

Are Old Testament Laws Barbaric? Crude Laws?

Is God a Moral Monster? - part 5

May 6, 2018

We've seen two important things running through the O.T. (1) God's timeless ideals for which people are to strive. (2) God's word offers higher standards of morality and social progress than the middle eastern nations around Israel. The same is true for *punishments* to law breakers. But, compared to our modern, Western world, some of these punishments seem barbaric or harsh.

What are we to make of what seem to us such harsh punishments?

DAY 1: ANCIENT NEAR EASTERN LAW CODES AND THE MOSAIC LAW

1. When we come to the Mosaic law, given in the first five books of the Old Testament, it would be good to remember a few important items from history.

a. The Hebrew people had been slaves in Egypt for four hundred years. Not one of the people had known anything else other than a life of slavery.

b. The Hebrew people suddenly became a nation! However, they had no written moral law, no formal or written civil and criminal codes, and no ceremonial law that would provide the organizing framework in which to become a secure, prosperous and healthy nation.

c. Israel found itself surrounded by nations that, with a few exceptions were hostile to it. Many considered themselves enemies of Israel, similar to the middle east of today.

d. Many of the nations of antiquity were barbaric and brutal. If you follow the news today, in Afghanistan, Pakistan, Syria and Yemen, you can get a suitable comparison.

2. After the exodus the Hebrews people became a nation. There were an estimated two million people who for four hundred years had only known slavery in Egypt as a way of life. Suddenly, they are on their own! There is no criminal law, no civil law, no standards of how business and commerce would occur, no monetary system, etc. Virtually everything we take for granted in being a part of a functioning society had to be created from scratch.

3. This was the first time they had a written moral law, a written civil law and a written ceremonial law. But, God's chosen people were rebellious, with episode after sorry episode of intentional, defiant acts of sin. The nation was not yet set up to handle the chaos that would emerge.

4. In the early days of the new nation, you run into the severe punishments for first time offenses, or in exemplary cases. God made a clear, unmistakable statement, that sin was not to be taken cavalierly. Sin was serious business. Often, today, when people sin, the damage or punishment for that sin is not immediate. God is merciful, and long-suffering. He hopes we will heed His commands.

5. But at the beginning of the nation's history, there were poignant moments where there needed to be a direct cause and effect about the seriousness of sin. And why?

Ecclesiastes 8:11 Unless sentence against an evil deed is executed speedily, the hearts of the sons of men is fully set to do evil.

DAY 2: The profligate and drunkard

1. Over the next three days, we'll look at examples some point to as to barbaric punishments.

Deuteronomy 21:18 If a man has a stubborn and rebellious son who does not obey his father and mother and will not listen to them when they discipline him,

¹⁹ his father and mother shall take hold of him and bring him to the elders at the gate of his town.

²⁰ They shall say to the elders, "This son of ours is stubborn and rebellious. He will not obey us. He is a profligate and a drunkard."

²¹ Then all the men of his town shall stone him to death. You must purge the evil from among you. All Israel will hear of it and be afraid.

2. A cursory reading of this passage must be avoided. Let's look at this example more closely.

3. There is no record of this event occurring.

4. The son in question is not a little boy who won't eat his broccoli, or a teenager who sits around the house all day playing video games and won't do his homework or chores. Read the verses again. List everything that is true of the son:

5. It is obvious that he is of adult age (drunkard, profligate). To be profligate means to be dissolute, reckless, wasteful, or unrestrained by convention or morality. In other words, this man has become "a menace to society." (v. 20). The parents are also in danger of having the son squander their savings, livelihood, and property, racking up excessive debt.

6. Worse, he is a man who has hardened himself and his behavior to such an extent that he is uncorrectable. He is incorrigible. (v. 18)

7. Perhaps a little perspective would help, here. 50% of car crashes in the U.S. involve at least one alcohol-impaired driver. 50% of car fatalities involve at least one alcohol-impaired driver. And 65% of all single-car fatalities involve an alcohol-impaired driver. Every day in America, 71 people die from a drunk driver. Every week that's 500 people. That's 25,000 deaths/year.

8. The parents have done all they can. What is there only recourse? They consult with the civil authorities. The police, the civil authorities are charged with keeping a functioning society, trying to limit crime and harm to people.

9. Next, notice that the punishment is not in the parents' hands. They are not responsible for the punishment at this level.

10. If the civil authorities deem that punishment is the last resort, then they have the legal option to use capital punishment as a last resort.

11. But notice the end goal of this command: "*All Israel will hear of it and be afraid.*"

DAY 3: 40 lashes?

1. Corporal punishment is virtually non-existent in the Western world. How are we to think of the following passage of scripture?

