

EXODUS

Chapter 22

“If a man steals an ox or a sheep, and kills it or sells it, he shall repay five oxen for an ox, and four sheep for a sheep. 2 If a thief is found breaking in and is struck so that he dies, there shall be no bloodguilt for him, 3 but if the sun has risen on him, there shall be bloodguilt for him. He shall surely pay. If he has nothing, then he shall be sold for his theft. 4 If the stolen beast is found alive in his possession, whether it is an ox or a donkey or a sheep, he shall pay double. 5 “If a man causes a field or vineyard to be grazed over, or lets his beast loose and it feeds in another man's field, he shall make restitution from the best in his own field and in his own vineyard. 6 “If fire breaks out and catches in thorns so that the stacked grain or the standing grain or the field is consumed, he who started the fire shall make full restitution. 7 “If a man gives to his neighbor money or goods to keep safe, and it is stolen from the man's house, then, if the thief is found, he shall pay double. 8 If the thief is not found, the owner of the house shall come near to God to show whether or not he has put his hand to his neighbor's property. 9 For every breach of trust, whether it is for an ox, for a donkey, for a sheep, for a cloak, or for any kind of lost thing, of which one says, ‘This is it,’ the case of both parties shall come before God. The one whom God condemns shall pay double to his neighbor. 10 “If a man gives to his neighbor a donkey or an ox or a sheep or any beast to keep safe, and it dies or is injured or is driven away, without anyone seeing it, 11 an oath by the LORD shall be between them both to see whether or not he has put his hand to his neighbor's property. The owner shall accept the oath, and he shall not make restitution. 12 But if it is stolen from him, he shall make restitution to its owner. 13 If it is torn by beasts, let him bring it as evidence. He shall not make restitution for what has been torn. 14 “If a man borrows anything of his neighbor, and it is injured or dies, the owner not being with it, he shall make full restitution. 15 If the owner was with it, he shall not make restitution; if it was hired, it came for its hiring fee.

22:1–15 Laws concerning property rights (see 20:15). (CSB)

22:1 *repay five*. Punitive damages (over and above the actual cost of the animal) may have been assessed because the oxen and sheep would have been the source of a family's income. (TLSB)

22:2–3 Nighttime intrusion would make it hard for the homeowner to know whether the intruder meant to harm or merely to steal. Lethal force would be justified in such a case. However, if the intrusion occurred during daylight hours and it was evident the intruder meant only to steal, then lethal force would not be justified. (TLSB)

22:2 An act of self-defense in darkness does not produce bloodguilt. (CSB)

22:3 Killing an intruder in broad daylight is not justifiable. (CSB)

22:4 *pay double*. Because the animal was recovered safe in contrast to the animal in v 1. (TLSB)

22:5–6 *make restitution ... make full restitution*. Repetition for emphasis. Luther: “A sincere Christian believer has all the possessions of God and is a child of God. The time of his life, however, is but a pilgrimage. For through faith the spirit is already in heaven, and this makes him lord over all things. But God permits him to remain alive in the flesh and lets his body walk the earth in order that he may help others and bring them to heaven too. Therefore we must use everything on earth in no other way than as a guest who travels across country, comes to an inn where he must spend the night, and takes nothing but

food and lodging from the innkeeper. He does not say that the innkeeper's property belongs to him. Thus we must also deal with temporal goods as if they did not belong to us. We must limit our enjoyment of them to what is necessary for the preservation of the body. With the rest we must help our neighbor" (AE 30:35). (TLSB)

22:5 *from the best.* Restitution should always err on the side of quality and generosity. (CSB)

22:6 *thorns.* Often used as hedges (see Mic 7:4) bordering cultivated areas. (CSB)

22:7–9 Details of the procedure to establish rightful ownership were not recorded (cf 1Ki 3:16–28). (TLSB)

22:8 *shall come near to God.* Seek God's decision in the matter. Moses did not describe the exact process, perhaps because it was well known. Cf 1Sm 14:40–42. (TLSB)

22:9 *both parties.* Both claimants appeared before the judges as God's representatives for a decision. Cf ch 18. (TLSB)

22:11 *an oath by the LORD.* The judges were God's representatives in court cases. (CSB)

An oath in the name of the Lord was taken seriously and would be considered sufficient "proof" of the trustee's innocence. (TLSB)

22:12–13 Similar laws apparently existed as early as the patriarchal period (see Ge 31:39). (CSB)

21:33–22:15 Sinful human nature always seeks its own welfare, even at the expense of others. God graciously regulates society for the benefit of all His people. We will never experience an all-peaceful "heaven on earth," but God's mercy and the forgiveness of sins allow us to enjoy His peace and blessings now. • "Give me Thy courage, Lord, to speak Whenever strong oppress the weak. Should I myself the victim be, Help me forgive, rememb'ring Thee." Amen. (LSB 844:4). (TLSB)

