treatment of slaves, see: Exodus 12:44-45; 23:12; Deut. 5:14; 15:11-18; 16:11-12, 24; 23:16-17. This paragraph has dealt with Hebrew slaves. Relative to Israel's treatment of foreign slaves, see Leviticus 25:44-46; Deut. 21:10-14. When the slave was set free, God also required the master to send the slave away with gifts (Deut. 15:13-14), as Egypt did with Israel (3:21-22; 11:2-3; 12:35-36).

Later Jewish writers - Relative to the treatment of slaves, see Jeremiah 34:9, 14, 17 where slaves were called "brothers." The psalmist seems to have verse 6 in mind when he writes Psalm 40:6-8.

NT writers - Slavery was common and widespread in the Roman Empire. Paul taught Christian slaves that they were accountable to Christ above all and that masters will answer to Christ for their inhumane behavior (Eph. 6:5-8; Col. 3:22-25; 4:1). Philemon is the most well-known slave in the NT because he became a Christian. Paul sent him back to his master, Onesimus, who was a fellow Christian. Read Philemon for his story. All Christians are, in fact, slaves to Jesus Christ (Rom. 6:16-20). Hebrews 10:5-7 refers to Psalm 40:6-8, which might have Exodus 21:6 in mind.

TRANSLATION - 21:7-11:

7 And if the man will sell his daughter as a maid, she will not go out when the slaves go out. **8** If evil in the eyes of her master which he will not designate her then he will redeem her for the foreign people. He will not rule to sell her when he treated her unfairly. **9** And if for his son he will designate her as judgement the daughters he will make for her. **10** If another he takes to him her food, her clothing, and her marital rights will not be reduced. **11** If three of these he does not do for her, then she will go out without compensation; there is no silver.

HEBREW WORDS:

"To sell" (ver. 7) is used 80 times. In Exodus, it is used here (21:7-8, 16, 35, 37) and 22:2. "Maid" was used earlier at 2:5; 20:10, 17. "Evil" (ver. 8) was used earlier at 5:19. "To designate" is used 29 times in the OT; in Exodus, at 21:8-9; 25:22; 29:42-43; 30:6, 36. "To redeem" was used earlier at 13:13, 15. "Foreigner" was used earlier at 2:22. "To rule" is used 81 times, only here in Exodus. "To treat unfairly" is used 49 times in the OT, only here in Exodus.

"Food" (ver. 10) is used 26 times, only here in Exodus. "Clothing" is used 8 times in the OT; in Exodus, at 21:10; 22:26. "Marital rights" is only used here. "To reduce" was used earlier at 5:8, 11, 19. "Without compensation" (ver. 11) was used earlier in verse 2.

COMMENTARY:

If a couple were in need of money, they might sell their daughter to be the wife of a man or the master's son (ver. 7). In that case, God required certain behaviors (ver. 7). The master might decide that he does not want to keep her as a wife; in which case the master will allow

her to be redeemed (purchased) by someone else (ver. 8), but not a foreigner. If the master decides to give her to his own son (ver. 9), she will be treated as any other daughter of Israel. If the master takes a second wife (ver. 10), the first wife should not experience poorer treatment. The master cannot reduce her allotment of food, clothing, or "marital rights." This latter phrase is not entirely understood but most scholars believe this is its intent. If the master refuses to treat her fairly (ver. 11), then he is to allow her to go free, without any compensation ("silver") from her.

APPLICATION:

Later Jewish writers - See Nehemiah 5:5 for an example of Israelites selling their children into slavery.

TRANSLATION - 21:12-17:

12 A man hitting [another] and to die, he dies then he will be killed. **13** And which he did not wait but God allowed him to his hand, then I will put for him a place where he will flee there. **14** And when a man is arrogant against his friend to kill him in craftiness, from the altar you will take him to die.

15 And striking his father and his mother, to die he will be killed.

16 And stealing a man and if he sell him and it is found in his hand, to die he will be killed.

17 And cursing his father and his mother, to die he will be killed.

HEBREW WORDS:

