Exodus Chapter Twenty One

Overview of Exodus 21

Exodus chapter 21 is divided into two sections: (1) Regulations governing the treatment of slaves (1-11). (2) Regulations with regards to injuries to people and animals (12-36).

Exodus 21:1-11: Law On Servants

Exodus 21:1 “Now these are the ordinances which you are to set before them: 2 If you buy a Hebrew slave, he shall serve for six years; but on the seventh he shall go out as a free man without payment. 3 If he comes alone, he shall go out alone; if he is the husband of a wife, then his wife shall go out with him. 4 If his master gives him a wife, and she bears him sons or daughters, the wife and her children shall belong to her master, and he shall go out alone. 5 But if the slave plainly says, ‘I love my master, my wife and my children; I will not go out as a free man,’ 6 then his master shall bring him to God, then he shall bring him to the door or the doorpost. And his master shall pierce his ear with an awl; and he shall serve him permanently. 7 If a man sells his daughter as a female slave, she is not to go free as the male slaves do. 8 If she is displeasing in the eyes of her master who designated her for himself, then he shall let her be redeemed. He does not have authority to sell her to a foreign people because of his unfairness to her. 9 If he designates her for his son, he shall deal with her according to the custom of daughters. 10 If he takes to himself another woman, he may not reduce her food, her clothing, or her conjugal rights. 11 If he will not do these three things for her, then she shall go out for nothing, without payment of money.” (NASB95)

Robert Culver has the following comment regarding this word, he writes that it “represents what is doubtless the most important idea for correct understanding of government—whether of man by man or of the whole creation by God. Though rendered ‘judgment’ in most of the four hundred or so appearances of mišpāt in the Hebrew Bible, this rendering is often defective for us moderns by reason of our novel way of distinctly separating legislative, executive, and judicial functions and functionaries in government. Hence šāpat, the common verb (from which our word mišpaṭ is derived) meaning ‘to rule, govern,’ referring to all functions of government is erroneously restricted to judicial processes only, whereas both the
verb and noun include all these functions. An analysis of all uses in the Bible turns up at least thirteen related, but distinct, aspects of the central idea, which if to be rendered by a single English word with similar range of meaning, ought by all means to be the word ‘justice.’ Even the ASV, which inclines strongly toward regular rendering of Hebrew and Greek words has thus updated the rendering of *mišpāṭ*, though not regularly (contrast ‘thy judgments’ [Ps 72:1] with ‘with justice’ [72:2]). The noun *mišpāṭ* can be used to designate almost any aspect of civil or religious government, as follows: 1. The act of deciding a case of litigation brought before a civil magistrate. BDB finds 204 instances beginning at Ex 21:31—though RSV and NASB disallow this first, rendering otherwise. But most of the occurrences are very clear (Deut 25:1; Josh 20:6 are examples). 2. The place of deciding a case of litigation. A clear case of this rather rare (because indecisive) use is I Kgs 7:7. 3. The process of litigation is called *mišpāṭ*. There are many doubtful cases, it being hard to distinguish between meanings 1 and 2. An instance is Isa 3:14. ‘Ligation’ would be an apt rendering for this class. The clearest instances employ ‘*im* with a following noun ‘a judgment with so-and-so’ (Job 22:4 or ‘*et* (Ps 143:2). 4. A case of litigation (i.e. a specific cause brought to the magistrate). Solomon, e.g., asked God for understanding that he might ‘hear *mišpāṭ*.’—a case brought before him (I Kgs 3:11, ASV marg.) If this case be disallowed (RSV) then Job’s ‘*āraktî mišpāṭ* (‘I have set in order [my] case’ 13:18) seems unassailable. See also I Kgs 8:59. This usage parallels the noun *riḥ*. 5. A sentence or decision issuing from a magistrate’s court. This is very common. In such cases the prevalent ‘judgment’ as rendering is entirely correct (I Kgs 20:40). In Jer 26:11, 16 ‘worthy of death’ renders *mišpaṭ mawwet*, in each case clearly meaning, a sentence of death. 6. The time of judgment. A clear case is Ps 1:5; Eccl 12:14, ‘God will bring every work into *mišpāṭ*’ is close to presenting the same. BDB assert that “execution of judgment” in general is the meaning in a group including the preceeding instance. The cases cited, however, seem better classified in relation to the idea or attribute of justice. All the above are examples mainly of *mišpāṭ* in the judicial side of government. There now follows a use closely parallel to what men now think of as authority. 7. Sovereignty, the legal foundation of government in the sense of ultimate authority or right. Men today are accustomed to finding this in constitutions and the nature of man (‘natural rights’) but in the Hebrew Scriptures (a) all authority is God’s and it is this authority which is denominated *mišpāṭ*. ‘The *mišpāṭ* is God’s’ (Deut 1:17); The lot is cast into the lap; but the whole *mišpāṭ* thereof is of the LORD (Prov 16:33). Individual men, as created by God, have inalienable *mišpāṭîm* (“rights”). (See R. D. Culver, Toward a Biblical View of Civil Government, 1974). (b) The magistrate’s *mišpāṭ* is conferred by God as best shown by the reference to King Messiah’s magisterial authority (Ps 72:1–2). Of course the doctrine of providence is basic to this idea (Ps
This universal reign and rule of God seems to be the idea conveyed by *mišpāṭ* in Jer 8:7, ‘My people do not know the law (*mišpāṭ*) of God.’ There are also uses involving the legislative side of government. 8. The attribute of justice in all correct personal civil administration is emphasized. (a) This justice is primarily an attribute of God, all true *mišpāṭ* finding its source in God himself and therefore carrying with it his demand. ‘When therefore the Scripture speaks of the *mišpāṭ* of God, as it frequently does, the word has a particular shade of meaning and that is not so much just statutes of God as the just claims of God. God, who is the Lord, can demand and He does demand’ (Koehler, *OT Theology*, pp. 205–206). All the right (justice, authority, etc.) there is his, ‘because Jehovah is the God of justice’ (Isa 30:18; cf. Gen 18:25). God loves *mišpāṭ* in this sense (Ps 37:28). Psalm 36:6 [H 7] in *kētîb* reads, ‘Thy *mišpāṭ* (singular) is a great abyss.’ (b) *mišpāṭ*, as justice, i.e. rightness rooted in God’s character, ought to be an attribute of man in general and of judicial process among them (Ps 106:37). Wise men speak it (Ps 37:30) and think it (Prov 12:5) and God requires it of them (Mic 6:8). The righteous enjoy it (Prov 21:15) and righteous magistrates employ it in judgment (Mic 3:1; cf. Prov 29:4). 9. *mišpāṭ* also designates an ordinance of law—often used co-ordinately with *ḥōq* “ordinance” (Ex 15:25) and *tōrā* ‘law’ (Isa 42:4). The Pentateuchal ordinances are *mišpāṭ* (Lev 5:10; 9:16, et al.), in fact the individual ordinances of Mosaic law are *mišpāṭ* (Deut 33:10, 21; 16 times in Ps 119). 10. A plan (Ex 26:30) or 11. custom (II Kgs 17:33) or even 12. a fitting measure taken (I Kgs 5:8) seem to come under the scope of this word, though they are extended meanings, hardly standard. 13. One’s right under law, human or divine, is denominated *mišpāṭ* (Deut 18:3; Jer 32:7). Frequently associated with *ṣedeq* and *ṣēdāqā* in OT descriptions of God’s reign and ways with his creatures, this idea lies at the very heart of a true understanding of the Biblical world-and-life view.”