Laws About Social Justice

16 "If a man seduces a virgin who is not betrothed and lies with her, he shall give the bride-price for her and make her his wife. **17** If her father utterly refuses to give her to him, he shall pay money equal to the bride-price for virgins. **18** "You shall not permit a sorceress to live. **19** "Whoever lies with an animal shall be put to death. **20** "Whoever sacrifices to any god, other than the LORD alone, shall be devoted to destruction. **21** "You shall not wrong a sojourner or oppress him, for you were sojourners in the land of Egypt. **22** You shall not mistreat any widow or fatherless child. **23** If you do mistreat them, and they cry out to me, I will surely hear their cry, **24** and my wrath will burn, and I will kill you with the sword, and your wives shall become widows and your children fatherless. **25** "If you lend money to any of my people with you who is poor, you shall not be like a moneylender to him, and you shall not exact interest from him. **26** If ever you take your neighbor's cloak in pledge, you shall return it to him before the sun goes down, **27** for that is his only covering, and it is his cloak for his body; in what else shall he sleep? And if he cries to me, I will hear, for I am compassionate. **28** "You shall not revile God, nor curse a ruler of your people. **29** "You shall not delay to offer from the fullness of your harvest and from the outflow of your presses. The firstborn of your sons you shall give to me. **30** You shall do the same with your oxen and with your sheep: seven days it shall be with its mother; on the eighth day you shall give it to me. **31** "You shall be consecrated to me. Therefore you shall not eat any flesh that is torn by beasts in the field; you shall throw it to the dogs.

2:16–31 General laws related to social obligations. (CSB)

22:16 *bride-price*. A gift, usually substantial, given by the prospective groom to the bride’s family as payment for her (see Ge 24:53). The custom is still followed today in parts of the Middle East. (CSB)

make her his wife. Sexual intercourse was tantamount to marriage, only to be regularized with a ceremony. (TLSB)

22:18 See Dt 18:10, 14; 1Sa 28:9; Isa 47:12–14. (CSB)

sorceress. A woman who practiced witchcraft (fortune-telling, casting spells, etc.). Witchcraft attempted to know, avoid, or alter the Lord’s will. (TLSB)

22:19 Ancient myths and epics describe acts of bestiality performed by pagan gods and demigods in Babylon and Canaan. (CSB)

22:20 See 20:3–5. The total destruction of the idolatrous Canaanites was later commanded by the Lord (see Nu 21:2; Dt 2:34; 3:6; 7:2; 13:15; 20:17; Jos 2:10; 6:17, 21; 8:25; 10:1, 28, 35, 37, 39–40; 11:11–12, 20–21; Jdg 1:17). (CSB)

22:21–27 That the poor, the widow, the orphan, the alien—in fact, all defenseless people—are objects of God’s special concern and providential care is clear from the writings of Moses (see 21:26–27; 23:6–12; Lev 19:9–10; Dt 14:29; 16:11, 14; 24:19–21; 26:12–13), the psalmists (see Ps 10:14, 17–18; 68:5; 82:3; 146:9) and the prophets (see Isa 1:23; 10:2; Jer 7:6; 22:3; Zec 7:10; Mal 3:5) as well as from the teachings of Jesus (see, e.g., Mt 25:34–45). (CSB)

22:25–27 Laws dealing with interest on loans (see Lev 25:35–37; Dt 15:7–11; 23:19–20; see also Ne 5:7–12; Job 24:9; Pr 28:8; Eze 18:13; 22:12). Interest for profit was not to be charged at the expense of the poor. Generosity in such matters was extended even further by Jesus (see Lk 6:34–35). (CSB)

22:26–27 If all that a man had to offer as his pledge for a loan was his cloak, he was among the poorest of the poor. (CSB)

22:26 *cloak in pledge*. Shows the high value of garments, due to the labor and material required to make them by hand. (TLSB)

return it. Each evening, out of compassion for the borrower (who needed it to keep warm at night), the lender should return the cloak used as collateral. This large, square outer garment was wrapped around the body or draped over the shoulder, similar to a Roman toga, and reached down to the knees. (TLSB)

22:27 *in what else shall he sleep?* The poor often had only this garment (v 26) in which to sleep. (TLSB)

compassionate. Hbr *chanan*, “to be gracious, generous.” The Lord cares about people, particularly the poor. His compassion supports all these regulations. Luther: “Christ demands only that your life give tangible evidence of your love toward your neighbor. He says: ‘It would please Me, and I would be satisfied, if you, as members of one body under one Head, show one another fidelity and benevolence, friendship, service, and assistance; if you do not stir up factions and schisms among one another and thus destroy love’ ” (AE 24:251). (TLSB)

22:28 *shall not revile ... curse the ruler of your people.* A ruler was God's representative; quoted by a penitent Paul after he had unwittingly insulted the high priest (see Ac 23:4–5). (CSB)

In their office, rulers represented God. Cf Rm 13:1–7. (TLSB)

22:29 *firstborn of your sons you shall give me.* Giving God firstfruits showed respect for Him as owner of all the world and submission to Him as Lord. Firstborn animals were to be sacrificed, and firstborn children were to be redeemed. (TLSB)

22:30 *on the eight day you shall give it to me.* The same principle applied in a different way to firstborn sons as well. (CSB)

22:31 Since God's people were "a kingdom of priests," they were to obey a law later specified for members of the Aaronic priesthood (see Lev 22:8) as well. (CSB)

throw it to the dogs. Kept as pets in Egypt; dogs in Israel more often roamed in packs, scavenging for food in villages and towns. (TLSB)