

Exodus 21: Biblical Reading and Reflections

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[0 : 0 0] Exodus chapter 21. Now these are the rules that you shall set before them. When you buy a Hebrew slave, he shall serve six years, and in the seventh he shall go out free for nothing. If he comes in single, he shall go out single. If he comes in married, then his wife shall go out with him.

If his master gives him a wife, and she bears him sons or daughters, the wife and her children shall be her master's, 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 free, then his master shall bring him to God, and he shall bring him to the door or the doorpost, and his master shall bore his ear through with an awl, and he shall be his slave for ever. When a man sells his daughter as a slave, she shall not go out as the male slaves do. If she does not please her master, who has designated her for himself, then he shall let her be redeemed. He shall have no right to sell her to a foreign people, since he has broken faith with her. If he designates her for his son, he shall deal with her as with a daughter. If he takes another wife to himself, he shall not diminish her food, her clothing, or her marital rights. And if he does not do these three things for her, she shall go out for nothing, without payment of money.

Whoever strikes a man so that he dies shall be put to death. But if he did not lie in wait for him, but God let him fall into his hand, then I will appoint for you a place to which he may flee. But if a man willfully attacks another to kill him by cunning, you shall take him from my altar that he may die.

Whoever strikes his father or his mother shall be put to death.

Whoever steals a man and sells him, and anyone found in possession of him shall be put to death. Whoever curses his father or his mother shall be put to death. When men quarrel, and one strikes the other with a stone or with his fist, and the man does not die but takes to his bed, then if the man rises again and walks outdoors with his staff, he who struck him shall be clear. Only he shall pay for the loss of his time, and shall have him thoroughly healed. When a man strikes his slave, male or female, with a rod, and the slave dies under his hand, he shall be avenged. But if the slave survives a day or two, he is not to be avenged, for the slave is his money. When men strive together and hit a pregnant woman, so that her children come out, but there is no harm, the one who hit her shall surely be fined, as the woman's husband shall impose on him, and he shall pay as the judges determine. But if there is harm, then you shall pay life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe. When a man strikes the eye of his slave, male or female, and destroys it, he shall let the slave go free because of his eye.

If he knocks out the tooth of his slave, male or female, he shall let the slave go free because of his tooth. When an ox gores a man or a woman to death, the ox shall be stoned, and its flesh shall not be eaten. But the owner of the ox shall not be liable. But if the ox has been accustomed to gore in the past, and its owner has been warned, but has not kept it in, and it kills a man or a woman, the ox shall be stoned, and its owner also shall be put to death. If a ransom is imposed on him, then he shall give for the redemption of his life whatever is imposed on him. If it gores a man's son or daughter, he shall be dealt with according to this same rule. If the ox gores a slave, male or female, the owner shall give to their master thirty shekels of silver, and the ox shall be stoned.

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, the owner of the pit shall make restoration. He shall give money to its owner, and the dead beast shall be his. 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. 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. Many of the themes associated with the Ten Commandments that we saw in chapter 20 of the book of Exodus reappear in the next chapter, chapter 21. It begins with the release of people from slavery in the seventh year, reminding us both of the beginning of the Ten Commandments, as God recounts his deliverance of Israel from slavery in the land of Egypt, and

also of the fourth commandment concerning the Sabbath. As we move beyond this introduction, which recalls the first and fourth commandment, we find a lot more that would remind us of other commandments. We have laws concerning honouring father and mother, concerning murder, concerning man-stealing, concerning theft, concerning false witness, and as we move through we'll see many things that recall the Ten Commandments. The material in chapters 21 to 23 can loosely be clumped together according to principles or laws of the Ten Commandments. Chapter 21 could arguably be related chiefly to the themes of slavery and release and of violence and murder, with a bit of honouring father and mother thrown in for good measure. By clumping laws together in this way under the loose categories of the Ten Commandments, it helps us to expand the core principles that we find in the Ten Commandments into larger bodies of law.

[6 : 11] You learn literacy in part through expounding things, expanding things that are tight, pithy statements, into large developed statements about a particular reality. It's a process of expounding and also of condensing, of taking that big set of principles and truths and making it comprehensible in a single statement or a single reality.

In the same way, when we're reading the Book of the Covenant in chapters 21 to 23 of the Book of Exodus, we are dealing with case laws that expound and unpack the principles of the Ten Commandments themselves.