Therefore, in Exodus 21:1, “*ordinances*” is the Hebrew noun *mišpāṭ* (םִשְׁפָּט) (*mish-paht*), which denotes civil law in the exercise of human government. The word designates different aspects of Israelite civil government. These laws express God’s sovereignty over the nation of Israel. God’s attribute of justice is exercised and manifested through enforcement of these laws. They serve to provide rights for the citizens of Israel and identify God’s rights as well. They involve dispensing justice.

Chapter 21 begins with the treatment of human beings and in particular the treatment of slaves who were the most likely to be mistreated or exploited in society.

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In Exodus 21:2, “slave” is the Hebrew noun ʿēḇĕḏ (יהב) (eh’-bed), which refers to a six year contract servant in Israel.

Douglas Stuart has the following comment, he writes “The various Hebrew terms translated by terms such as ‘servant,’ ‘slave,’ ‘maidservant,’ occur more than a thousand times in the Old Testament. The present passage reflects the broad semantic range encompassed by these terms and the concepts to which they refer. Although the laws in Exod 21:1–11 address primarily the circumstances of six-year contract servants, they do not implicitly distinguish among categories of employees. The most common vocabulary word used for the servant is ʿebed, which can mean ‘worker,’ ‘employee,’ ‘servant,’ or ‘slave.’ Anyone in any of these categories came under the protection of Yahweh’s covenant law. The laws of this section also do not differentiate types of employers: the standard term used here, baʿal, can mean ‘boss,’ ‘employer,’ ‘master,’ or ‘owner.’ Similarly, the words translated ‘buy’ in 21:2 (qānā) and ‘sell’ in 21:7–8 (mākar) can refer to any financial transaction related to a contract, much as in modern sports terminology a player can be described as being ‘bought’ or ‘sold’ from one team to another. Players are not actually the property of the team that ‘owns’ them except as regards the exclusive right to their employment as players of that sport.”

The Bible does not condemn slavery, but in fact condones it (Lev. 25:44). Slavery was commonly practiced in the nation of Israel. The nation of Israel was commanded by the Lord God to make slaves of those whom they conquered in battle. Under Israeliite law, the length and type of service depended upon nationality, the form of servitude, and gender. For instance, Israelites who became slaves to resolve a problem with debt were to be treated as “hired workers” under the Mosaic Law and not as slaves from pagan nations.

There were five ways in which one could become a slave: (1) Those who sold themselves into slavery because of debt. (2) Those who were prisoners of war. (3) Those who were born into slavery (Gen. 17:23; Lev. 22:11) (4) Those who were sold into slavery, i.e., Joseph (Gen. 37:28, 36) (5) Those who were caught committing the crime of breaking and entering (Ex. 22:2-3).

