

"PERSONAL INJURIES AND DIVINE JUSTICE"

I. Introduction

- A. Each and every day, people do things that bring harm to others.
 - 1. Sometimes, we are the ones who are harmed.
 - 2. Whenever that happens, we want the person who has harmed us to be punished.
 - 3. We have an innate sense of justice because we are made in the image of the God who is just.
- B. One thing that we have to remember, though, is that there is an important distinction between our human sense of justice and God's holy justice.
 - 1. Sin has a corrosive effect upon our sense of justice.
 - 2. There can be times when we see something as an injustice when it really isn't an injustice.
 - 3. And even when there is a real injustice, our longing for retribution can sometimes be inordinate or vengeful.
 - 4. Only God upholds justice in a perfectly fair and equitable manner.
 - 5. As we study this portion of the Book of the Covenant today, we will see God's perfect justice on display.

II. The Death Penalty (vv. 12-17)

- A. The first part of our passage deals with situations in which God's justice demanded the administration of the death penalty in Israel.
 - 1. When the Bible talks about capital punishment, it does not do so because of its deterrent effect or its cost effectiveness or its ability to

ensure the safety of the citizenry.

2. God explained the reason for capital punishment when he spoke these words to Noah after the flood: “for your lifeblood I will require a reckoning: from every beast I will require it and from man. From his fellow man I will require a reckoning for the life of man. Whoever sheds the blood of man, by man shall his blood be shed, for God made man in his own image.” [Gen. 9:5-6]
 3. The reason why God calls for the death penalty in instances of murder is because man is made in the divine image.
 4. God requires capital punishment because of the high value that he places upon human life.
- B. One of the ways in which we see God’s justice on display in this passage is in how he distinguishes between premeditated killing and unpremeditated killing.
1. While there are situations in which a person intends to commit murder and plans it out ahead of time, there can also be situations when a person kills someone accidentally or in a momentary fit of anger.
 2. Verse 14 makes it clear that any murder that is committed with malice aforethought always calls for the death penalty.
 3. At the same time, verse 13 says that other situations may not call for that level of punishment.
 4. In cases involving an unpremeditated killing, God permitted the offender to flee to one of the cities of refuge that he would set up when the Israelites entered into the land of Canaan. (see Num. 35:6)
 5. These cities offered protection to the offender until his case could be judged.

- C. There was a great deal of wisdom in this kind of arrangement.
1. It was a safeguard against the mob mentality that can easily develop when one person brings harm to another.
 2. This was a real problem in the ancient world, where people tended to follow an unwritten code of vengeance.
 3. This sort of thing still happens in parts of world today.
 4. It was the root cause of the genocides that were committed in Bosnia and Rwanda back in the 1990's.
 5. We sometimes even see expressions of this attitude in our own country, with segments of the population responding in outrage to an incident before the facts of the case can be sorted out.
 6. God's justice protected his people against knee-jerk reactions to personal injuries.
- D. Another thing to note about the first part of this passage is that it does not limit the use of the death penalty to cases of murder.
1. In Israel, striking or cursing a parent was punishable by death.
 2. This underscored the importance of honoring one's parents.
 3. God's holy society was to be marked by respect for those whom the Lord put in positions of authority.
 4. Because human authority is an extension of God's authority, outright defiance toward one's parents was met with the most severe punishment in Israel.
 5. Verse 16 says that the death penalty was also required when somebody kidnapped someone and sold them as a slave.

6. As we noted last week in our discussion of the differences between American slavery and slavery in Israel, this verse makes it very clear that the African slave trade was immoral.
 7. It also condemns the sex trafficking that takes place in the world today.
 8. Divine image-bearers are not to be treated as objects for our profit or pleasure.
 9. In Israel, those who defied this principle were to be put to death.
- E. As we think about the use of the death penalty in the world today, it is important to remember that God set up Old Testament Israel as a theocracy, a holy nation that was ruled directly by him.
1. This was a unique situation in the history of redemption, and some of the laws that God gave to Israel were specific to that situation.
 2. This is why our Westminster Confession of Faith divides the law into three parts: the moral law, the ceremonial law, and the judicial (or civil) law.
 3. While the moral law always remains in effect, Israel's ceremonial and judicial laws expired when that theocratic nation ceased to exist.
 4. This means the use of the death penalty in contemporary nations should not be guided by Israel's judicial laws but by the moral law that God has revealed in his Word and even in the human conscience.
 5. As we noted earlier, God made it clear in the book of Genesis that his moral law requires the death penalty in cases of murder.
 6. The principle of life for life still applies, but Israel's use of the death penalty for other crimes was unique to her situation as a holy

nation.

