

Exodus Chapter Twenty-One

Read **Exodus 21:1-11** – Laws regarding Servants

v.1 “NOW THESE *are* THE JUDGMENTS WHICH THOU SHALT SET BEFORE THEM.”

This chapter is a continuation of the laws given to Moses for the Israelite nation by God on Mount Sinai. As we saw in the prior chapter, God had spoken directly to Israel in the giving of the Ten Commandments, but Israel was so fearful of Jehovah God that they requested He speak to them through Moses.

Some would call these commandments “decisions of the law” rather than judgments and the wording does lend itself to a “if this situation arises then you do this type of instruction”. Clarke classifies them as “political” vs those in the follow chapters that he calls “judicial” in nature.

v.2 “IF THOU BUY AN HEBREW SERVANT, SIX YEARS HE SHALL SERVE: AND IN THE SEVENTH HE SHALL GO OUT FREE FOR NOTHING.”

Why would a Hebrew, a child of God, living in a land flowing with milk and honey ever consider becoming a servant or slave? Moses is not talking about hired servants, he is talking about a servant that is owned by his master.

1. If someone was in deep poverty - **Leviticus 25:39**
2. A father might sell his children – **Exodus 21:7**
3. To pay a debt – **II Kings 4:1**
4. A thief to make restitution – **Exodus 22:3-4**
5. One taken in war could be sold – **Exodus 21:2**

In any event the Hebrew slave was to serve only six years and then he would be set free.

v.3 “IF HE CAME IN BY HIMSELF, HE SHALL GO OUT BY HIMSELF: IF HE WERE MARRIED, THEN HIS WIFE SHALL GO OUT WITH HIM.”

This is but simple common sense. If a man sold himself into slavery not having a wife then at end of his tenure he should be set free without restriction. If he already had a wife when he became a slave or servant; then his status would be the same, his wife could not be held by his master while letting him go the wife was to be released as well.

v.4 “IF HIS MASTER HAVE GIVEN HIM A WIFE, AND SHE HAVE BORN HIM SONS OR DAUGHTERS; THE WIFE AND HER CHILDREN SHALL BE HER MASTER’S, AND HE SHALL GO OUT BY HIMSELF.”

Exodus Chapter Twenty-One

On the other hand if the master had given the servant a wife; perhaps from among his other servants, then both the wife and their children belonged to the master. The slave could still go free but had to leave his wife and family behind.

v.5 “AND IF THE SERVANT SHALL PLAINLY SAY, I LOVE MY MASTER, MY WIFE, AND MY CHILDREN; I WILL NOT GO OUT FREE:”

Under the condition that he was married to another servant and had children a man had the liberty to refuse his freedom to stay with his family. Again an exercise in common sense.

v.6 “THEN HIS MASTER SHALL BRING HIM UNTO THE JUDGES; HE SHALL ALSO BRING HIM TO THE DOOR, OR UNTO THE DOOR POST; AND HIS MASTER SHALL BORE HIS EAR THROUGH WITH AN AUL; AND HE SHALL SERVE HIM FOR EVER.”

If a man refused his freedom due to the desire to stay with a wife and family then the master had the option of bringing him before the judges. This translation could be improved since the original Hebrew reads “TO GOD” and the Septuagint, the Hebrew to Greek translation reads “TO THE JUDGMENT OF GOD”. Literally it means that as God would stand in judgment or before God he was to be a slave “FOREVER”. In this case forever was only until the next Jubilee year since servants and slaves were freed at that time.

Leviticus 25:10 “AND YE SHALL HALLOW THE FIFTIETH YEAR, AND PROCLAIM LIBERTY THROUGHOUT *all* THE LAND UNTO ALL THE INHABITANTS THEREOF: IT SHALL BE A JUBILE UNTO YOU; AND YE SHALL RETURN EVERY MAN UNTO HIS POSSESSION, AND YE SHALL RETURN EVERY MAN UNTO HIS FAMILY.”

Since the man had made a commitment to his master for an extended period of time he would marked as a slave. The common practice was to bore an hole in the servants ear. One of the reasons given for this particular practice was that this was to remind the servant to hear and obey his masters commands.

v.7 “AND IF A MAN SELL HIS DAUGHTER TO BE A MAIDSERVANT, SHE SHALL NOT GO OUT AS THE MENSERVANTS DO.”

The same rules did not apply to women that applied to men. If a man sold his daughter as a servant then she did not have the liberty of gaining her freedom at the end of six years. I’m not sure of his source but Clarke writes that a Jewish father could only sell his daughters if he got into such a position that this was his only alternative. A father had to be completely destitute before this would be allowed.