Slaves were acquired through: (1) Trade (2) Purchase (3) Payment of debt (4) Gifts (5) Birth (6) Plunder in war (7) Self determination.

An Israelite could sell himself or herself into slavery to a fellow countryman to pay off a debt. The Lord freed Israel from bondage in Egypt to serve Him, not to serve foreign nations as slaves (Lev. 25:35-42, 55; Deut. 15:15). Israelites who had to sell themselves into slavery because of debt were a great problem in ancient Israel. In fact, David’s army was composed of individuals who were oppressed and were debt ridden (1 Sam. 22:1). Amos 2:6, 8:4 point to this widespread problem in

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Israel. Nehemiah 5 describes the problem of debt-slavery in post-exilic Israel. Nehemiah required the wealthy nobles to take a public oath that they would not take advantage of the poor exiles returning to Israel from Babylon.

Famine and the king of Persia’s tax on the poor had caused many returning exiles to give their sons and daughters over to be slaves. This should have never been a problem in Israel for the Lord had made provision and foresaw in His omniscience this abuse of the rich over the poor in Israel.

The Lord had commanded that there be no interest charged to a fellow Israelite (Ex. 22:25). All Jewish slaves were to be freed on the year of Jubilee. All Jewish slaves were to serve 6 years and then could go free, if they desired, on the 7th year and did not have to make payment to their master (Ex. 21:2). The rich nobles in Israel were not to make slaves of their fellow countryman.

Slaves carried out: (1) Household duties (2) Farming duties (3) Young women served as concubines (4) Building projects for the state.

Slaves within Israelite society, as well as in other ancient Semitic societies, were dependent and subservient. The slave was not permitted to come and go as they pleased.

The price of a slave in Israel: The average price of a slave during the third century B.C. was between 10 and 20 shekels. Joseph was sold by his brothers for 20 silver shekels (Gen. 37:28).

The Mosaic Law stipulated that 30 shekels of silver were to be the compensation for a slave who had been gored to death by an ox (Ex. 21:32). Our Lord was betrayed by Judas Iscariot for 30 pieces of silver, the price of slave (Matt. 26:15). This was according to the prophecy found in Zech. 11:13.

The word shekel comes from the Hebrew word shaqal and means “to weigh something in the balance to measure its amount,” and commonly, “to weigh out silver or gold as payment for something.” The shekel was the common unit of weight throughout Canaan and Mesopotamia. The weight of the shekel varied according to time and place.

The temple shekel weighed approximately 10 grams and the ordinary merchant’s shekel weighed 11 1/2 to 12 grams and the heavier or royal shekel weighed approximately 13 grams. In the New Testament, the shekel was the standard wage for a day’s labor. The value of a male or female slave in Israel as designated by the Lord was 30 shekels of silver (Ex. 21:32).

The Rights of Slaves in Israel: (1) To redeem themselves and work for their freedom (2) To good and fair treatment (Lev. 25:43) (3) To justice (Ex. 21:20; Job 31:13) (4) To marry and have children (Ex. 21:5) (5) To choose to remain a permanent slave after being set free (Ex. 21:5; Deut. 15:16) (6) To own property and have money (Lev. 25:29) (7) To promotion (Gen. 15:2) (8) To worship God without interference from Master (Ex. 12:44; Deut. 12:12).
Hebrew slaves had more rights: (1) They could be held for only 6 years (Ex. 21:2; Deut. 15:12) (2) When freed, the master had to provide animals, grain and wine (Deut. 15:13). (3) They could not be returned to foreign owners if they ran away (Deut. 23:15).

Slave owners had the right: (1) To hold slaves as possessions (Lev. 25:45) (2) To leave slaves to his inheritance (Lev. 25:46) (3) To hold as property the wife and children of all slaves who were unmarried at the time they became a slave (Ex. 21:4) (4) To capture runaways (1 Kings 2:39-41) (5) To free slaves on the Sabbatical Year or Jubilee (6) To circumcise slaves as commanded by the Lord (Gen. 17:12-13, 23, 27) (7) To sell, trade, or give away slaves (Gen. 29:24) (8) To punish or disciplines slaves, but not to kill (Ex. 21:20) (9) To marry a slave or give them in marriage (1 Chron. 2:35) (10) To marry a daughter to a slave (1 Chron. 2:34) (11) To make slaves those who are caught for breaking and entering (Ex. 22:2-3) (12) To make slaves of those individuals caught stealing (Gen. 44:8-33) (13) To demand military service of his slaves (Gen. 14:14-24).

Exodus 21:1-11 is divided into two parts: (1) Regulations governing the rights of male slaves (1-6). (2) Regulations governing the rights of female slaves (7-11).

Exodus 21:3-4 gives examples involving three situations with regards to six year servants: (1) A single, unattached servant (2) A servant who starts his term of service married (3) A servant who marries another worker under contract to the same boss and might have children during the time of employment. The law concerning these situations are designed to ensure that neither the servant nor the employer lose what is rightfully theirs at the time of termination of the service. This complex law has the following provisions: (1) The servant who is married prior to the contracted service is to retain his wife and children and the master is to figure in the costs of housing, food and clothing for the spouse as well. (2) The male servant who marries a female servant who is under contract to the master, cannot bring this woman with him at the end of his contractual duties. (3) The male servant could remain with the master if he wanted to stay with his wife and children or he could wait till she finishes her contractual duties to her employer. (4) He could find a job somewhere else and compensate financially the employer for his wife and children. (5) He could remain a servant of the employer forever.