"To hit" or "to strike" (ver. 12) was used earlier at 2:11-13. The verb is used in this chapter at 21:12, 15, 18, 20, 26. "To die" is the same verb as "to be killed." The latter verb is the passive form. This verb was used earlier at 1:6, 16. It will be used in this context at: 21:12, 14-18, 20, 28-29, 35. "To wait" or "to lie in wait" is used only three times: Exo. 21:13; 1 Sam. 24:12; Zeph. 3:6. "To allow" or "to allow to happen" is used only three times: Exo. 21:13; Psa. 91:10; Prov. 12:21. "To flee" was used earlier at 4:3; 9:20; 14:25, 27. "To be arrogant" (ver. 14) was used earlier at 18:11. "To kill" was used earlier at 2:14-15. "Craftiness" is used only 6 times: Exo. 21:14; Jos. 9:4; Job 5:13; Prov. 1:4; 8:5, 12. "Altar" was used earlier at 17:15. "To steal" (ver. 16) was used in the Ten Commandments (20:15). "To curse" (ver. 17) is used 82 times. It can mean to "make insignificant." It is used in Exodus at 21:17 and 22:27.

HEBREW GRAMMAR:

"To die, he will be killed" (ver. 15, 16, 17) is the emphatic expression in Hebrew, the infinitive absolute followed by the same verb in the imperfect.

REFERENCES AND ALLUSIONS TO GENESIS:

Joseph was practically kidnapped by his own brothers and then sold into slavery to the Midianites (Gen. 37:25-36).

COMMENTARY:

This text relates to crimes requiring capital punishment; the phrase "to die he will be killed" is used five times in this paragraph. The murderer will be put to death (ver. 12). That is the general rule. But if there are extenuating circumstances, such as if it were an accident (ver. 13), he may flee to a place and be protected from the dead man's family. "To wait" suggests premeditation in the murder; rather, in this case, "God allowed him to his hand" - in other words, the death was an accident. The "place" which God would appoint are later identified as "cities of refuge." On the other hand, if the man acts "arrogantly" and kills him "in craftiness" (that is, he planned the murder), he cannot even find refuge in the holy place; he should die. In this time frame, a man might find refuge in a place of worship, a temple, and hold the corner

("horn") of the altar and find safety. In this specific case, God forbid safety, even in the holy place.

Reflecting the command to honor father and mother (20:12), the next law commanded the death penalty for one who cursed his father or mother. "To curse" was a very strong statement calling on God to show his wrath on the father or mother; we presume they are innocent of serious sin. A young man who would not respect his parents should be killed.

A man who steals is breaking a commandment (20:15). If one steals a *human*, that is kidnap someone, then that guilty person should be put to death. This law would make it illegal, or better said a "sin," to practice the type of slavery which was common in the world in the 1600s-1800s.

The next law (ver. 17) also relates to the commandment to honor father and mother: he who curses his parents shall be put to death. This verb "to curse" (which means to treat "lightly") is the opposite of the verb "to honor" (which means to treat with seriousness). God required Israel to take their relationship with their parents seriously.

APPLICATION:

Moses' contemporaries - The law against kidnapping is reiterated in Deuteronomy 24:7. For a similar law against cursing parents, see Leviticus 24:10-16, 23. For more on the crime of murder, see Lev. 24:17, 21; Deut. 17:6; 19:15. For more on the crime of mistreatment of parents, see Leviticus 20:9; Deut. 21:18-21.

Later Jewish writers - Two events in 1 Kings relate to the law expressed in verse 14: 1 Kings 1:50-53 and 1 Kings 2:28-34.

NT writers - Children are to respect their parents in the Christian age as well (Eph. 6:1).

TRANSLATION - 21:18-27:

18 And when men struggle and a man strikes his friend by a stone or by a fist and he does not die he falls to bed, **19** If he raises and walks around outside by his staff then he is unpunished the one striking; only his loss of time he will give and to heal, he will heal.

20 And if a man strikes his slave or his maid by a rod and he dies under his hand, to avenge, he will be avenged. **21** Only if a day or days he stands, he will not be avenged because his silver is his.

22 If the men struggle and they hurt a pregnant woman and there goes out her child and there is not an accident, to punish he will be punished just as he put on them the husband of the woman and he will give by the judges. **23** And if an accident there will be then you will give a soul for a soul. **24** An eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot. **25** A branding for a branding, a wound for a wound, a bruise for a bruise.

26 And when a man strikes the eye of his slave or the eye of his maid and he destroys it, free he will send him out for his eye. **27** And if the tooth of his slave or the tooth of his maid he causes to fall, free he will send him out for his tooth.