Exodus Chapter Twenty-One

v.8 “IF SHE PLEASE NOT HER MASTER, WHO HATH BETROTHED HER TO HIMSELF, THEN SHALL HE LET HER BE REDEEMED: TO SELL HER UNTO A STRANGE NATION HE SHALL HAVE NO POWER, SEEING HE HATH DEALT DECEITFULLY WITH HER.”

The purpose for a man selling his daughter, or daughters, to another man would be for them to become a second or third wife or a concubine. If she did not please her master, in other words if he found her to be in any way unsatisfactory then he could ask that she be redeemed or bought back. In any case he was forbidden to sell her to a stranger, a non-Israelite. If he did so then he would be guilty of dealing “DECEITFULLY WITH HER”. He would be breaking a commitment.

v.9 “AND IF HE HAVE BETROTHED HER UNTO HIS SON, HE SHALL DEAL WITH HER AFTER THE MANNER OF DAUGHTERS.”

If the master had betrothed a woman that he had bought to his son the he was obligated to treat her like a daughter and give her all of the benefits and rights of one of his own daughters.

v.10 “IF HE TAKE HIM ANOTHER *wife*; HER FOOD, HER RAIMENT, AND HER DUTY OF MARRIAGE, SHALL HE NOT DIMINISH.”

If he had decided to take another wife then he had the responsibility to provide for her all the duties of a husband, without partiality, or favor to the new wife.

What about the practice of polygamy under the Old Testament laws? Was this the will of God? When did it start? The first record that we find in the Old Testament is in :

Genesis 4:19 “AND LAMECH TOOK UNTO HIM TWO WIVES: THE NAME OF THE ONE WAS ADAH, AND THE NAME OF THE OTHER ZILLAH.”

This was a grandson of Cain; the first in the sacred record to rebel against God after mankind had been removed from the garden. This was not according to God’s plan as he created the institution of marriage to be between one man and one woman for life from the beginning. In describing the characteristics God would want in a king Moses writes that:

“NEITHER SHALL HE MULTIPLY WIVES TO HIMSELF, THAT HIS HEART TURN NOT AWAY: NEITHER SHALL HE GREATLY MULTIPLY TO HIMSELF SILVER AND GOLD.” **Deuteronomy 17:17**

Exodus Chapter Twenty-One

So God established the covenant of marriage as being between one man and one woman, man changed it as he has done many others and God never accepts what man changes to become contrary to His will.

v.11 “AND IF HE DO NOT THESE THREE UNTO HER, THEN SHALL SHE GO OUT FREE WITHOUT MONEY.”

If a man buys a maid servant and decides that she is no longer worthy of him then he has four choices.

He can let her be redeemed – v.8

He can betroth her to his son – v.9

He can provide her with all that she is due – v.10

He can allow her to go free without money, without demanding anything for her –

v.11

Read **Exodus 21:12-19** – Crimes Against Other Men

v.12 “HE THAT SMITETH A MAN, SO THAT HE DIE, SHALL BE SURELY PUT TO DEATH”

Here God is talking about murder, otherwise we have numerous contradictions with other scriptures. This again reflects the fact that God does not change. We read in:

Genesis 9:6 “WHOSO SHEDDETH MAN'S BLOOD, BY MAN SHALL HIS BLOOD BE SHED: FOR IN THE IMAGE OF GOD MADE HE MAN.”

Under the Mosaic Covenant it was “THOU SHALT NOT DO KILL (Do Murder)”; **Exodus 20:13** Then under the covenant or law of Christ we get down to the root of the problem and deal with the motivation behind this kind of an action.

I John 3:15 “WHOSOEVER HATETH HIS BROTHER IS A MURDERER: AND YE KNOW THAT NO MURDERER HATH ETERNAL LIFE ABIDING IN HIM.”

Now God sets the penalty for violating His law and what we call capital punishment is not just sanctioned but in fact commanded.

v.13 “AND IF A MAN LIE NOT IN WAIT, BUT GOD DELIVER *him* INTO HIS HAND; THEN I WILL APPOINT THEE A PLACE WHITHER HE SHALL FLEE.”

Exodus Chapter Twenty-One

From the beginning of time it was sanctioned by God and practiced among all societies that there was no place of refuge for anyone who killed another man. This is the reason that Cain pleaded with God when he was found guilty of the murder of his brother Abel.

Genesis 4:14 “BEHOLD, THOU HAST DRIVEN ME OUT THIS DAY FROM THE FACE OF THE EARTH; AND FROM THY FACE SHALL I BE HID; AND I SHALL BE A FUGITIVE AND A VAGABOND IN THE EARTH; AND IT SHALL COME TO PASS, *that* EVERY ONE THAT FINDETH ME SHALL SLAY ME.”