Exodus 21:5-6 contains regulations with regards to voluntary permanent service and Exodus 21:7-11 list protections for female servants.

Hannah writes “Female slaves were treated differently. Many times female slaves were concubines or secondary wives (cf. Gen. 16:3; 22:24; 30:3, 9; 36:12; Jud. 8:31; 9:18). Some Hebrew fathers thought it more advantageous for their daughters to become concubines of well-to-do neighbors than to become the wives of men in their own social class. If a daughter who became a servant was not pleasing to her master she was to be redeemed by a near kinsman (cf. Lev. 25:47-
54) but never sold to foreigners (Ex. 21:8); she could also redeem herself. If she married her master’s son she was to be given family status (v. 9). If the master married someone else he was required to provide his servant with three essentials: food, clothing, and shelter (marital rights probably means living quarters, not sexual privilege).”

Constable writes “Females did not enjoy as much freedom as males in the ancient Near East and in Israel. They were subject to the fathers or husbands in authority over them as well as to God (cf. Eph. 5:22-24; Col. 3:18). Verses 7-11 describe a girl whom her father sells as a servant (Heb. ‘amah, v. 7) for marriage, not for slavery. In such a case the girl would become the servant of the father of her husband-to-be who would than give her to his son as his wife. She would remain in her prospective father-in-law's household unless someone redeemed her before the consummation of her marriage. If for some reason her prospective father-in-law became displeased with her, he was to allow someone to redeem her (set her free by the payment of a price). Her redeemer could be herself or someone else (cf. Deut. 24:1). Her master was not to sell her to some other person, a ‘foreign’ person in that sense (v. 8). Such treatment was unfair to her because it violated her legitimate human rights. ‘Conjugal rights’ (v. 10) here refers to her living quarters and other support provisions, not sexual intercourse. This passage is not discussing marriage as such (after physical consummation) as the NIV and AV imply.” (Notes on Exodus, 2003 Edition, Dr. Thomas Constable; page 112; Published by Sonic Light; www.soniclight.com/)

The NET Bible has the following comment with regards to verse 7, “This paragraph is troubling to modern readers, but given the way that marriages were contracted and the way people lived in the ancient world, it was a good provision for people who might want to find a better life for their daughter.”

They have the following comment on verse 11, “The lessons of slavery and service are designed to bring justice to existing customs in antiquity. The message is: Those in slavery for one reason or another should have the hope of freedom and the choice of service (vv. 2–6). For the rulings on the daughter, the message could be: Women, who were often at the mercy of their husbands or masters, must not be trapped in an unfortunate situation, but be treated well by their masters or husbands (vv. 7–11). God is preventing people who have power over others from abusing it.”

Exodus 21:12-17: Four Crimes that Require the Death Penalty

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Exodus 21:12 “He who strikes a man so that he dies shall surely be put to death. 13 But if he did not lie in wait for him, but God let him fall into his hand, then I will appoint you a place to which he may flee. 14 If, however, a man acts presumptuously toward his neighbor, so as to kill him craftily, you are to take him even from My altar, that he may die. 15 He who strikes his father or his mother shall surely be put to death. 16 He who kidnaps a man, whether he sells him or he is found in his possession, shall surely be put to death. 17 He who curses his father or his mother shall surely be put to death.” (NASB95)

Exodus 21:12-17 lists four crimes that required the death penalty: (1) Premeditated murder (verses 12, 14) (2) Physical violence against parents (verse 15) (3) Kidnapping (verse 16) (4) Verbal abuse of parents (verse 17).

Both Genesis 9:5-6 and Romans 13:1-7 make clear that government authority is tied to capital punishment since it was established by God to administer capital punishment to murderers and justice to lawbreakers. With the establishment of human government, the Lord was seeking to prevent the same conditions of lawlessness that permeated the Antediluvian period from occurring again when there was no human government, nor capital punishment.

Genesis 9:5-6 and Romans 13:1-7 teach that human government was established by God to administer justice to murderers. The former was addressed to the entire human race whereas the latter was addressing only believers.

The apostle Paul in Romans 13:1 issues a command for his Christian readers in Rome to continue making it their habit of voluntarily subjecting themselves to the governmental authorities in Rome. Then, he presents the reason as to why the Roman believers should continue doing this, namely because there is, as an eternal spiritual truth, absolutely no authority that exists on the earth except by God. Lastly, he defines specifically this reason by teaching that those governmental authorities, which do at any time in history exist on the earth have been ordained from eternity past by God the Father under the divine decree.

