

Text: Exod. 21:12-36

Title: Israel's civil law: violence and civil justice

Time: 9/19/2021 am

Place: NBBC

Introduction: In our day, the cause of civil justice has become a lawless campaign that has been used to justify violence. In September of 2020, Princeton University published a study of the nature of the Black Lives Matter protests, which erupted after the May 26th death of George Floyd. Though the study endeavored to point out that most protests were peaceful, while being critical of what it called "A Violent Government Response," it did find that in 220 known locations representing 7% of the total protests, "demonstrators . . . engaged in violence or destructive activity" [https://acleddata.com/acleddatanew/wp-content/uploads/2020/09/ACLEDD_USDataReview_Sum2020_SeptWebPDF.pdf].

Insurance claim statistics put the cost of the destruction at one to two billion dollars, making the summer of 2020 the most destructive period in the history of American political protests [<https://www.axios.com/riots-cost-property-damage-276c9bcc-a455-4067-b06a-66f9db4cea9c.html>].

Israel's cause of civil justice was accomplished in a different way. At Sinai, the Lord explained what is just and gave His people just laws. For Israel, the cause of civil justice was a heavenly revelation against violence. If they followed these commandments, they would have a civil and just society.

The passage before us explains specifically what Israel's civil society had to do in response to acts of violence. It begins with what to do about murder, the maltreatment of parents, and kidnapping in verses 12-17. One commentator

described the Lord's concern in this section this way: "It is the sanctity of life, in itself, in its origin, and in its free possession, which is here in question" [Edersheim, *Bible History: Old Testament*, 209]. This civil-justice concern is very similar to the sample of inalienable human rights listed by our nation's *Declaration of Independence*: "life, liberty, and the pursuit of happiness."

Next are sections that speak to personal injury (vv. 18-32) and property damage (vv. 33-36) caused by acts of violence. The Lord understands a civil society's need for civil justice and protection from violent crime. His laws for Israel define the nature of true civil justice in four important ways that still affect our lives today.

I. True civil justice emphasizes a just penalty (v. 12).

Illustration: One of the topics students of criminal justice consider is labeled, "Theories of Punishment." One theory of punishment is that the goal of a penalty for a crime should be deterrence, meaning the penalty should be intimidating enough to discourage criminals from doing the crime. Another theory is called incapacitation, which focuses on doing what it takes to make it impossible for the criminal to do his crime a second time. A third theory is rehabilitation, where it is thought that the goal of the penalty should be to change the character of the criminal, encouraging him to become a productive member of society.

Application: But the problem with the goals of deterrence, incapacitation, and rehabilitation is that they can all be done without true justice. God's laws are based on true justice, so the goal for the penalty of a crime is always proper retribution. *Retribution* is the idea that the punishment must equal the crime in quality and quantity. Our passage indi-

cates that this is the goal especially with the word *surely* (KJV). Our translators use that word to communicate a grammatical emphatic force in the phrases that command a penalty for violent crime (vv. 12, 15, 16, 17, 20, 22, 28, 36).

These penalties have no wiggle room because true justice has no wiggle room. True justice is mathematically precise. It requires the *lex talionis* (law of retaliation) described in vv. 23b-25. Letting someone go without the payment of an appropriate penalty may be merciful, but it is never just.

You and I are sinners saved by grace, so the fact that God's justice emphasizes a just penalty is both bad news and good news for us. It is bad news because the just wages of our sin is death. The punishments of hell fit the crime of our sin against a holy God in terms of quality and quantity.

But God's justice is good news in that it has been satisfied completely in the death of Christ. Jesus paid our penalty on the cross of Calvary, so God is not only just, but also the Justifier of sinners. When we trust Christ as our Savior, the gracious forgiveness we receive is truly a just forgiveness, because our sin-penalty was endured by Jesus Christ.

True civil justice emphasizes a just penalty; therefore, true civil justice points sinners like us to our need for Christ. Have you seen your need in this way?

II. True civil justice dispassionately considers criminal motive and criminal neglect (vv. 13-14; 29-36).

Application: Verses 13-14 speak to the consideration of criminal motive when it comes to criminal violence. Man looks on the outward appearance, but the Lord looks on the heart. The man who is in church on a Sunday morning,

but does not want to be, is less in the will of the Lord than the man who longs to be in church Sunday morning but cannot be through no fault of his own. Are our motives pure in the service of the Lord, or are they malicious, self-ish, and criminal? Motives lead to action; malice leads to violence.

Verses 29-36 speak to the consideration of criminal neglect. Criminal neglect happens when acts of violence are caused by the failure to act responsibly. When local churches close their doors, it is not because BLM has burned the building down. It is because the neglect of God's people has so violently damaged the ministry that it can no longer survive. Neglect leads to violent outcomes. It is the death by a thousand cuts.

Our Savior hung on the cross in the face of both criminal motive and criminal neglect. The mob cried "Crucify Him!" because they did not want Him to be their Messiah, their King and Priest. They had criminal motive. His disciples had denied they knew Him and had run from the danger He had to face alone. They had criminal neglect.

Still, facing all that, Jesus prayed, "Father, forgive them; for they know not what they do." That was mercy, not justice. Are you not thankful this morning that in the face of our own criminal motives and criminal neglect, we have a Savior such as this?

