

Old Testament Law

Classified as in
MODERN LEGAL SYSTEMS



By
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Attorney at Law
and
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SCRIPTURE ANNOTATIONS

**By
TIMOTHY TOW**

“A constant comparison of the ancient Jewish Law with modern statutes and code will reveal a wonderful similarity in basic principles. The parallels are numerous and striking. A study of these cannot fail to be instructive, and will reveal unlooked-for phases of that living, human story which has persisted in all races and ages of the world’s history”.

— Roger Sherman Galer

O.T. Law Classified As In Modern Legal Systems

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Published by
Far Eastern Bible College Press
9A Gilstead Road, Singapore 309063
Republic of Singapore

ISBN: 981-04-5406-6

Cover Design by Charles Seet.

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Preface to Scripture Annotations

It is a well known fact that certain countries in the administration of justice would cut off a thief's hand for stealing a goat. And in Afghanistan, the Talebans made it a law to prohibit girls to a formal education.

While the above are two extremes of law application there are on the other hand the frivolities of granting divorces in a matter of minutes and in a dispute between husband and wife over ill-treating one another's pets.

When I was studying in Faith Seminary in 1958 I found in the library this booklet by Roger Sherman Galer, A.M., Attorney-at-Law on "Old Testament Law Classified and Arranged as in Modern Legal Systems". Only the title and sections of classification were given, but not the Scripture Annotations.

Although the Statutes and Judgements in Old Testament Law were given for the government of the Hebrews, they are the very Word of God. Therefore they are a perfect standard whereby the laws of every nation, ancient or modern, can be measured. The Law given in the Old Testament is fifty-fifty perfection: "An eye for an eye" is to mete punishment for the offender not exceeding the damage done, and not for taking private revenge. "Dearly beloved, avenge not yourselves, but *rather* give place unto wrath: for it is written, Vengeance *is* mine; I will repay, saith the Lord." (Romans 12:19).

By studying O.T. Law classified as in Modern Legal Systems through our Scripture Annotations, the student will see it clearly portrayed, and marvel at the balanced justice given by the hand of

Moses. Christ came not to improve on Moses' Law but to correct the erroneous interpretation by the Scribes thereof. Therefore we have called the Law of Moses the Law of Jesus.

Since the Old Testament Law is God's Law you will find how man's laws have fallen short of Divine Justice. You will study the Statutes and Judgments of the Hebrews at length, that you may use these principles for judging altercation between contending members in your church. This is a book for pastors, elders and matured members of the church.

Without the classification, the student of these laws will often be left wandering in the woods.

Timothy Tow

January, 2002

* * *

There is indeed a true law, right reason, conformable to nature, diffused among all, unchanging, eternal, which, by commanding, urges to duty; by prohibiting, deters from fraud; not in vain commanding or prohibiting the good, though by neither moving the wicked. This law cannot be abrogated, nor may anything be withdrawn from it; it is in the power of no senate or people to set us free from it; nor is there to be sought any extraneous teacher or interpreter of it. It shall not be one law at Rome, another at Athens; one now, another at some future time; but one law, alike eternal and unchangeable, shall bind all nations and through all time; and one shall be the common teacher, as it were, and governor of all — God, who is Himself the Author, the Administrator, and Enactor of this law.

— Cicero in *De Republica*

Foreword

⁵ Behold, I have taught you statutes and judgments, even as the LORD my God commanded me, that ye should do so in the land whither ye go to possess it. ⁶ Keep therefore and do *them*; for this is your wisdom and your understanding in the sight of the nations, which shall hear all these statutes, and say, Surely this great nation is a wise and understanding people. ⁷ For what nation *is there* so great, who *hath* God *so* nigh unto them, as the LORD our God *is* in all *things that we call upon him for*? ⁸ And what nation *is there* so great, that hath statutes and judgments *so* righteous as all this law, which I set before you this day? ⁹ Only take heed to thyself, and keep thy soul diligently, lest thou forget the things which thine eyes have seen, and lest they depart from thy heart all the days of thy life: but teach them thy sons, and thy sons' sons; ¹⁰ *Specially* the day that thou stoodest before the LORD thy God in Horeb, when the LORD said unto me, Gather me the people together, and I will make them hear my words, that they may learn to fear me all the days that they shall live upon the earth, and *that* they may teach their children.