III. Proportional Punishment (vv. 18-27)

- A. We turn our attention now to verses 18 through 27, which deals with cases where the principle of proportionality in punishment is applied.
1. The first case has to do with an injury that takes place when men get into a quarrel and come to blows with each other.
 2. If one of the men suffers a non-fatal injury at the hands of the other man, the one who caused the harm is responsible for paying for the injured man's medical treatment and for his lost labor during his time of recovery.
 3. Notice, however, that there is no provision for the kind of damages that are sometimes sought in courtrooms today, such as damages for "pain and suffering" or "emotional distress."
 4. God's justice requires that the offender pay for the harm that he has done, but it also prevents the victim from profiting from getting into a fight.
- B. The next case involves a situation in which a master strikes his slave.
1. If the master causes the slave to die, then the master is subject to the death penalty.
 2. This is what the text means when it says that the dead slave "shall be avenged."
 3. This was in sharp contrast with other Ancient Near Eastern law codes, which only called for death penalty if the victim was of equal or higher social standing than the offender.
 4. As we saw in last week's sermon, God extends his protection to every member of society, regardless of their socioeconomic status.

- C. Verse 21 says that the master is not to be put to death “if the slave survives a day or two.”
1. At least this is the way the text is translated in the ESV, which implies that the slave dies, though his death is delayed.
 2. If that were the case, it is difficult to understand why the master would not still be culpable of murder.
 3. This problem is resolved when we note that there is a better way of translating the Hebrew text of this verse.
 4. The NIV comes much closer to the Hebrew when it says “if the slave gets up after a day or two.”
 5. This indicates that the slave recovers from the beating.
 6. This translation makes better sense in light of the phrase “the slave is his money.”
 7. While this may sound demeaning, it simply means that the injured slave’s lost time is the master’s loss, not the slave’s loss.
 8. The master has contracted the slave to work for him.
 9. If the slave cannot work because of an injury inflicted by the master, then that is the master’s loss.
 10. The master does not have to compensate the slave for the lost time because that time would have been spent working for the master.
- D. In verses 22 through 24, God addresses situations in which a pregnant woman is inadvertently struck by two men involved in an altercation.
1. If the blow causes the woman to go into premature labor but neither she nor the child come to any harm, then the offender will only have to pay a fine.

2. But if the mother and/or the unborn child are killed or caused permanent harm, then there must be proportionality in the punishment.
 3. It is to be “eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe.”
 4. Even though the harm was not intended, the men are held responsible for their carelessness.
 5. Notice how this law makes it very clear that God regards a fetus as a human life.
- E. The goal of this law of retribution was to ensure that the punishment for causing bodily harm or injury was appropriate for the kind of injury that was caused.
1. There is no biblical evidence that this law was intended to be followed literally, except in cases of murder.
 2. If somebody knocked out your tooth in a fistfight, this law did not give you the right to knock out one of their teeth.
 3. We know that this was not the intent of this law because of what is said in verse 27.
 4. A master who knocks out the tooth of his slave doesn't lose one of his teeth; he loses his slave.
 5. The law of retribution said that the penalty should hurt the guilty party only as much as the injured party was hurt.
 6. It set limits for justice and guarded against the kind of extremes that were seen in other cultures, like cutting off the hand of a thief.
- F. One of the things that comes to mind when we think about this law of retribution is what Jesus has to say about it in the Sermon on the Mount.