Meditating upon the relationships internal to the case law and upon the relationship between the case law and the core moral law of the Ten Commandments will give us a sense of literacy in the law.

It will help us to understand how principles can be derived from the core principles and how the expounded principles can be found to have a unity among themselves.

That these aren't just a set of 600 odd laws that we have in Scripture, but they are bound together. There is a logic and a unity and a coherence to them. And as we see these core principles, we'll realise we don't actually have a lot of detached commandments after all.

[7 : 31] We have a few key principles that are expounded and unpacked. There is a refraction of them. As we see the clear light of God's law refracted into the particular colours of different situations.

The case law provides examples of judgments arising from the core principles of the law then. It teaches literacy in the law, but it isn't a complete legal code. If you look through the law here, you'll see a lot of commandments that seem odd and strange.

You might puzzle upon why they're here in the first place. You'll also notice a lot of gaps that aren't really addressed. Lots of situations that might arise in life that aren't really spoken to by the law. So the law is not a complete system. Rather, it teaches you how to arrive at case law and judgments in specific situations from the core principles without actually dictating every single one of those cases.

It requires some sort of jurisprudence and wisdom and some recognition of specifics and how the law can be brought into relationship with those different situations.

[8 : 38] The other thing to notice is that a lot of the law is symbolic. It helps us to read Israel's history particularly. Especially when we're seeing some of the odd and obscure laws, they seem to be included for some reason other than relevance to everyday situations of judgment.

This isn't a comprehensive legal system, and it is a system that has many odd laws within it. Laws that don't seem to be related to everyday life, but rather help us to read the symbolism and the significance of specific events in Israel's history.

Nor should this be treated as a timeless system of justice. What we have here addresses divine justice to a particular time and a set of social realities.

It is not something that we should apply in a contemporary situation, as if it applied to us in the same way as it did to the people of Israel after they had been brought out of Egypt. These are laws given to a specific culture in a particular time and place that applies principles of divine justice to those particularities.

Our particularities are different. There are ways in which the law is accommodated to the hardness of people's hearts. And if we were to apply a system of justice to our own society based upon God's commandments, we would find that we would be accommodating to very different problems within our society.

[9 : 57] And there would be a need to do similar sort of things. To have laws that recognise specific aspects of sinfulness in our society. This chapter begins with laws concerning slavery and release.

It is important to observe that the laws here are arising out of God's deliverance of his people from slavery in Egypt. Now they have to release their own slaves.

There is a principle of Israel's continuing life that must arise from the foundational principle of its national existence, which is that they were freed from slavery in Egypt.

Now they must also give freedom to their slaves under certain conditions. Slavery isn't seen as a bad thing in principle in scripture. From our historical perspective, where we have the brutal legacy of race slavery, it can be very hard for us to understand why the scriptural writers don't entirely condemn the practice of slavery, and typically appear to condone it and maybe even on some occasions present it as a good thing.

Slavery is mentioned at various points with some prophetic blessings and curses, for instance, in relationship to the story of Canaan or the way that Esau is to serve Jacob.

[11:10] We see concubines and maidservants in characters like Hagar, Zilpah and Bilhah. Jacob is reduced to the status of a servant by Laban, but then gains great wealth through service.

The story of Joseph's slavery is an important one. And in all of these stories, we're seeing some windows into what slavery was like. Slavery is not idealised by any means.

It's not a positive situation for the most part, but nor is it presented as something that's universally vicious and evil. Indeed, in the story of Joseph, we see slavery presented in a very positive light in certain regards.

Through the Lord's help, Joseph brings the whole nation of Egypt, first into a feudal relationship and then into outright slavery to Pharaoh. In Genesis chapter 47 verses 13 to 26, Joseph's divinely given wisdom enables him to make the people by whom he was enslaved the servants of Pharaoh. And this is a good thing in many respects. It fulfills the divine promises that other people would serve Abraham and his seed. It brings the Egyptians under the wise and divinely blessed and provident rule of Joseph.

[12:20] It saves their lives from the famine. Our concept of slavery and servitude is powerfully shaped by the notion of slavery being involuntary or coercive and lifelong.