So under the Mosaic Covenant cities of refuge were established to which a man could flee if he had killed someone in self-defense, killed someone accidentally or in any situation that was not murder. When the cities of the land of Canaan were apportioned among the tribe of Levi:

Numbers 35:6 “AND AMONG THE CITIES WHICH YE SHALL GIVE UNTO THE LEVITES *there shall be* SIX CITIES FOR REFUGE, WHICH YE SHALL APPOINT FOR THE MANSLAYER, THAT HE MAY FLEE THITHER: AND TO THEM YE SHALL ADD FORTY AND TWO CITIES.”

Six cities were set aside to which a man could flee and be protected until at least a finding of facts or trial could be conducted and a total of 48 cities were set aside for the Levites.

v.14 “BUT IF A MAN COME PRESUMPTUOUSLY UPON HIS NEIGHBOUR, TO SLAY HIM WITH GUILE; THOU SHALT TAKE HIM FROM MINE ALTAR, THAT HE MAY DIE.”

The slaying described in this verse is murder; first of all a man comes “PRESUMPTUOUSLY UPON HIS NEIGHBOR”, his actions are preconceived, planned and premeditated. Then he sets about to “SLAY HIM WITH GUILE”, using stealth, deceit; waiting perhaps for the right time and place. People who killed under these conditions could not claim the refuge of the cities that God commanded Israel to set aside. When Ad-o-ni-jah tried to usurp the throne of David, he fled to the city of refuge and the altar of the Lord for protection:

I Kings 1:50 “AND ADONIJAH FEARED BECAUSE OF SOLOMON, AND AROSE, AND WENT, AND CAUGHT HOLD ON THE HORNS OF THE ALTAR.”

And when Joab was implicated in the same rebellion he also fled to the altar of the Lord seeking refuge but along with Abonijah was slain. **I Kings 2:28-33**

Exodus Chapter Twenty-One

v.15 “AND HE THAT SMITETH HIS FATHER, OR HIS MOTHER, SHALL BE SURELY PUT TO DEATH.

In keeping with the prior commandment, the death penalty was reserved for any person who struck either his father or mother. I don't know about anyone else but when I was a child and even a young man had I have of a mind to do so it would have been one of the biggest mistakes of my young life.

Exodus 20:12 “HONOUR THY FATHER AND THY MOTHER: THAT THY DAYS MAY BE LONG UPON THE LAND WHICH THE **LORD** THY GOD GIVETH THEE.”

v.16 “AND HE THAT STEALETH A MAN, AND SELLETH HIM, OR IF HE BE FOUND IN HIS HAND, HE SHALL SURELY BE PUT TO DEATH.”

Kidnapping was also an offense that called for the death penalty. This commandment is repeated in **Deuteronomy 24:7**.

v.17 “AND HE THAT CURSETH HIS FATHER, OR HIS MOTHER, SHALL SURELY BE PUT TO DEATH.”

In the prior chapter we saw in our study:

Exodus 20:7 “THOU SHALT NOT TAKE THE NAME OF THE **LORD** THY GOD IN VAIN; FOR THE **LORD** WILL NOT HOLD HIM GUILTLESS THAT TAKETH HIS NAME IN VAIN.”

Taking the Lord's name in vain includes cursing as is named in v17 above but we also saw the it include all kinds of disrespect, disobedience and refusal to honor God's authority over us. It is the same with parents.

v.18-19 “AND IF MEN STRIVE TOGETHER, AND ONE SMITE ANOTHER WITH A STONE, OR WITH **his** FIST, AND HE DIE NOT, BUT KEEPETH **his** BED: IF HE RISE AGAIN, AND WALK ABROAD UPON HIS STAFF, THEN SHALL HE THAT SMOTE **him** BE QUIT: ONLY HE SHALL PAY **for** THE LOSS OF HIS TIME, AND SHALL CAUSE **him** TO BE THOROUGHLY HEALED.”

If a dispute turns into a physical confrontation and one is injured then the other is responsible for the cost of his recovery and his time lost from work until he is thoroughly healed.

Exodus Chapter Twenty-One

Read **Exodus 21:20-36** – Servants and Animals

v.20 “AND IF A MAN SMITE HIS SERVANT, OR HIS MAID, WITH A ROD, AND HE DIE UNDER HIS HAND; HE SHALL BE SURELY PUNISHED.”

Cruelty is not tolerated by God. Here, if a master beats a servant to death then he is guilty under the law and would be “SURELY PUNISHED”.

v.21 “NOTWITHSTANDING, IF HE CONTINUE A DAY OR TWO, HE SHALL NOT BE PUNISHED: FOR HE IS HIS MONEY.”