— Moses to the Israelites

Deuteronomy 4:5-10

**Old Testament Statutes and Judgments
are a
Balance
between
Love and Law**



Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment.

And the second *is* like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets. (Matthew 22:37-40)

CHAPTER I

PUBLIC LAW

A. Civil Government (Kinds of Government)

1. Historical Note

a) Patriarchal Age

Genesis 17:1-27

And when Abram was ninety years old and nine, the LORD appeared to Abram, and said unto him, I *am* the Almighty God; walk before me, and be thou perfect. ² And I will make my covenant between me and thee, and will multiply thee exceedingly. ³ And Abram fell on his face: and God talked with him, saying,

⁴ As for me, behold, my covenant *is* with thee, and thou shalt be a father of many nations. ⁵ Neither shall thy name any more be called Abram, but thy name shall be Abraham; for a father of many nations have I made thee. ⁶ And I will make thee exceeding fruitful, and I will make nations of thee, and kings shall come out of thee.

⁷ And I will establish my covenant between me and thee and thy seed after thee in their generations for an everlasting covenant, to be a God unto thee, and to thy seed after thee. ⁸ And I will give unto thee, and to thy seed after thee, the land wherein thou art a stranger, all the land of Canaan, for an everlasting possession; and I will be their God. ⁹ And God said

unto Abraham, Thou shalt keep my covenant therefore, thou, and thy seed after thee in their generations. ¹⁰ This *is* my covenant, which ye shall keep, between me and you and thy seed after thee; Every man child among you shall be circumcised. ¹¹ And ye shall circumcise the flesh of your foreskin; and it shall be a token of the covenant betwixt me and you. ¹² And he that is eight days old shall be circumcised among you, every man child in your generations, he that is born in the house, or bought with money of any stranger, which *is* not of thy seed. ¹³ He that is born in thy house, and he that is bought with thy money, must needs be circumcised: and my covenant shall be in your flesh for an everlasting covenant. ¹⁴ And the uncircumcised man child whose flesh of his foreskin is not circumcised, that soul shall be cut off from his people; he hath broken my covenant.

¹⁵ And God said unto Abraham, As for Sarai thy wife, thou shalt not call her name Sarai, but Sarah *shall* her name *be*. ¹⁶ And I will bless her, and give thee a son also of her: yea, I will bless her, and she shall be *a mother* of nations; kings of people shall be of her. ¹⁷ Then Abraham fell upon his face, and laughed, and said in his heart, Shall *a child* be born unto him that is an hundred years old? and shall Sarah, that is ninety years old, bear? ¹⁸ And Abraham said unto God, O that Ishmael might live before thee! ¹⁹ And God said, Sarah thy wife shall bear thee a son indeed; and thou shalt call his name Isaac: and I will establish my covenant with him for an everlasting covenant, *and* with his seed after him. ²⁰ And as for Ishmael, I have heard thee: Behold, I have blessed him, and will make him fruitful, and will multiply him exceedingly; twelve princes shall he beget, and I will make him a great nation. ²¹ But my covenant will I establish with Isaac, which Sarah shall bear unto thee at this set time in the next year. ²² And he left off talking with him, and God went up from Abraham.

²³ And Abraham took Ishmael his son, and all that were born in his house, and all that were bought with his money, every male among the men of Abraham's house; and circumcised the flesh of their foreskin in the selfsame day, as

God had said unto him. ²⁴ And Abraham *was* ninety years old and nine, when he was circumcised in the flesh of his foreskin. ²⁵ And Ishmael his son *was* thirteen years old, when he was circumcised in the flesh of his foreskin. ²⁶ In the selfsame day was Abraham circumcised, and Ishmael his son. ²⁷ And all the men of his house, born in the house, and bought with money of the stranger, were circumcised with him.