Romans 13:1 Each and every person must continue making it their habit of voluntarily subjecting themselves to the governmental authorities because there is, as an eternal spiritual truth, absolutely no authority except by God. Specifically, those which at any time do exist are, as an eternal spiritual truth, ordained by God. (Author’s translation)

In Romans 13:2, Paul presents an inference from his instruction in verse 1 by teaching that the Christian who at any time does set himself or herself in opposition against any governmental authority is in a state of opposition against this institution, which originates from God the Father. He advances upon this statement teaching also that those Christians who are in a state of opposition
against any governmental authority will, as a certainty, undergo judgment at the hands of these authorities for the detriment of themselves.

Romans 13:2 Therefore, the one who, at any time does set himself or herself in opposition against this authority is in a state of opposition against this institution originating with God the Father. In fact, those who are in a state of opposition will, as a certainty, undergo judgment for the detriment of themselves. (Author’s translation)

Then, Paul in Romans 13:3 resumes the discussion from verse 1 as to why the Romans believers are to obey the command in verse 1 to continue to voluntarily subjecting themselves to the governmental authorities. Therefore, the statement presents an additional reason why they should obey his command in verse 1. This would indicate that the Roman believers also must continue to voluntarily subjecting themselves to the governmental authorities because governmental rulers are a cause of fear for those whose conduct is evil.

Then, he poses a rhetorical question that follows as a logical consequence of this previous statement. Thus, Paul is to his readers saying that since governmental rulers are a cause of fear for law breakers consequently or as a logical consequence to this if you do not want to live in fear of the authorities, then obey the laws of the land. The command that presents the logical consequence of the rhetorical question requires that Paul’s Christian readers in Rome must continue practicing that which is good, i.e. obedience to the laws of the Roman government.

Lastly, this command is followed by a result clause indicating that if Paul’s readers continue making it their habit of practicing that which is good in character, i.e. obedience to the governing authorities, the result will be that they will receive praise from the governing authorities. The implication of this result is that Paul wants his readers to be outstanding citizens since only those who were outstanding citizens received commendation from the Roman government.

Romans 13:3 Furthermore, rulers are, as an eternal spiritual truth, never a cause of fear with respect to conduct which is good in character but rather with respect to that which is evil in character. Consequently, do you desire not to live in a state of fear of this authority? Continue making it your habit of practicing that which is good in character so that you will, as a certainty, experience recognition from the same. (Author’s translation)

Then, in Romans 13:4, Paul makes two assertions that explain or elaborate on his previous statements in verse 3 with regards to the positive and negative function of governmental authority.

Romans 13:4 For you see, it is, as an eternal spiritual truth God’s servant for your benefit for the purpose of encouraging that which is good in character. However, if you, at any time practice that which is evil in character, then begin and continue to live in a state of fear because it, as an
eternal spiritual truth by no means exists in the state of bearing the sword without justification because it is, as an eternal spiritual truth God’s servant, an avenger for the purpose of exercising God’s righteous indignation against those who exist in a state of committing that which is evil in character. (Author’s translation)

Romans 13:4 can be divided grammatically into five sections. First of all, the passage begins with an explanatory statement that is divided into two sections:

(1) A declarative statement: “It is, as an eternal spiritual truth God’s servant for your benefit for the purpose of encouraging that which is good in character.”

This assertion elaborates on the positive function of governmental authority, which he addresses in the command at the end of verse 3.

Romans 13:3 Furthermore, rulers are, as an eternal spiritual truth, never a cause of fear with respect to conduct which is good in character but rather with respect to that which is evil in character. Consequently, do you desire not to live in a state of fear of this authority? Continue making it your habit of practicing that which is good in character so that you will, as a certainty, experience recognition from the same. (Author’s translation)

(2) Adversative clause containing a fifth class condition: “However, if you, at any time practice that which is evil in character, then begin and continue to live in a state of fear.”

This assertion elaborates on the negative function of governmental authority, which Paul mentions in the causal clause at the beginning of verse 3.

Romans 13:3 Furthermore, rulers are, as an eternal spiritual truth, never a cause of fear with respect to conduct which is good in character but rather with respect to that which is evil in character. Consequently, do you desire not to live in a state of fear of this authority? Continue making it your habit of practicing that which is good in character so that you will, as a certainty, experience recognition from the same. (Author’s translation)

Then, on the heels of the adversative clause, which contains a fifth class condition, we have a causal clause that elaborates on this negative function: “Because it, as an eternal spiritual truth by no means exists in the state of bearing the sword without justification.”

This causal clause presents the reason why Paul’s readers should live in a state of fear for practicing evil. They should live in fear for practicing evil because God has delegated authority to the government to inflict capital punishment for those who practice evil such as murder. This causal clause is followed by another one: “Because it is, as an eternal spiritual truth God’s servant.” It teaches that governmental authority is justified for inflicting capital punishment upon those who commit evil because they serve God by doing so.
Lastly, this second causal clause is followed by an epexegetical clause: “An avenger for the purpose of exercising God’s righteous indignation against those who exist in a state of committing that which is evil in character.” This clause is clarifying for the reader exactly the responsibility of the governmental authorities in relation to God the Father’s purpose for them. It teaches that when the governmental authority uses capital punishment against criminals it is expressing God’s righteous indignation.