HEBREW WORDS:

"To struggle" (ver. 18) was used earlier at 17:2, 7. "Fists" is only used here and Isaiah 58:4. This is the only use of "staff" (ver. 19) in Exodus; it is used 11 times. "To be unpunished" was used in the Ten Commandments (20:7). "To heal" is used 69 times in the OT, only here in Exodus. This is the only use of "rod" (ver. 20) in Exodus. It is used 190 times because it can also be translated "tribe." "To avenge" is used 35 times. It is only used in this context (21:20-21). "To hurt or strike" (ver. 22) was used earlier at 7:27; 12:23, 27. "Pregnant" is used only 6 times: Gen. 16:11; 49:26; Exo. 21:22; Isa. 26:17; Jer. 20:17; 31:8. "Accident" is used in Genesis (42:4, 38; 44:29) and here (21:22-23). "To punish" or "to fine" is used 8 times in the OT, only here in Exodus. "Judges" is not the normal word translated "judges." This word is only used 4 times: Exo. 21:22; Deut. 32:31; Job 31:11, 28. This is the only place where "branding"

(ver. 25) is used in the Bible. “Wound” is used 8 times, only here in Exodus. “Bruise” is used 7 times, only here in Exodus. “To send out” (ver. 26) was used earlier at 8:20.

HEBREW GRAMMAR:

“To be healed, he will be healed” (ver. 19), “to avenge, he will be avenged” (ver. 20), and “to punish, he will be punished” (ver. 22) reflect the Hebrew emphatic grammatical expression, using the infinitive absolute and the imperfect verb.

COMMENTARY:

The next paragraph (21:18-27) deals with the control of anger. While anger itself is not sinful, the result of a failure to control that anger can be sinful and it can lead to the penalty of death.

If two men enter an argument and one strikes another but does not kill him (21:18-19); he only disables him for a time, then the aggressor will compensate the injured man for his loss of time and help him until he heals completely.

If a master strikes his slave, whether male or female (ver. 20-21), and the slave dies, the master can be punished. This might include the death penalty; it might depend on the decision of the slave’s family and judges. If, however, the slave is able to recover in a few days, vengeance is not allowed.

The next paragraph is used often to discuss the ethics of abortion. If men argue and one hits a pregnant woman (ver. 22) and her child “goes out” (is born) but there is no accident (the baby lives), then the punishment for the offender will be decided by the husband and the judges. However, if there is an accident or “harm” (ver. 23), then the guilty party will be punished fairly, depending on the extent of the “harm.” This text (21:23-25) is known as the “*lex talionis*” or “law of retribution.” It was used in the court of law (not in personal grievances) to keep a plaintiff from being too aggressive toward the defendant. In other words, the punishment was to fit the crime. Other than the death penalty (“life for life”), the Jews normally accepted monetary compensation for the injury. Relative to abortion, it seems clear from this text that if the baby is born prematurely and dies, then the offender should also be put to death (“life for life”).

Finally, even slaves had rights, again a concept that was generally foreign to Ancient Near Eastern religions. If a master hits his slave in the eye and destroys the eye, the slave is allowed to go free (21:26). If the master knocks out a tooth (ver. 27) of his slave, male or female, the slave is allowed to go free.

APPLICATION:

Moses’ contemporaries - The law also forbid returning a runaway slave to his master (Deut. 23:15). Private vengeance was not allowed (Lev. 19:18). The *lex talionis* is repeated in Leviticus 24:17-22 and Deut. 19:18-19, 21. In contrast with Ancient Near Eastern cultures, in Israel mutilation of a criminal was not allowed (with one exception: Deut. 25:12).

NT writers - The apostle Paul will forbid Christians from taking vengeance, rather they are to leave such in the hands of God (Rom. 12:14-21; 13:1-7).

From Prager¹ we share contrasts from the Law of Moses with slavery from the modern era:

1. If a master caused the slave to lose an eye or a tooth, the slave was freed (Exo. 21:26-27).
2. The runaway slave was not returned to his master (Deut. 23:16).
3. If a master killed his slave, the master was put to death (Exo. 21:20).
4. Slaves were allowed to rest on the Sabbath (Exo. 20:12).

¹ Prager, 304.

It is clear that NT teachings from Christ would put an end to slavery (Matt. 7:12). Christianity was, in fact, the driving force behind the elimination of slavery in the modern era. Christ will reinterpret the law of retribution (*lex talionis*) in Matthew 5:38-42.

TRANSLATION - 21:28-36:

28 And if an ox gores a man or a woman and he dies, to stone the ox will be stoned and he will not eat his flesh and the owner of the ox [will be] pure. **29** And if an ox [is] a gorer, from yesterday three days ago, and it was witnessed by its owner and he did not guard it, and it killed a man or a woman, the ox will be stoned and even its owner will die. **30** If a ransom he will put on him and he gives a redemption of his soul as all which he put on him, **31** or a son he will gore or a daughter he will gore just as this judgment he will do to him. **32** If a slave the ox will gore or a maid, thirty shekels of silver he will give to his master and the ox will be stoned.