b) Judges

Judges 2:16-19

¹⁶ Nevertheless the LORD raised up judges, which delivered them out of the hand of those that spoiled them. ¹⁷ And yet they would not hearken unto their judges, but they went a whoring after other gods, and bowed themselves unto them: they turned quickly out of the way which their fathers walked in, obeying the commandments of the LORD; *but* they did not so. ¹⁸ And when the LORD raised them up judges, then the LORD was with the judge, and delivered them out of the hand of their enemies all the days of the judge: for it repented the LORD because of their groanings by reason of them that oppressed them and vexed them. ¹⁹ And it came to pass, when the judge was dead, *that* they returned, and corrupted *themselves* more than their fathers, in following other gods to serve them, and to bow down unto them; they ceased not from their own doings, nor from their stubborn way.

c) The Monarchy

Deuteronomy 17:14-20

¹⁴ When thou art come unto the land which the LORD thy God giveth thee, and shalt possess it, and shalt dwell therein, and shalt say, I will set a king over me, like as all the nations *that are* about me; ¹⁵ Thou shalt in any wise set *him* king over thee, whom the LORD thy God shall choose: *one* from among thy brethren shalt thou set king over thee: thou mayest not set a stranger over thee, which *is* not thy brother. ¹⁶ But he shall not multiply horses to himself, nor cause the people to return to Egypt, to the end that he should multiply horses: forasmuch

as the LORD hath said unto you, Ye shall henceforth return no more that way. ¹⁷ Neither shall he multiply wives to himself, that his heart turn not away: neither shall he greatly multiply to himself silver and gold. ¹⁸ And it shall be, when he sitteth upon the throne of his kingdom, that he shall write him a copy of this law in a book out of *that which is* before the priests the Levites: ¹⁹ And it shall be with him, and he shall read therein all the days of his life: that he may learn to fear the LORD his God, to keep all the words of this law and these statutes, to do them: ²⁰ That his heart be not lifted up above his brethren, and that he turn not aside from the commandment, *to* the right hand, or *to* the left: to the end that he may prolong *his* days in his kingdom, he, and his children, in the midst of Israel.

d) Priestly Government

Deuteronomy 1:15-17

¹⁵ So I took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens, and officers among your tribes. ¹⁶ And I charged your judges at that time, saying, Hear *the causes* between your brethren, and judge righteously between *every* man and his brother, and the stranger *that is* with him. ¹⁷ Ye shall not respect persons in judgment; *but* ye shall hear the small as well as the great; ye shall not be afraid of the face of man; for the judgment *is* God's: and the cause that is too hard for you, bring *it* unto me, and I will hear it.

Deuteronomy 16:18-20

¹⁸ Judges and officers shalt thou make thee in all thy gates, which the LORD thy God giveth thee, throughout thy tribes: and they shall judge the people with just judgment. ¹⁹ Thou shalt not wrest judgment; thou shalt not respect persons, neither take a gift: for a gift doth blind the eyes of the wise, and pervert the words of the righteous. ²⁰ That which is altogether just shalt thou follow, that thou mayest live, and inherit the land which the LORD thy God giveth thee.

Deuteronomy 17:8-13

⁸ If there arise a matter too hard for thee in judgment, between blood and blood, between plea and plea, and between stroke and stroke, *being* matters of controversy within thy gates: then shalt thou arise, and get thee up into the place which the LORD thy God shall choose; ⁹ And thou shalt come unto the priests the Levites, and unto the judge that shall be in those days, and enquire; and they shall shew thee the sentence of judgment: ¹⁰ And thou shalt do according to the sentence, which they of that place which the LORD shall choose shall shew thee; and thou shalt observe to do according to all that they inform thee: ¹¹ According to the sentence of the law which they shall teach thee, and according to the judgment which they shall tell thee, thou shalt do: thou shalt not decline from the sentence which they shall shew thee, *to* the right hand, nor *to* the left. ¹² And the man that will do presumptuously, and will not hearken unto the priest that standeth to minister there before the LORD thy God, or unto the judge, even that man shall die: and thou shalt put away the evil from Israel. ¹³ And all the people shall hear, and fear, and do no more presumptuously.