Therefore, in Romans 13:4, Paul is teaching his readers that governmental rulers are God’s servants, which is demonstrated by these two functions. For the Christian, the positive function of governmental authority is that it encourages conduct that is in obedience to the Father’s will in relation to one’s fellow human being, which can be summarized by the command to love one’s neighbor as oneself. The negative function discourages conduct that it is evil or in other words, it discourages conduct that is in disobedience to the will of God. Governmental authority serves God by fulfilling these two functions.

Romans 13:5 is a summarization and a self-evident inference or conclusion based upon Paul’s teaching in Romans 13:1-4.

**Romans 13:5 Therefore, to continue voluntarily subjecting yourselves is, as an eternal spiritual truth, always absolutely imperative, not only because of this exercise of righteous indignation but also because of your conscience. (Author’s translation)**

Therefore, based upon this teaching, to continue voluntarily subjecting themselves to the governmental authorities in Rome is always absolutely imperative for Paul’s Christian readers in Rome.

The statement in verse 6 advances upon his statement in verse 5 and intensifies it.

**Romans 13:6 In fact, because of this, all of you make it a habit of even paying taxes because they are, as an eternal spiritual truth, God’s commissioned public servants, continually dedicated to this very thing. (Author’s translation)**

In Romans 13:6, Paul teaches that the Roman believers pay taxes because of their conscience in the sense that they pay taxes because they know that all authority originates from God and is His servant and that it is the will of the Father that they subject themselves to these authorities. So he is speaking of the Roman believers’ conscientious subjection to the government, which is expressed by their paying taxes to these authorities. Consequently, Paul is teaching them that they pay taxes to the Roman governmental authorities because of their knowledge that they, like all human government, was established by God and are His servants to encourage good conduct and discourage evil conduct. They also pay taxes because
of their knowledge that it is God’s will that they subject themselves to the governmental authorities.

Paul’s statement in verse 6 is teaching the Roman believers that their paying taxes to the Roman government is an implicit recognition of the government’s authority and power over them that was delegated by God to the Roman government. Then, in this passage, he teaches that the reason why Paul’s Christians readers in Rome pay taxes to the Roman governmental authorities is that they are God’s public servants since the Father has delegated authority to them to govern and protect the human race from the unrestricted function of the sin nature. Therefore, Paul is teaching that the institution of human government is a manifestation of God’s sovereign rule over human beings and functions as His servant to carry out His purpose of protecting and sustaining and blessing the human race.

In Romans 13:7, Paul solemnly charged the Romans to make it their top priority to fulfill their four-fold obligation to the governmental authorities. This four-fold obligation involves paying the Roman government “direct tribute taxes,” “indirect custom taxes,” and bestowing “reverence” and “honor” on them because they are public servants of God for their good.

**Romans 13:7** I solemnly charge all of you to make it your top priority to fulfill each and every one of your obligations to each and every one of them, without exception: To the one who receives the tribute tax, that which is the tribute tax, to the one who receives the indirect custom tax, that which is the indirect custom tax, to the one who receives reverence, that which is reverential in character, to the one who receives honor, that which is honorable in character. (Author’s translation)

Genesis 9:5-6 records for us the establishment of the fourth and final divine institution.

**Genesis 9:5** “Surely I will require your lifeblood; from every beast I will require it. And from every man, from every man's brother I will require the life of man. 6 Whoever sheds man's blood, by man his blood shall be shed, for in the image of God He made man.” (NASB95)

The Word of God prohibits murder according to Exodus 20:13 and is one of the sins that God hates according to Proverbs 6:16-19 and according to Genesis 9:6 is to be punished through capital punishment.

“**I will require**” is the verb ‏דָּרַשׁ (dā·rāš) (daw-rash), which is a judicial term used with reference to both men and animals and expresses the fact God seeks “restitution” for murder by the execution of the murderer or the animal who has taken a human life.
As a result of the total depravity of mankind, God instituted capital punishment in order to protect both animal and human life and to curb violence and be a deterrent to crime.

The reason why this provision is given is found in the phrase “for in the image of God, He (the Lord) made (’asah, “modeled”) (the soul of) man.”

The emphasis of this stipulation recorded in Genesis 9:5-6 does “not” refer to vengeance but rather justice and the careful recognition of the sacredness of the divine image in man, though marred by sin.

Murder is a shocking affront to God and a terrible crime against one’s fellow man. Before the Flood the lack of capital punishment led to blood vendettas (Gen. 4) and without instinctive fear, the animals corrupted their behavior.

Genesis 9:5-6 records the institution of human government where God delegated authority to mankind as His agents in exacting retribution by capital punishment upon those who take a human life indicating as well that this is not a personal matter but a social obligation. Before the Flood, there was no formal arrangement of human government and thus no formal punishment of crime or of crime prevention, even for the capital crime of murder, as evident in the individual histories of Cain and Lamech (Genesis 4). The absence of human government and the total depravity of mankind led to a universal state of violence and anarchy, which resulted in the judgment of the Flood. God established capital punishment and thereby human government in order to prevent the conditions of the antediluvian period from developing again.

