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A Life for a Life, an Eye for an Eye, Wound for Wound and Bruise for Bruise **21: 12-32**

A life for a life, an eye for an eye, wound for wound and bruise for bruise DIG: What affirmation of life and justice is conveyed by these death penalties (21:12-17)? How does God vigorously affirm the victims? Their families? Their property? How do these commandments expand the Ten Commandments? How do they reveal the essential character of God? How would a quick-tempered person receive these commandments? How would a person with no convictions receive it?

REFLECT: Would you vote for the death sentence if you were among jurors finding someone guilty of murder, as defined in 21:14? What do these laws say to the one who believes, "Don't get mad, get even?" How easy is it for you to live up to the standard set forth here? What would be toughest for you to follow?

God's justice, God's standards are typically higher than our own.

The death penalty (21:12-17): The Bible is very clear on the matter of intentional murder. In no way was such a person to be pardoned or freed. Life, in essence, is the property of **YHVH**; the possession of it is leased to human beings for a number of years. This lease can be extended if it is **God's** will. When a **man** took the life of another, by intentional murder, **he** violated one of the essential commandments of **Ha'Shem** and therefore forfeited **his** own right to life.⁴¹²

Any one who was guilty of premeditated murder **and** struck a **man** and killed **him** was **put to death (21:12)**. **However, if he didn't do it intentionally, but God allowed it to happen, he was to flee to a place God** designated **(21:13)**. This person could escape to one of the six cities of refuge after Isra'el was in the Land **(Numbers 35:6-34; Deuteronomy 19:1-13; Joshua 20:1-9, 21:13, 21, 27, 32, 38)**. These were set up in convenient locations so that one charged with manslaughter could be protected from vengeance until the matter in which he was involved could be settled.⁴¹³ **Even in the wilderness there was a place of refuge for accidental homicides, and it was situated**

in the encampment of the Levites. Once there, **he** is not to be punished. But, on the other hand, if **a man** schemed **and** killed **another deliberately**, **God** said that **he** should be taken **away from His altar and be put to death (21:14).**

Because of the importance of the sanctity of the family and the home, **anyone who** attacked **his father or his mother** was **put to death (21:15).** The family was and is the basis of society. It must be protected or the entire society would disintegrate. This was emphasized in the Fifth Commandment. Does someone who simply strikes or curses **his father** deserve the death penalty? Probably not, but that's the difference between us and **God.** In **His** eyes, striking one's **parents** or pronouncing a curse (using **God's Name**) upon them is the same thing as murder. This can be understood on a theological level. **YHVH** is to be regarded as our **Heavenly Father.** When we willfully **sin**, it is as if we strike **Him** or curse **Him.** Thus, the saying is true: **The wages of sin is death (Romans 6:23).**

Ironically, the mitzvot regarding physical or verbal assault of one's **parents** are exactly the opposite of the positive mitzvah to **honor one's father and mother.** As for the one who honors his father and mother the Torah says: **Your days will be prolonged in the Land which the LORD your God gives you (20:12).** However, the one who dishonors **his father and mother** by cursing or assaulting them is to be **put to death.**

The crime of kidnapping also deserved the **death** penalty. **Anyone who** kidnapped **another, and either** sold **him or still** possessed **him when he** was **caught**, was also **put to death (21:16).** This reflected the biblical teaching of the value, worth, and dignity of men and women created in the image of **God.** **Anyone who curses his father or mother must be put to death (21:17).** The fifth commandment stated that children were to **honor your father and your mother (20:12).** The Hebrew word **honor** is *kabed*, and literally means *to be heavy*. This verse uses the antonym, **curse**, which literally means the opposite of honoring someone; it means *to treat someone with contempt and humiliation.*⁴¹⁴ The Bible takes the honoring of parents rather seriously.

The mitzvah of fines (21:18-19): In a physical **quarrel** the injured party, whether or not the injury was premeditated, was to be given compensation for **his** loss of work and medical expenses.⁴¹⁵ **If men quarrel and one** hit **the other with a stone or with his fist and he** did **not die but** was **confined to bed, the one who struck the blow was not held responsible if the other** got **up and** walked **around outside with his staff; however,** the offender needed to **pay the injured man for the loss of his time and see to it that he** was **completely healed (21:18-19).** A great deal of Western law and practice, particularly laws relating to liability, are based upon these verses. Here we learn that one

who brings harm to another is liable for the damage. Thus, the mitzvah of fines is given to teach that justice must be meted out with equity and are a revelation of godliness from heaven. The punish must fit the crime. Though the measure of punishment for some crimes, such as murder, cannot be paid through fines, the general principle we learn is the measure of punishment can be satisfied by other means. Were it not so, our hopes for salvation would be in vain.