2. The Rulers of Israel

a) Power of Husband and Father

Genesis 3:16

Unto the woman he said, I will greatly multiply thy sorrow and thy conception; in sorrow thou shalt bring forth children; and thy desire *shall be* to thy husband, and he shall rule over thee.

Exodus 20:12

Honour thy father and thy mother: that thy days may be long upon the land which the LORD thy God giveth thee.

Exodus 21:17

And he that curseth his father, or his mother, shall surely be put to death.

b) Power of Elders

Exodus 22:28

Thou shalt not revile the gods, nor curse the ruler of thy people.

Numbers 11:16,17,24,25

¹⁶ And the LORD said unto Moses, Gather unto me seventy men of the elders of Israel, whom thou knowest to be the elders of the people, and officers over them; and bring them unto the tabernacle of the congregation, that they may stand there with thee. ¹⁷ And I will come down and talk with thee there: and I will take of the spirit which *is* upon thee, and will put *it* upon them; and they shall bear the burden of the people with thee, that thou bear *it* not thyself alone.

²⁴ And Moses went out, and told the people the words of the LORD, and gathered the seventy men of the elders of the people, and set them round about the tabernacle. ²⁵ And the LORD came down in a cloud, and spake unto him, and took of the spirit that *was* upon him, and gave *it* unto the seventy elders: and it came to pass, *that*, when the spirit rested upon them, they prophesied, and did not cease.

c) Power of the King

1 Samuel 8:11-18

¹¹ And he said, This will be the manner of the king that shall reign over you: He will take your sons, and appoint *them* for himself, for his chariots, and *to be* his horsemen; and *some* shall run before his chariots. ¹² And he will appoint him captains over thousands, and captains over fifties; and *will set them* to ear his ground, and to reap his harvest, and to make his instruments of war, and instruments of his chariots. ¹³ And he will take your daughters *to be* confectionaries, and *to be* cooks, and *to be* bakers. ¹⁴ And he will take your fields, and your

vineyards, and your oliveyards, *even* the best of *them*, and give *them* to his servants. ¹⁵ And he will take the tenth of your seed, and of your vineyards, and give to his officers, and to his servants. ¹⁶ And he will take your menservants, and your maidservants, and your goodliest young men, and your asses, and put *them* to his work. ¹⁷ He will take the tenth of your sheep: and ye shall be his servants. ¹⁸ And ye shall cry out in that day because of your king which ye shall have chosen you; and the LORD will not hear you in that day.

d) Power of Priests

Malachi 2:5-7

⁵ My covenant was with him of life and peace; and I gave them to him *for* the fear wherewith he feared me, and was afraid before my name. ⁶ The law of truth was in his mouth, and iniquity was not found in his lips: he walked with me in peace and equity, and did turn many away from iniquity. ⁷ For the priest's lips should keep knowledge, and they should seek the law at his mouth: for he *is* the messenger of the LORD of hosts.

Numbers 18:6-22

⁶ And I, behold, I have taken your brethren the Levites from among the children of Israel: to you *they are* given as a gift for the LORD, to do the service of the tabernacle of the congregation. ⁷ Therefore thou and thy sons with thee shall keep your priest's office for every thing of the altar, and within the vail; and ye shall serve: I have given your priest's office *unto you* as a service of gift: and the stranger that cometh nigh shall be put to death.

⁸ And the LORD spake unto Aaron, Behold, I also have given thee the charge of mine heave offerings of all the hallowed things of the children of Israel; unto thee have I given them by reason of the anointing, and to thy sons, by an ordinance for ever. ⁹ This shall be thine of the most holy things, *reserved* from the fire: every oblation of theirs, every meat offering of theirs, and every sin offering of theirs, and every trespass offering of theirs, which they shall render unto me,