If the master only beat the servant or slave so severely that he lives for a day or two afterward then the master is not subject to punishment that would be “SURELY”. We have trouble visualizing this kind of activity today because the vast majority of us have never experienced a situation where human life is so cheap. The reasoning given in this verse is that the servant is of value to his master, he is “HIS MONEY.”

v.22 “IF MEN STRIVE, AND HURT A WOMAN WITH CHILD, SO THAT HER FRUIT DEPART *from her*, AND YET NO MISCHIEF FOLLOW: HE SHALL BE SURELY PUNISHED, ACCORDING AS THE WOMAN'S HUSBAND WILL LAY UPON HIM; AND HE SHALL PAY AS THE JUDGES *determine*.”

If men fight, or strive and as a result a woman loses her child the one responsible is to be punished. When we consider what God is commanding here how much greater sin is abortion than perhaps even we might have thought about it before. Here we have judgment being placed upon someone who through circumstance or accident would cause a woman to lose her child when we have literally millions destroyed in the world today due to convenience, personal choice, and a litany of other excuses too numerous to catalogue.

Even if “NO MISCHIEF FOLLOW”, is interpreted by the commentators that if the woman recovers then the guilty party will still be punished. The woman’s husband has the responsibility to bring her injury before the seat of judgment and recompense was to be determined by the magistrates.

v.23 “AND IF ANY MISCHIEF FOLLOW, THEN THOU SHALT GIVE LIFE FOR LIFE.”

However, if the woman dies then the charge becomes murder with the resulting consequences. God then commands that “THOU SHALT GIVE LIFE FOR LIFE.” In other references it is stated this way:

Leviticus 24:19 “AND IF A MAN CAUSE A BLEMISH IN HIS NEIGHBOUR; AS HE HATH DONE, SO SHALL IT BE DONE TO HIM.”

Exodus Chapter Twenty-One

Deuteronomy 19:21 “AND THINE EYE SHALL NOT PITY; BUT LIFE SHALL GO FOR LIFE, EYE FOR EYE, TOOTH FOR TOOTH, HAND FOR HAND, FOOT FOR FOOT.”

God's perfect justice says that we “SHALL NOT PITY” but exact punishment appropriate to the crime:

v.24-25 “EYE FOR EYE, TOOTH FOR TOOTH, HAND FOR HAND, FOOT FOR FOOT, BURNING FOR BURNING, WOUND FOR WOUND, STRIPE FOR STRIPE.”

If this law of God was followed today don't you think that we would live in a better world? In no case was this punishment to be done out of personal vengeance, or by an individual acting as judge, jury and executioner. All judgment was to be done by those duly appointed and authorized by God and the Mosaic Covenant to do so.

v.26-27 “AND IF A MAN SMITE THE EYE OF HIS SERVANT, OR THE EYE OF HIS MAID, THAT IT PERISH; HE SHALL LET HIM GO FREE FOR HIS EYE'S SAKE. AND IF HE SMITE OUT HIS MANSERVANT'S TOOTH, OR HIS MAIDSERVANT'S TOOTH; HE SHALL LET HIM GO FREE FOR HIS TOOTH'S SAKE.”

Under God's law any permanent injury brought about to a servant was to be compensated by giving that servant or slave their freedom. If a master was one that was cruel, I don't expect that this law would mean much to him. Nor do I see any means for the slave or servant to seek redress of their wrong. However, if one was simply a master that did something of this nature in a fit of temper, or as Mr. Clarke contends as a result of some “rash” act then perhaps the servant could possibly expect justice from his master.

v.28 “IF AN OX GORE A MAN OR A WOMAN, THAT THEY DIE: THEN THE OX SHALL BE SURELY STONED, AND HIS FLESH SHALL NOT BE EATEN; BUT THE OWNER OF THE OX **shall be** QUIT.”

Men were also held responsible for the actions of their animals. In this verse the Septuagint translation from Hebrew to Greek uses the word “BULL” instead of “OX”. This reminds me of how we restrained our bulls on our farm. A ring was placed in their nose that was about 2½ inches in diameter and about the thickness of my little finger. When we clipped a lead rope in that ring he could be led just about anywhere without any problem. In addition, to keep them from fighting another bull, a simple device was used that consisted of a piece of wood about three feet long and the size of my wrist. One end of it was hung from a rope around the bull's neck and the other end from his nose ring with about 6-8 inches of it extending beyond the end of his nose. Otherwise if two bulls were in adjoining pastures they would literally destroy the fence between them fighting.