III. True civil justice prioritizes a healthy home (vv. 15, 17).

Application: Verses 15 and 17 speak of the importance of honoring father and mother. The Israelite child who struck or cursed his parents would be executed by the state. The phrases *he that smiteth* and *he that curseth* are participles, so what is described here is the child that has become a striker

or a curser of a parent, something far more permanently serious than a sinful episode that can be repented of.

Clearly, true justice breaks down wherever children fail to honor their parents. This societal decay is often caused by the failure of parents, but in our culture, it was caused also by satanic seducing spirits and doctrines of demons, often empowered by the beat of rock-n-roll. True justice was never what went on at Woodstock. That was false justice. True justice always recognizes the importance of a healthy home.

A special application of this principle relates to the law regarding an expecting mother in verses 22-23. The word translated *mischief* in these verses refers to accidental death. It is used in Genesis 42 where Jacob refuses to release Benjamin because he fears that an accidental death will happen to him, just as he believed it had happened to Joseph.

Keil and Delitzsch note that the word for the fruit of the womb in verse 22 always means *child*. The law stipulates that if no accidental death occurs, either that of the child or the mother, a simple fine arbitrated with the help of judges makes recompense for the premature birth of the child and the injury to the wife. But if accidental death occurs to either the wife or the child, then life must be given for life. The life of the unborn is protected by the same law as the life of the mother.

IV. True civil justice includes equality before the law.

Illustration: Afghanistan is now ruled again by the Taliban, which ruled the country from 1996 to 2001 without much regard for the legal rights of Afghan women. An article published by Human Rights Watch expressed concern about the future of Afghan women as it remembered how they were treated previously: "They banned almost all edu-

cation for women and girls, imposed punishments including stoning, lashing, and amputation, and confined women to their homes unless they were escorted by a male family member, denying them access to most employment — or even a walk” [<https://www.hrw.org/news/2021/08/17/fragility-womens-rights-afghanistan#>].

Application: The God of Sinai disapproves because true civil justice includes equality before the law. Simple phrases in our passage, *father or mother* (v. 15), *manservant or maidservant* (v. 20), and *man or woman* (v. 28), highlight an important difference between the Bible’s true civil justice and the tyranny of sharia law.

Another interesting contrast comes from the discovery of the Babylonian Hammurabi Code, which dates to the 18th century B.C. We have dated the exodus with David Rohl’s help to about 1450 B.C., so the parallels and differences between Hammurabi and Sinai are sometimes instructive.

One commentator pointed out that in Hammurabi’s Code there exists one set of laws for the powerful aristocracy and another set that were applicable to the common man (Davis). We see this double standard quite a bit in our own jurisprudence today. Inequality before the law is unjust.

What God’s justice means for you and I this morning, therefore, is the same thing. Unfortunately, we are equally guilty before God’s law. Paul tells us what this aspect of true justice means for us in Rom. 3:19, “Now we know that what things soever the law saith, it saith to them who are under the law: that every mouth may be stopped, and all the world may become guilty before God.” True justice means that all our mouths are stopped. It means that all the world, you and I included, have become guilty before God.

Conclusion: So, what you and I need this morning is not more true justice. What we need is infinite mercy.

Our passage has a prophetic reminder of God's willingness to provide us with the infinite mercy we need in verse 32. Did you see the reference to 30 pieces of silver? In context, the verses describe what to do when criminal neglect causes a bull to kill a neighbor. The one guilty of that level of criminal neglect would be executed along with the bull (v. 29). But in this special case, the execution could be stayed in favor of the payment of a ransom paid to the family of the victim. In the case of the death of a slave, the ransom was set at 30 pieces of silver. It was to be no lower.

You may remember that in the death of Jesus, those who crucify Him pay 30 pieces of silver as the ransom money. They pay it to Judas, the disciple who betrayed Christ. Following the parallel here, this symbolism indicates that Jesus died as a servant; it points to the fact that the Jewish authorities were guilty of murder; and it means that Judas was the family member who received the ransom payment.

Where is the true justice for Jesus in any of this? It is nowhere to be found. It was not true justice for Jesus that He should have to be murdered as a servant. It was not true justice for Jesus that the chief priests and scribes should be allowed to murder Him. Nor was it true justice for Jesus that His betrayer should receive payment, as though he were the family of the victim.

Jesus did not come to earth to demand true justice for Himself. He came to sacrifice His claim to true justice so that we could be saved from the true justice of God's wrath on us. So, the good news is that God's justice need not be the final word on us. We need not stop at verse 19 in our reading of

Romans 3: “Therefore, by the deeds of the law there shall no flesh be justified in his sight: for by the law is the knowledge of sin. But now the righteousness of God without the law is manifested, being witnessed by the law and the prophets; Even the righteousness of God which is by faith of Jesus Christ unto all and upon all them that believe” (vv. 20-22).

The question that should concern us this morning is not, “Will I have true justice?”, but rather, “Will I believe on Jesus Christ to be saved from true justice?”

“A man came—I think it was actually in Philadelphia—on one occasion to the great George Whitefield and asked if he might print his sermons. Whitefield gave this reply; he said, ‘Well, I have no inherent objection, if you like, but you will never be able to put on the printed page the lightning and the thunder.’ That is the distinction—the sermon, and the ‘lightning and the thunder.’ To Whitefield this was of very great importance, and it should be of very great importance to all preachers, as I hope to show. You can put the sermon into print, but not the lightning and the thunder. That comes into the act of preaching and cannot be conveyed by cold print. Indeed it almost baffles the descriptive powers of the best reporters.”

—David Martin Lloyd-Jones,

Preachers and Preaching