shall be most holy for thee and for thy sons. ¹⁰In the most holy *place* shalt thou eat it; every male shall eat it: it shall be holy unto thee. ¹¹And this *is* thine; the heave offering of their gift, with all the wave offerings of the children of Israel: I have given them unto thee, and to thy sons and to thy daughters with thee, by a statute for ever: every one that is clean in thy house shall eat of it. ¹²All the best of the oil, and all the best of the wine, and of the wheat, the firstfruits of them which they shall offer unto the LORD, them have I given thee. ¹³And whatsoever is first ripe in the land, which they shall bring unto the LORD, shall be thine; every one that is clean in thine house shall eat *of* it. ¹⁴Every thing devoted in Israel shall be thine. ¹⁵Every thing that openeth the matrix in all flesh, which they bring unto the LORD, *whether it be* of men or beasts, shall be thine: nevertheless the firstborn of man shalt thou surely redeem, and the firstling of unclean beasts shalt thou redeem. ¹⁶And those that are to be redeemed from a month old shalt thou redeem, according to thine estimation, for the money of five shekels, after the shekel of the sanctuary, which *is* twenty gerahs. ¹⁷But the firstling of a cow, or the firstling of a sheep, or the firstling of a goat, thou shalt not redeem; they *are* holy: thou shalt sprinkle their blood upon the altar, and shalt burn their fat *for* an offering made by fire, for a sweet savour unto the LORD. ¹⁸And the flesh of them shall be thine, as the wave breast and as the right shoulder are thine. ¹⁹All the heave offerings of the holy things, which the children of Israel offer unto the LORD, have I given thee, and thy sons and thy daughters with thee, by a statute for ever: *it is* a covenant of salt for ever before the LORD unto thee and to thy seed with thee.

²⁰And the LORD spake unto Aaron, Thou shalt have no inheritance in their land, neither shalt thou have any part among them: I *am* thy part and thine inheritance among the children of Israel. ²¹And, behold, I have given the children of Levi all the tenth in Israel for an inheritance, for their service which they serve, *even* the service of the tabernacle of the congregation. ²²Neither must the children of Israel henceforth

come nigh the tabernacle of the congregation, lest they bear sin, and die.

3. Qualifications of Citizens

Native Born / Naturalization of Foreigners

Leviticus 19:33,34

³³ And if a stranger sojourn with thee in your land, ye shall not vex him. ³⁴ *But* the stranger that dwelleth with you shall be unto you as one born among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt: I *am* the LORD your God.

Leviticus 24:22

Ye shall have one manner of law, as well for the stranger, as for one of your own country: for I *am* the LORD your God.

Numbers 15:13-16

¹³ All that are born of the country shall do these things after this manner, in offering an offering made by fire, of a sweet savour unto the LORD. ¹⁴ And if a stranger sojourn with you, or whosoever *be* among you in your generations, and will offer an offering made by fire, of a sweet savour unto the LORD; as ye do, so he shall do. ¹⁵ One ordinance *shall be both* for you of the congregation, and also for the stranger that sojourneth *with you*, an ordinance for ever in your generations: as ye *are*, so shall the stranger be before the LORD. ¹⁶ One law and one manner shall be for you, and for the stranger that sojourneth with you.

4. Laws Relating to Aliens

Deuteronomy 14:21

Ye shall not eat *of* any thing that dieth of itself: thou shalt give it unto the stranger that *is* in thy gates, that he may eat it; or thou mayest sell it unto an alien: for thou *art* an holy people

unto the LORD thy God. Thou shalt not see the kid in his mother's milk.

5. Slaves and Slavery Bondage

Deuteronomy 23:15-16

¹⁵ Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: ¹⁶ He shall dwell with thee, *even* among you, in that place which he shall choose in one of thy gates, where it liketh him best: thou shalt not oppress him.