33 And if a man opens a pit or if a man digs a pit and he does not cover it, and an ox falls there or the donkey, **34** the owner of the pit will reimburse with silver he will give to the owner and the dead [animal] will be his. **35** And if the ox of a man injures the ox of his friend and he dies, then they will sell the living ox and they will divide its silver and even the dead will be divided. **36** Or [if] it was known that the ox [was] a gorer yesterday three days ago and the owner did not guard it, to reimburse he will reimburse an ox for the ox and the dead will be his.

HEBREW WORDS:

“To gore” (ver. 28) is used 11 times, only in this context in Exodus, at 21:28, 31-32. “Ox” was used earlier at 20:17. It is used extensively in this paragraph (16 times, through 22:1). “To stone” was used earlier at 8:22. “To witness” (ver. 29) was used earlier at 19:21, 23. “Ransom” (ver. 30) is used 13 times, in Exodus at 21:30; 30:12. “Redemption” is used here and Psa. 49:9. “Shekel” is used 88 times and is related to the verb “to weigh.” The noun is used 14 times in Exodus. “Pit” (ver. 33) was seen earlier at 12:29. “To dig” was used 14 times in the OT, only here in Exodus. “To cover” was used earlier at 8:2. “To reimburse” (ver. 34) was used once in Genesis (44:4). It will be used in Exodus 18 times out of 116 times in the OT. The verb is related to the noun for “peace.” “To injure” was used earlier at 7:27; 12:23, 27. “To divide” is used 15 times, only here in Exodus.

HEBREW GRAMMAR:

“To stone, he will be stoned” (ver. 28) and “to reimburse, he will reimburse” (ver 36) translates the grammatical construction of an infinitive absolute followed by the same verb in an imperfect form, to show emphasis.

REFERENCES AND ALLUSIONS TO GENESIS:

God’s initial law governing the respect for life applied also to the animal that killed a human being: Genesis 9:6.

ARCHAEOLOGY:

This is the first mention of “shekel” in Exodus. It was used twice in Genesis (23:15-16).

COMMENTARY:

This last paragraph largely relates to one’s animal and its relationship to human beings. The “ox” is found 13 times in verses 21:28-32 and 21:35-36. The theme of “ox” goes into chapter 22:1 (which is 21:37 in the Hebrew text).

If an ox gores a man or woman (illustrating that women were viewed as having the same inherent value as men) and the human dies (ver. 28), the ox will be stoned to death and its flesh cannot be eaten. No one will benefit from the meat of an ox which killed a human. The owner will not be punished in this scenario.

However, if the ox was in the habit of goring people; he is a “gorer” (in Hebrew language), then the ox will be stoned to death and the owner will also be put to death (21:29).

He should have either killed the ox beforehand or in some way restrained the ox. This is the fifth crime explicitly meriting the death penalty (21:18 and 21:23 imply the death penalty).

The family of the deceased might require some compensation (ver. 30) and the owner of the guilty ox is to give what is required. This rule applies to both men and women (ver. 31). If the deceased is a slave (ver. 32), the owner was to give 30 shekels (pieces of silver) to the master and the ox was stoned to death.

Relative to digging a pit (ver. 33), the owner of the land who dug the pit is responsible for those who are injured by falling into the pit. Pits were dug to store grain, deposit human refuse or other garbage, and as “prisons” for thieves. If an animal (ox or donkey are used as examples) falls into the pit, the owner is to make restitution (ver. 34). At that point, the injured or dead animal will also become his.

Finally, God returns to the ox... if the ox injures another man’s ox and the injured ox dies, the live ox is to be sold and the income and the dead ox is divided between the two men (ver. 35). However, if the ox was a “gorer”, habitually in the habit of goring and the owner did not confine it, the owner will pay completely for the dead ox and it will become his.

APPLICATION:

Moses’ contemporaries - Murderers could not pay a ransom in order to escape the death penalty (Num. 35:30-31).

Later Jewish writers - The price of a slave (30 shekels) was to be given for the Messiah, according to Zechariah 11:12.

NT writers - Jesus would be sold by Judas to the Sanhedrin for the price of a slave, thirty shekels of silver (Matt. 26:15).