But that is an unhelpful way to understand most forms of biblical slavery, which occurred on quite a spectrum of differing degrees of dependency and voluntariness. Man-stealing and kidnapping for slavery were subject to the death penalty in Deuteronomy chapter 24 verse 7 and also in this chapter.

In perhaps the majority of cases, biblical slavery was not strictly involuntary, although it was an undesirable state to which to be reduced. Slavery was a means of managing the dependence of the poor and the indebted in a society without a welfare state.

It was also part of the criminal justice system, as it was used as a means of providing restitution to people who had been wronged. Israelites could also enslave foreigners taken in war and could buy foreign slaves from others, something that they couldn't do in the case of Israelites, as we see in Leviticus chapter 25 verses 42 following.

Finally, people could voluntarily enter into the state of service to another if they wanted security and membership in a good master's household. So as dependents, biblical slaves had certain securities, but they also had many limitations on their freedom.

[13:41] Paul can say that the heir, as long as he is a child, does not differ at all from a slave, though he is the master of all. And that analogy between slavery and childhood is an illuminating one in many respects.

The slave was, unlike the hired hand, a member of the household in some level. He didn't have the autonomy of the hired hand, and rather than having his employment ended or his pay cut, he could be beaten as a form of punishment.

The master had a duty to provide for him as a member of his household, and like the child, his rights of free movement, his bodily autonomy, and such things as his rights of marriage were curtailed.

However, also like the child, this period of dependency and limited freedom was typically intended to be temporary. It was one that had a clearly and legally established ending point in view, and ideally it was supposed to lead to the learning of greater self-discipline and providence from a master who had proved himself in these regards.

The system of slavery then is seen as a positive way of securing the survival of dependent and improvident people in society. It ensures that they are protected and provided for by provident masters into whose service they come.

[14 : 52] It's seen as a way that God blesses those who are faithful and wise, bringing other people under their authority and provision. As in the case of Joseph, people coming under the rule of a wise and provident master could be saved from much of the fear that they would be in if they had to provide for themselves and found themselves unable to do so.

This extends the influence of people who are wise and able to provide in certain situations and the level of their responsibility. It can also be a form of judgment upon the wicked as the Lord makes them the servants of the righteous.

Now this is not an ideal situation by any means. We should not idealize this. But this is the sort of situation that was much better than many of the alternatives. And the harshness of slavery is mitigated in many ways in scripture.

The biblical slave is guaranteed the rest of the Sabbath in the fourth commandment. In this chapter we see that there are clear requirements established for the release of different kinds of slaves after certain periods of time.

There are protections provided for concubines. Departing Hebrew slaves were supposed to be sent out with gifts. And the Lord consistently reminds his people that they were once slaves in Egypt.

[16 : 07] He declares that he will bless those who are faithful in treating their servants. And the entire story of the Exodus is a repeated reminder that the Lord hears the cry of the oppressed slave.

So the state of slavery to men is not celebrated in scripture. It's a state of immaturity akin to that of childhood. And the Lord's intention is always that his people gain maturity and independence through obedience and faithfulness.

The biblical expectations upon the slave were equivalent or similar at least to those upon children to grow in responsibility through faithful obedience. And like childhood it's very negative for people to return to the state of slavery.

Rather people are expected to grow beyond it and the strict law-bound character of slavery like that of childhood can provide a means of maturation. Biblically slavery is oriented towards manumission and blessing.

And slave-owning is a means by which the righteous and the provident can come to provide for and protect many dependent people training them towards independence or fully absolving them into the life of the family.

[17 : 14] While we have clear continuing forms of dependency relations in society it's very good that we've moved beyond slavery in many respects. There is still logic of slavery in our employment systems in our relationship to our governments.

We think of them in different ways but the logic of slavery is still at play. But the sort of slavery spoken of in scripture was necessary and served good purposes in a less developed society.

As society matures such an institution fitted for a more childlike stage in humanity's life should be left behind. So we can read these commandments see the way that God is orienting his people towards growth, maturity and freedom and we can see them as good within their context.

We can learn and apply them to our own context without seeking to translate them or to re-pristiniate some system of slavery that we have rightly moved beyond. These commandments then concerning slavery come first as they correspond to Israel's own liberation.