Exodus 21:2-11

² If thou buy an Hebrew servant, six years he shall serve: and in the seventh he shall go out free for nothing. ³ If he came in by himself, he shall go out by himself: if he were married, then his wife shall go out with him. ⁴ If his master have given him a wife, and she have born him sons or daughters; the wife and her children shall be her master's, and he shall go out by himself. ⁵ And if the servant shall plainly say, I love my master, my wife, and my children; I will not go out free: ⁶ Then his master shall bring him unto the judges; he shall also bring him to the door, or unto the door post; and his master shall bore his ear through with an aul; and he shall serve him for ever. ⁷ And if a man sell his daughter to be a maidservant, she shall not go out as the menservants do. ⁸ If she please not her master, who hath betrothed her to himself, then shall he let her be redeemed: to sell her unto a strange nation he shall have no power, seeing he hath dealt deceitfully with her. ⁹ And if he have betrothed her unto his son, he shall deal with her after the manner of daughters. ¹⁰ If he take him another *wife*; her food, her raiment, and her duty of marriage, shall he not diminish. ¹¹ And if he do not these three unto her, then shall she go out free without money.

6. Inferior Officers

Joshua 9:27

And Joshua made them that day hewers of wood and drawers of water for the congregation, and for the altar of the LORD, even unto this day, in the place which he should choose.

7. Taxation

1 Samuel 8:15,17

¹⁵ And he will take the tenth of your seed, and of your vineyards, and give to his officers, and to his servants.

¹⁷ He will take the tenth of your sheep: and ye shall be his servants.

B. Military Laws

1. Wars of Jehovah

Deuteronomy 20:1-4

When thou goest out to battle against thine enemies, and seest horses, and chariots, *and* a people more than thou, be not afraid of them: for the LORD thy God *is* with thee, which brought thee up out of the land of Egypt. ² And it shall be, when ye are come nigh unto the battle, that the priest shall approach and speak unto the people, ³ And shall say unto them, Hear, O Israel, ye approach this day unto battle against your enemies: let not your hearts faint, fear not, and do not tremble, neither be ye terrified because of them; ⁴ For the LORD your God *is* he that goeth with you, to fight for you against your enemies, to save you.

2. Age of Soldiers

Numbers 1:2,3

²Take ye the sum of all the congregation of the children of Israel, after their families, by the house of their fathers, with the number of *their* names, every male by their polls; ³From twenty years old and upward, all that are able to go forth to war in Israel: thou and Aaron shall number them by their armies.

Numbers 1:45,47-50

⁴⁵So were all those that were numbered of the children of Israel, by the house of their fathers, from twenty years old and upward, all that were able to go forth to war in Israel;

⁴⁷But the Levites after the tribe of their fathers were not numbered among them. ⁴⁸For the LORD had spoken unto Moses, saying, ⁴⁹Only thou shalt not number the tribe of Levi, neither take the sum of them among the children of Israel: ⁵⁰But thou shalt appoint the Levites over the tabernacle of testimony, and over all the vessels thereof, and over all things that *belong* to it: they shall bear the tabernacle, and all the vessels thereof; and they shall minister unto it, and shall encamp round about the tabernacle.

3. Exemption from Military Service

Deuteronomy 20:5-8

⁵And the officers shall speak unto the people, saying, What man *is there* that hath built a new house, and hath not dedicated it? let him go and return to his house, lest he die in the battle, and another man dedicate it. ⁶And what man *is he* that hath planted a vineyard, and hath not *yet* eaten of it? let him *also* go and return unto his house, lest he die in the battle, and another man eat of it. ⁷And what man *is there* that hath betrothed a wife, and hath not taken her? let him go and return unto his house, lest he die in the battle, and another man take her. ⁸And the officers shall speak further unto the people, and they shall say, What man *is there that is* fearful and

fainthearted? let him go and return unto his house, lest his brethren's heart faint as well as his heart.

Deuteronomy 24:5

When a man hath taken a new wife, he shall not go out to war, neither shall he be charged with any business: *but* he shall be free at home one year, and shall cheer up his wife which he hath taken.

4. Manner of Attack

Deuteronomy 20:9-20

⁹ And it shall be, when the officers have made an end of speaking unto the people, that they shall make captains of the armies to lead the people.