Numbers 35:30-34, Deuteronomy 17:6-7 and 19:15 teach that capital punishment “cannot” take place unless there are two or more witnesses to the crime and that they all agree in their testimony after being individually interviewed. Capital punishment is taught in the Old Testament (Ex. 21:12, 15-17; 22:2, 18-20; Num. 35:6-34; Deut. 19:1-13; 24:7) and in the New Testament (Rom. 13:1-7; 1 Pet. 2:13). The fact that capital punishment was instituted does “not” mean that there is never to be an exception to the punishment of execution for the crime of murder.

With God, justice may be tempered with mercy, in response to repentance. For example, David was guilty of the capital crimes of murder and adultery in the case of Uriah and Bathsheba respectively and God forgave David when he confessed his sin and thus David instead of dying by stoning or the sword as he deserved, “died in a good old age, full of days, riches and honor (1 Chron. 29:28).

Also, the woman caught in the act of adultery was guilty by the Mosaic Law of a crime punishable by death (Lev. 20:10; Deut. 22:22) and the Lord Jesus seeing her heart of repentance, was moved to forgive her and to see that she was set free (Jn. 8:3-11). In like manner, a judge or a governor is warranted in taking such
mitigating factors as may exist in a given situation into consideration in determining a sentence, legal penalty of capital punishment.

The essential point is that man was delegated authority and responsibility of human government by God and that this responsibility first entails the recognition of the sacredness of human life and that man is created in the image of God and the recognition of capital punishment as the just and legal penalty for murder. It is clear that the authority for capital punishment implies also the authority to establish laws governing human activities and personal relationships, which if unregulated would lead to murder, robbery, adultery, thus this instruction to Noah is the fundamental basis for all human legal and governmental institutions.

Now, Exodus 21:13 addresses unintentional or accidental homicide. A person who unintentionally or accidentally kills another person could escape to one of the six cities of refuge after Israel was in the land (Numbers 35:6-34; Deuteronomy 19:1-13; Joshua 20).

Douglas Stuart has the following comment, he writes “Verse 13 addresses the exception to murder: unintentional/accidental homicide. Any sort of causation of another person’s death without intent is encompassed by this law: fatally running over someone with a wagon, fatally hitting someone with a tool, unintentionally killing an ally in battle in what today would be called a ‘friendly fire incident,’ and the like. In much of the ancient world a mandatory vengeance system was built into the unwritten societal code of conduct. Under this system, you or someone in your family were expected to take the life of anyone who had taken the life of someone in your family, whether or not that person had done so purposefully. Virtually no distinction was made between purposeful and accidental homicide. In the logic of the vengeance system, the causing of a death required the parallel causing of a death to ‘satisfy’ the grievance and make things equal. If family A had lost a member by reason of the actions of someone in family B, then family B ought to lose a member by reason of the actions of someone in family A. Intent was not considered in such cases. To this way of thinking the true God responded with: ‘It is mine to avenge; I will repay’ (Deut 32:35). The present law anticipates the system of cities of refuge with the wording ‘a place I will designate.’ These six cities, spread throughout Israel, would be controlled by Levites and would give sanctuary from the ‘avenger of blood’ (the person who set out to avenge the death of a member of his family by seeking to kill the one who had taken his life) until such time as full, careful, patient legal processes could look into the fatality and rule fairly. God’s covenant thereby eliminated for obedient Israelis what had been a long-established but inherently unfair practice that dominated the way of life in the ancient Near East, blood vengeance.”

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Exodus 21:18-27: Laws Concerning Injuries to People

Exodus 21:18 “If men have a quarrel and one strikes the other with a stone or with his fist, and he does not die but remains in bed, 19 if he gets up and walks around outside on his staff, then he who struck him shall go unpunished; he shall only pay for his loss of time, and shall take care of him until he is completely healed. 20 If a man strikes his male or female slave with a rod and he dies at his hand, he shall be punished. 21 If, however, he survives a day or two, no vengeance shall be taken; for he is his property. 22 If men struggle with each other and strike a woman with child so that she gives birth prematurely, yet there is no injury, he shall surely be fined as the woman’s husband may demand of him, and he shall pay as the judges decide. 23 But if there is any further injury, then you shall appoint as a penalty life for life, 24 eye for eye, tooth for tooth, hand for hand, foot for foot, 25 burn for burn, wound for wound, bruise for bruise. 26 If a man strikes the eye of his male or female slave, and destroys it, he shall let him go free on account of his eye. 27 And if he knocks out a tooth of his male or female slave, he shall let him go free on account of his tooth.” (NASB95)

Exodus 21:18-27 presents regulations or laws with regards to life threatening injuries to people, which is divided into four parts: (1) Regulations with regards to compensation for injured party in a physical quarrel (verses 18-19). (2) Regulations concerning the punishment of those who mistreat their slaves (verses 20-21). (3) Regulations concerning a pregnant woman losing her child due to physical injury (verses 22-25). (4) Laws of retaliation (verses 26-27).

Exodus 21:22-25 teaches that financial compensation must be paid by the guilty party to the husband of the pregnant woman if she gives birth prematurely as a result of striking her. However, verse 23 says that if there is further injury to the child in the sense that the child dies, then there was to be the death penalty for the guilty party as indicated by the expression “life for life.”