Exodus Chapter Twenty-One

In the case here the offending animal was to be destroyed and not used for food or any purpose. God's justice was enacted against them.

v.29 "BUT IF THE OX WERE WONT TO PUSH WITH HIS HORN IN TIME PAST, AND IT HATH BEEN TESTIFIED TO HIS OWNER, AND HE HATH NOT KEPT HIM IN, BUT THAT HE HATH KILLED A MAN OR A WOMAN; THE OX SHALL BE STONED, AND HIS OWNER ALSO SHALL BE PUT TO DEATH."

If a man owned an animal that was known to be dangerous and he failed to restrain him, then not only was the animal punished but the owner was punished as well. If the animal killed someone the consequences to the owner was death.

v.30-31 "IF THERE BE LAID ON HIM A SUM OF MONEY, THEN HE SHALL GIVE FOR THE RANSOM OF HIS LIFE WHATSOEVER IS LAID UPON HIM. WHETHER HE HAVE GORED A SON, OR HAVE GORED A DAUGHTER, ACCORDING TO THIS JUDGMENT SHALL IT BE DONE UNTO HIM."

Whatever judgment that the magistrates would bring against that person would be paid. If it was death due to the severity of the offense, the death it would be. If it was compensation appropriate for a lesser offense then it was to be paid. In all cases judgment was to be carried out by those who were ordained to that purpose, not the individual wronged or anyone else.

v.32 "IF THE OX SHALL PUSH A MANSERVANT OR A MAIDSERVANT; HE SHALL GIVE UNTO THEIR MASTER THIRTY SHEKELS OF SILVER, AND THE OX SHALL BE STONED."

In the NKJV and the ASV the word "PUSH" in the KJV is translated "GORE" or "GOSES". So we're talking about the same kind of situation here as in verse 28, the only difference being that a servant or slave is involved. In this case the owner of the animal would not be put to death but was responsible for compensating the owner of the servant for his loss. Here we also have established by God the value of a slave, thirty pieces of silver. It is without any doubt in my mind that here we also have established, some 1500 years or more beforehand the price for our Savior. We see it first in prophecy:

Zechariah 11:12 "AND I SAID UNTO THEM, IF YE THINK GOOD, GIVE *me* MY PRICE; AND IF NOT, FORBEAR. SO THEY WEIGHED FOR MY PRICE THIRTY *pieces* OF SILVER."

Then in practice:

Exodus Chapter Twenty-One

Matthew 26:15 “AND SAID UNTO THEM, WHAT WILL YE GIVE ME, AND I WILL DELIVER HIM UNTO YOU? AND THEY COVENANTED WITH HIM FOR THIRTY PIECES OF SILVER.”

v.33-34 “AND IF A MAN OPENS A PIT, OR IF A MAN DIGS A PIT AND DOES NOT COVER IT, AND AN OX OR A DONKEY FALLS IN IT, THE OWNER OF THE PIT SHALL MAKE *it* GOOD; HE SHALL GIVE MONEY TO THEIR OWNER, BUT THE DEAD *animal* SHALL BE HIS.”

Again we see that common sense, as did all other things, originated with God. If a man digs a pit, trench, cistern, well or any other opening in the earth or on the earth and does not properly restrict access to it; he is liable for the consequences of his failure if someone or something gets hurt as a result. You would think that most men would understand their responsibility and apply a little common sense to this kind of a situation. But my experience in the construction industry was just the opposite. This kind of safety practice had to be specified in the contract, preached daily and then inspected on every round.

In the case of an animal the owner of the pit is to replace the beast that died and the dead beast becomes his.

v.35-36 “AND IF ONE MAN'S OX HURT ANOTHER'S, THAT HE DIE; THEN THEY SHALL SELL THE LIVE OX, AND DIVIDE THE MONEY OF IT; AND THE DEAD OX ALSO THEY SHALL DIVIDE. OR IF IT BE KNOWN THAT THE OX HATH USED TO PUSH IN TIME PAST, AND HIS OWNER HATH NOT KEPT HIM IN; HE SHALL SURELY PAY OX FOR OX; AND THE DEAD SHALL BE HIS OWN.”

The final two verses in the chapter repeat God's lesson in personal responsibility. If my ox or bull and my neighbor's gets in a fight and his is killed then it's my responsibility to replace it. I've never seen one bull kill another because we removed their horns but I've had to help fix about 25 yards of net wire fence once that two of them tore up getting at one another.

Under the Old Testament Law both animals are disposed of. The live one sold and the money divided and the dead one divided. However, if the owner of the aggressor animal knew that his ox or bull was dangerous and didn't restrain him properly then he is liable. He replaces the dead animal and the dead animal becomes his.