Deuteronomy 25:1 When men have a dispute, they are to take it to court and the judges will decide the case, acquitting the innocent and condemning the guilty.

² If the guilty man deserves to be beaten, the judge shall make him lie down and have him flogged in his presence with the number of lashes his crime deserves,

³ but he must not give him more than forty lashes. If he is flogged more than that, your brother will be degraded in your eyes.

2. Once again, if we just approach the text in a cursory or cavalier way we will miss some very important points.

3. What standards do you observe in this passage? Jot them down.

4. Let's dissect the judicial standards called for.

a. First, a judicial trial had to occur.

b. Second, no one could take matters into his own hands to administer revenge.

c. Third, the punishment was to be supervised by a judge.

d. Fourth, the judge was to ensure that the punishment was correctly carried out, and wasn't left to the whims of the aggrieved to carry it out. He was to be present during the punishment.

e. Fifth, forty lashes was the maximum penalty.

f. Sixth, the judge was there to ensure that the punishment fit the crime. If the judge deemed a lesser amount of lashes fit a lesser crime, it was his duty to set the number of lesser lashes.

g. Seventh, once the punishment was completed, the criminal having received his just punishment, his *personal* "slate" was to be wiped clean in the eyes of the community. Notice how Moses finishes this section. The criminal, having received his punishment is now to be integrated back into society as a "brother," and specifically he is "not to be degraded in your eyes, (the eyes of the community).

5. What's your biggest take away from today's passage?

DAY 4: “An eye for an eye, a tooth for a tooth”

1. Another popular target for critics of the bible is the “eye for eye” passage.

Exodus 21:23 But if there is serious injury, you are to take 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.*

2. Some atheist critics read these verses and call the Mosaic law savage or brutal.

3. This Exodus passage is similar to Passages in Leviticus 24 and Deuteronomy 19. The only time any of these verses are to be taken literally is for murder. Capital punishment for murder is sanctioned.

4. But in every other crime, *none* of the verses are to be taken literally. Each of the phrases are used as analogies, meant to drive home one striking principle: the punishment must fit the crime.

5. In the middle east, the tendency was for escalating violence in the name of revenge. That is still prevalent in many middle eastern nations.

6. Moreover, all three passages (in Exodus 21, Leviticus 24 and Deuteronomy 19) call for a *monetary compensation*, not bodily harm, nor bodily retribution.

7. The verses, “an eye for an eye, a tooth for a tooth, hand for hand, foot for foot,” is a way of saying.

a. the punishment must fit the crime,

b. the punishment is not to exceed the crime.

c. The punishment need not be the maximum.

8. Notice what follows directly after our passage of the day:

Exodus 21:26 "If a man hits a manservant or maidservant in the eye and destroys it, he must let the servant go free to compensate for the eye.

²⁷ *And if he knocks out the tooth of a manservant or maidservant, he must let the servant go free to compensate for the tooth.*

DAY 5: The value of human life and unborn life

1. All legal codes in every nation are based on a set of beliefs about the world, human nature, and right and wrong. Human legal codes are also based on a set of values. The Judeo-Christian basis for law which has been the basis for western civilization for several millennia.

2. At the heart of biblical law and the bible's timeless wisdom is the value God places on human life. This is rooted right at the beginning of creation and the bible.

Genesis 1:26 (RSV) Then God said, "Let us make man in our image, after our likeness; and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the earth, and over every creeping thing that creeps upon the earth."

²⁷ So God created man in his own image, in the image of God he created him; male and female he created them.

²⁸ And God blessed them, and God said to them, "Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth."

3. Human life has real and intrinsic value because we have been made in the image of God. Human beings are the crown of creation. We have far more value than any other creature. We are tasked with taming the world, ruling the world, utilizing what God has given us as his stewards.

4. Our basis for law is rooted in the intrinsic worth of human nature. This was written by Thomas Jefferson in our Declaration of Independence. No man is above the law. No man can rightly and justly rule over a nation based on his own whims.

5. But the value of human life is even more valuable than evidenced in Genesis. King David, in Psalm 139 gives us greater insight into the preciousness of human life—even before we were born.

Psalms 139:13 (RSV) For thou didst form my inward parts, thou didst knit me together in my mother's womb.

¹⁴ I praise thee, for thou art fearful and wonderful. Wonderful are thy works! Thou knowest me right well;

¹⁵ my frame was not hidden from thee, when I was being made in secret, intricately wrought in the depths of the earth.

¹⁶ Thy eyes beheld my unformed substance; in thy book were written, every one of them, the days that were formed for me, when as yet there was none of them.

6. What strikes you about how God sees us, even when we were in our mother's womb?