1. Jesus said, "You have heard that it was said, 'An eye for an eye and a tooth for a tooth.' But I say to you, Do not resist the one who is evil. But if anyone slaps you on the right cheek, turn to him the other also. And if anyone would sue you and take your tunic, let him have your cloak as well. And if anyone forces you to go one mile, go with him two miles. Give to the one who begs from you, and do not refuse the one who would borrow from you." (Mt. 5:38-42)
2. When Jesus said this, he was not saying that the law of retribution is no longer in effect.
3. Other New Testament passages explicitly tell us that it is in effect.
4. For example, Paul says in Romans 13 that the one who holds a position of civil authority "is the servant of God, an avenger who carries out God's wrath on the wrongdoer." (v. 4)
5. When Jesus spoke of turning the other cheek, he was not saying that God is no longer interested in justice.
6. We have to remember that Jesus was addressing his disciples and that he was teaching them about how they should conduct themselves as members of his kingdom while living in this present age.
7. Until the day of Jesus' return, his kingdom is present in this world as a kingdom of grace.
8. Today is the day of salvation, as the gospel of free grace is being proclaimed throughout the earth.
9. Because of this, Jesus calls his followers to live as a community that is characterized by grace and mercy.
10. When he tells us to turn the other cheek, he is saying that we are not to seek retribution if we are ill-treated or injured by others

specifically because of our faith in him.

11. Paul applied the same basic principle when he told the Corinthians that it would be better to be wronged or defrauded than to have lawsuits against fellow Christians. (see 1 Cor. 6:7)
12. Of course, if a Christian is wronged in a civil matter by an unbeliever or by a professed Christian who pays no heed to church authority, that Christian is free to avail himself of whatever lawful means are available for seeking justice.
13. The apostle Paul did that when he appealed to his rights as a Roman citizen.
14. Turning the other cheek is not about letting yourself be a doormat in all aspects of life.
15. It is about sharing in Christ's sufferings as you live as a member of his kingdom in this evil age.

IV. Injuries Caused by Animals (vv. 28-32)

- A. We turn now to the last paragraph in our passage, where the focus shifts to cases involving injuries caused by domestic animals.
 1. These laws may seem antiquated to us, but they were addressing important matters for the people of Israel.
 2. Almost everyone in the ancient world was a farmer.
 3. Even people who had other trades would have had some animals for farming.
 4. This meant that animal accidents were as much a part of life in those days as automobile accidents are in our day.

5. God's people needed to know how to deal with these kinds of situations in a fair and equitable manner.
- B. Our text begins its treatment of such cases by saying that an ox that goes a person to death must be put to death.
1. The ox could not even be used for meat.
 2. This would be a significant financial loss to the owner of the animal, but it was necessary in order to uphold the sanctity of human life.
 3. The human life that was taken by the ox was more valuable than the ox's life.
 4. The victim was more valuable than the monetary value of the ox to its owner.
- C. The text continues by addressing a situation in which an offending ox had previously exhibited dangerous traits.
1. In such a case, the owner would be guilty of negligent homicide.
 2. God's justice required that he be put to death for his failure to provide adequate protection from his animal.
 3. The basic principle here is that people should be held responsible for the actions of their domestic animals.
- D. God's law also made provisions for situations that were a little more complicated.
1. For example, if there was reason to believe that a significant amount of the blame belonged to the person who was killed by the ox, then the judges could impose a fine on the owner instead of requiring the death penalty.

2. Notice the perfect equity of God's law.
3. No one is let off the hook for wrongdoing, but neither is anyone punished too severely.
4. God upholds justice in his holy wisdom.

V. Conclusion

- A. This world is governed by a God who loves justice, a God who has established his throne for justice.
- B. As J.I. Packer explains in his classic book, *Knowing God*, "Retribution is the inescapable moral law of creation; God will see that each man sooner or later receives what he deserves — if not here, then hereafter. This is one of the basic facts of life. And, being made in God's image, we all know in our hearts that this is right. This is how it ought to be... the character of God is the guarantee that all wrongs will be righted some day; when 'the day of wrath and revelation of the righteous judgment of God' (Romans 2:5) arrives, retribution will be exact, and no problems of cosmic unfairness will remain to haunt us. God is the Judge, so justice will be done." [129-130]
- C. The gospel does not set aside the requirements of God's justice.
- D. God still requires exact retribution for every single sin that people commit.
- E. What the gospel provides is a way for the requirements of God's justice to be met, "so that he might be just and the justifier of the one who has faith in Jesus." (Rom. 3:26)
- F. As Christians, we can rejoice in God's justice because we know that Christ has born the retribution that our sins deserve.