The expression “life for life, 24 eye for eye, tooth for tooth, hand for hand, foot for foot, 25 burn for burn, wound for wound, bruise for bruise” is related to civil law. It teaches that the penalty imposed on a person for causing physical injury must be appropriate to the nature of the injury. Consequently, giving financial compensation to a person who has been permanently maimed by another person is not adequate justice for the person maimed. Or, it is not adequate justice to give a family of a person who has been murdered by another financial compensation since the penalty does not fit the crime. This principle prevented the rich from buying their way of out capital crimes they have committed.
These types of laws are called “talion” laws. A person in the twenty-first century often misunderstands these laws in a literalistic sense. There is no evidence in ancient history where any judge required a literal application of talion law beyond the expression “life of life.” This expression meant that death was the satisfaction of the law. However beyond this, there was no actual taking of another person’s eye for having ruined the eye of another person. This is clearly indicated in Exodus 21:26-28 where a man who destroyed the eye of another man, shall go free on account of the eye and if he knocks out the tooth of his slave, he shall be set free on account of the tooth. This passage says that if an ox gores a person to death, the ox shall be put down but the owner is to go unpunished. The goal of these type of laws was to make sure that justice was accomplished and that appropriate punishment was administered.

Exodus 21:28-36: Laws Concerning Injuries to Animals

Exodus 21:28 “If an ox gores a man or a woman to death, the ox shall surely be stoned and its flesh shall not be eaten; but the owner of the ox shall go unpunished. 29 If, however, an ox was previously in the habit of goring and its owner has been warned, yet he does not confine it and it kills a man or a woman, the ox shall be stoned and its owner also shall be put to death. 30 If a ransom is demanded of him, then he shall give for the redemption of his life whatever is demanded of him. 31 Whether it gores a son or a daughter, it shall be done to him according to the same rule. 32 If the ox goes a male or female slave, the owner shall give his or her master thirty shekels of silver, and the ox shall be stoned. 33 If a man opens a pit, or digs a pit and does not cover it over, and an ox or a donkey falls into it, 34 the owner of the pit shall make restitution; he shall give money to its owner, and the dead animal shall become his. 35 If one man’s ox hurts another’s so that it dies, then they shall sell the live ox and divide its price equally; and also they shall divide the dead ox. 36 Or if it is known that the ox was previously in the habit of goring, yet its owner has not confined it, he shall surely pay ox for ox, and the dead animal shall become his.” (NASB95)

Exodus 21:28-36 contains laws with regards to injuries caused by or to animals and is divided into three parts: (1) Regulations concerning injuries inflicted by animals (verses 28-32), (2) Regulations concerning the loss of animal due to negligence (verses 33-34), (3) Regulations concerning someone’s bull killing another person’s bull (verse 35).

Verses 28-32 make clear that owners are responsible for the conduct of their animals. A bull is used to illustrate the legal principles that apply to cases in which
it kills someone. In this situation, the owner of the bull suffers the loss of the bull and does not suffer the death penalty.

Verse 29 teaches that if a bull has a history of goring people and its owner has been warned and this bull kills a person then this person is to be put to death along with his bull since this is a negligent homicide.

Verse 30 appears to undermine the point of the preceding law in verse 29. However, this is not the case. Verse 30 gives a judge some leeway in cases which are more complicated. For example, let’s say that a bull tried to gore someone only once in the past and someone had borrowed the bull against the owner’s advice and had mistreated the bull and then the bull gored that person. In this circumstance, the death penalty for the owner of the bull would not be fair and just. A more appropriate punishment is to be determined by the judge in relation to the level of culpability.

“He shall give for the redemption of his life whatever is demanded of him” means that if a compensation payment was demanded of him, then the owner had to pay a redemption price for his life in the full amount which the judge sets. This was not a fine but rather it was a redemption payment because the basis for the penalty was the death penalty. It was the buying back of one’s life.

Verses 31 and 32 develop this law further by applying it to children and servants. Interestingly the taking of the servant’s life by someone’s bull does not result in the death penalty because of the way a servant functioned under the control of the employer. This means that because the servant was required to do certain things for the employer which would involve risk such as being around a bull, the death penalty was not required. Thus, a servant who was gored by a bull while carrying out his duties was presumably doing what the master told the servant to do by command. So a servant who is told by his master to work around a bull did not have the freedom to avoid the bull in contrast to a person who wasn’t a servant who could decide for himself to leave the presence of the bull. Thus, the owner of the bull was not as guilty as he would be if the bull gored someone who happened to be passing by and was not his servant.

Verses 33-34 contain a law which requires a person to make restitution to the person whose bull falls into an uncovered pit he dug.

The law in verse 35 stipulates that if a man’s ox or bull hurts another man’s ox or bull so that it dies, then the two of them shall sell the live ox or bull and divide the price equally and also they are to divide the dead ox between them. Basically, this law requires the liquidation of assets represented in the living bull as well as the dead one. Connected to this, verse 36 stipulates that if a bull who has a history of goring and yet its owner has not confined the animal to a safe place then the owner must pay ox for ox and the dead animal shall become his. The owner who is at fault because of his negligence has to pay for the dead bull at the market price.