It's institutionalising Israel's own release and there are parallels to be found in Deuteronomy chapter 15 verses 12 to 18. If your brother, a Hebrew man or a Hebrew woman is sold to you, he shall serve you six years and in the seventh year you shall let him go free from you.

[18 : 32] And when you let him go free from you you shall not let him go empty-handed. You shall furnish him liberally out of your flock, out of your threshing floor and out of your wine press. As the Lord your God has blessed you, you shall give to him.

You shall remember that you were a slave in the land of Egypt and the Lord your God redeemed you. Therefore I command you this day. But if he says to you, I will not go out from you because he loves you and your household since he is well off with you, then you shall take an awl and put it through his ear into the door and he shall be your slave forever.

And to your female slave you shall do the same. It shall not seem hard to you when you let him go free from you. For at half the cost of a hired worker he has served you six years. So the Lord your God will bless you in all that you do.

Once again we should remember that the slave within the house was in many ways treated like a child within the house that's ruled by their parents. And in such a situation a master might give his slave a wife.

The law considers such a case and in that case the wife would be left in the house of the master when the slave went free in the seventh year. Such a situation would involve the wife remaining in the house and the released slave having the right to visit her and have conjugal relations but she would still serve for a period of time.

[19 : 54] We can see such a situation in Judges chapter 15 verse 1 where Samson has conjugal visitation rights without cohabiting with his wife. If the male slave however wants to bind himself to his master his ear can be bored to the doorpost.

The boring of the ear suggests the opening of the ear for hearing and obeying and listening. The ear is the organ of hearing and can be connected with obedience. You hear and you obey.

There's also a reminder of the Passover. The doorpost is the site on which the blood was placed. And as the ear of the slave bored to the doorpost with blood trickling down was seen it would remind Israel of its own status as servants within the house of God as those who had committed themselves to the service of a good master and wanted to be members of his household.

The Sabbath year one way or another then was to occasion a change in the slave status. It was either to lead to him going free or to him becoming a committed member of the family.

The female slave is a different case. The female slave was sold into the family in order to become part of the family. And there's a betrayal here if the female slave is not actually taken as a wife for her master or for her master's child.

[21 : 15] And such a woman is to be treated as a full-fledged daughter. It was one of the ways in which a poorer family could rise up in status. The young woman becoming a concubine of her master's servant or of the master himself.

And she was supposed to be treated according to the law of daughters with the protections that that gave her. ensuring that she would not be abused or taken advantage of. And her husband, if he took another wife, was not to diminish her food, her clothing or her marital rights.

Her standing within the family was to be protected. And the law of God exists in part to protect such people who would be very vulnerable in a system like that. The laws that follow are laws concerning violence in decreasing severity.

So there's intentional murder and manslaughter in verses 12 to 14. Assaults of greatest severity in verses 15 to 17. Assaults intended to wound or intentional or unintentional wounds in verses 18 to 27.

Animal violence to humanity if the animal is owned in verses 28 to 32. Dangerous inanimate property in verses 33 and 34. And then finally, animal violence to another animal.

[22 : 27] These laws contain elements related to the fifth commandments and also to the sixth commandment, but primarily the sixth. It's dealing with situations of violence, but also to an extent the honour of father and mother.

As we look through such bodies of material, we'll often notice that laws can't neatly be divided up into particular categories. They do loosely categorise under certain headings, but they blur into each other in different ways.

There are laws concerning manslaughter and the cities of refuge. The cities of refuge don't seem to have been set up yet, but the manslayer seems to have been able to have fled to God's altar.

There are some peculiar commandments here. One of the most peculiar is the law concerning the men fighting and wounding the pregnant woman. A similar law can be found in other ancient Near Eastern bodies of legal material, but here I wonder whether there is some connection with things that we've seen earlier on in the story of Genesis.

And in the legal material of the book of Exodus and Deuteronomy, there do seem to be reflections back upon the narrative. We'll also see this in the book of Numbers. Here, Ami Silva has suggested that there might be a connection between the story of Joseph, Benjamin, Jacob and Rachel.

[23 : 45] In chapter 44 of the book of Genesis, in verses 27 following, we read, Then your servant, my father, said to us, You know that my wife bore two sons.

One left me, and I said, Surely he has been torn to pieces, and I have never seen him since. If you take this one also from me, and harm happens to him, you will bring down my grey hairs in evil to Sheol.