The punishment for beating a slave (21:20-21 and 26-27): **Slaves** were not to be treated harshly by **their masters**, even though **they** were considered property. **If a man beat his male or female slave with a rod and the slave died as a direct result**, the master was **punished**. **But he is not to be punished if the slave got up after a day or two, since the slave was his property (21:20-21)**. However, **if a man hit a manservant or maidservant in the eye and destroyed it, he must let the servant go free to compensate for the loss of the eye. And if he knocked out the tooth of a manservant or maidservant, he must let the servant go free to compensate for the loss of the tooth (21:26-27)**. Any permanent injury to a **slave** would set **him or her free**.

These mitzvot are disturbing because they seem to sanction the beating of **one's slave**. Far from it. The Torah no more sanctions **slave**-beating than it sanctions murder. These mitzvot are provided simply to establish mitzvot of punishment and court imposed fines in the case of a wicked **slave**-owner who does beat **his slave**. As a revelation of godliness, we learn from these mitzvot that abuse is not permissible, even in the case of a **slave** and **slave**-owner. As a revelation from **God**, these mitzvot teach us that **ADONAI** is not an abusive **Master**. **His** punishments are fair, just and loving, like that of a father toward a son, not as an uncaring **slave**-owner to a rebellious **slave**.

Life in the womb (21:22): The mitzvot of measure for measure is checked by circumstances. The Torah now considers another case example in which a brawl between two **men** led to accidental damage to a third party. **If men who were fighting hit a pregnant woman and she gave birth prematurely but there was no serious injury, the offender must be fined whatever the woman's husband demands and the court allows**. The condition of the baby determined the penalty, on the basis of **life for life**. In the case of miscarriage, the Torah requires his life for payment. The unborn fetus was viewed in this passage as just as much a human being as its mother; the abortion of a fetus was considered murder. Unborn babies were protected.⁴¹⁶



Eye for eye (21:23-25): But if there was serious injury the punishment needed to fit the crime, they were to take life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, bruise for bruise (21:23-25). A person's physical loss by injury was to be punished by the mitzvah of retaliation (Leviticus 24:19-20; Deuteronomy 19:21). But boundaries were put on their vindictiveness. The intent of the Torah was to limit the punishment to fit the crime (what a concept), not to provide opportunity for vengeance. Therefore, they were not allowed to hurt the offender indefinitely, because then, the other side would also respond with vengeance, aggravating the situation even more, and the cycle of violence would continue. The simple commandment of God, limits the cycle of violence to "a draw," and that's it. But because of a faulty reading of Matthew 5:38-41, there is a common misconception that Yeshua overthrew the "old law" of an eye for an eye and replaced it with a "new law" of love and forgiveness. Several facts need to be clearly understood in regard to these passages.

First of all, it is clear from Jewish literature that the principle of eye for eye was always understood that a liable party must make financial restitution equivalent to the damage they caused. There was never a court of Torah law that was poking out eyes or knocking out teeth. Secondly, the Lord's direction to turn the other cheek, and go the extra mile are all describe individual disciples, not to courts of law. Far be it from Yeshua to tell a court of law to turn the other cheek or mandate a victim to walk an extra mile or give up his tunic as well! That would be an injustice and sinful. Instead, the Master instructs us, as individuals not to litigate. We are merely to rely on the Judge of the Universe for justice.

Liability for a bull (21:28-32): God also gave regulations concerning injuries inflicted by animals. As a further illustration of the mitzvot of liability, the Torah details several hypothetical cases involving a bull that gores a person to death. The goring bull that caused death or injury was such a serious problem in ancient times that most of the major non-biblical law codes also contained regulations dealing with it. If a bull gored a man or a woman to death, the bull was stoned to death. Its meat was not eaten even by a Gentile, neither was it given as food for dogs. The owner was not to derive any

benefit from the condemned animal. But the owner of the bull was not held responsible (21:28). If, however, the bull had the habit of goring, and the owner was warned but did not keep it penned up and it subsequently killed another man or woman, the bull was stoned and the owner was also put to death (21:29).

However, the death penalty could be avoided if he came up with financial compensation demanded of him by the dead person's family. This law also applied if the bull gored a son or daughter. If the bull gored a male or female slave, the owner of the bull had to pay thirty shekels of silver to the master of the slave, and the bull was also stoned (30-32). Apparently thirty pieces of silver was the standard price for a slave. It was the amount Judas was willing to accept for betraying Yeshua (Mt 26:14-15; also see Zech 11:12-13).⁴¹⁷

These mitzvot teach us about the person of **ADONAI**. The rational human reaction to the scenario above would be to punish the owner but not necessarily **the animal**. Though a party to the victim may feel vengeful and destroy **the animal** to satisfy **his** emotional call for revenge, the community as a whole would probably not regard it as necessary. Furthermore, if **the bull** was to be destroyed, the natural human reaction would be to slaughter **it** and sell or eat the meat. **Ha'Shem** demanded that **the animal** be killed, but **He** forbid that the meat be eaten. No value was to be derived from **the animal**. **It** was to be utterly destroyed and forsaken. Neither the owner, nor anyone else, was to derive any profit from the tragedy.⁴¹⁸