¹⁰ When thou comest nigh unto a city to fight against it, then proclaim peace unto it. ¹¹ And it shall be, if it make thee answer of peace, and open unto thee, then it shall be, *that* all the people *that is* found therein shall be tributaries unto thee, and they shall serve thee. ¹² And if it will make no peace with thee, but will make war against thee, then thou shalt besiege it: ¹³ And when the LORD thy God hath delivered it into thine hands, thou shalt smite every male thereof with the edge of the sword: ¹⁴ But the women, and the little ones, and the cattle, and all that is in the city, *even* all the spoil thereof, shalt thou take unto thyself; and thou shalt eat the spoil of thine enemies, which the LORD thy God hath given thee. ¹⁵ Thus shalt thou do unto all the cities *which are* very far off from thee, which *are* not of the cities of these nations. ¹⁶ But of the cities of these people, which the LORD thy God doth give thee *for* an inheritance, thou shalt save alive nothing that breatheth: ¹⁷ But thou shalt utterly destroy them; *namely*, the Hittites, and the Amorites, the Canaanites, and the Perizzites, the Hivites, and the Jebusites; as the LORD thy God hath commanded thee: ¹⁸ That they teach you not to do after all their abominations, which they have done unto their gods; so should ye sin against the LORD your God. ¹⁹ When thou shalt besiege a city a long time, in making war against it to take it, thou shalt not destroy

the trees thereof by forcing an axe against them: for thou mayest eat of them, and thou shalt not cut them down (for the tree of the field *is* man's *life*) to employ *them* in the siege: ²⁰ Only the trees which thou knowest that they *be* not trees for meat, thou shalt destroy and cut them down; and thou shalt build bulwarks against the city that maketh war with thee, until it be subdued.

5. Captives

Deuteronomy 21:10-14

¹⁰ When thou goest forth to war against thine enemies, and the LORD thy God hath delivered them into thine hands, and thou hast taken them captive, ¹¹ And seest among the captives a beautiful woman, and hast a desire unto her, that thou wouldest have her to thy wife; ¹² Then thou shalt bring her home to thine house; and she shall shave her head, and pare her nails; ¹³ And she shall put the raiment of her captivity from off her, and shall remain in thine house, and bewail her father and her mother a full month: and after that thou shalt go in unto her, and be her husband, and she shall be thy wife. ¹⁴ And it shall be, if thou have no delight in her, then thou shalt let her go whither she will; but thou shalt not sell her at all for money, thou shalt not make merchandise of her, because thou hast humbled her.

6. Booty

Numbers 31:21-23,25-47

²¹ And Eleazar the priest said unto the men of war which went to the battle, This *is* the ordinance of the law which the LORD commanded Moses; ²² Only the gold, and the silver, the brass, the iron, the tin, and the lead, ²³ Every thing that may abide the fire, ye shall make *it* go through the fire, and it shall be clean: nevertheless it shall be purified with the water of separation: and all that abideth not the fire ye shall make go through the water.

²⁵ And the LORD spake unto Moses, saying, ²⁶ Take the sum of the prey that was taken, *both* of man and of beast, thou, and Eleazar the priest, and the chief fathers of the congregation: ²⁷ And divide the prey into two parts; between them that took the war upon them, who went out to battle, and between all the congregation: ²⁸ And levy a tribute unto the LORD of the men of war which went out to battle: one soul of five hundred, *both* of the persons, and of the beeves, and of the asses, and of the sheep: ²⁹ Take *it* of their half, and give ^{it} unto Eleazar the priest, *for* an heave offering of the LORD. ³⁰ And of the children of Israel's half, thou shalt take one portion of fifty, of the persons, of the beeves, of the asses, and of the flocks, of all manner of beasts, and give them unto the Levites, which keep the charge of the tabernacle of the LORD. ³¹ And Moses and Eleazar the priest did as the LORD commanded Moses. ³² And the booty, *being* the rest of the prey which the men of war had caught, was six hundred thousand and seventy thousand and five thousand sheep, ³³ And threescore and twelve thousand beeves, ³⁴ And threescore and one thousand asses, ³⁵ And thirty and two thousand persons in all, of women that had not known man by lying with him. ³⁶ And the half, *which was* the portion of them that went out to war, was in number three hundred thousand and seven and thirty thousand and five hundred sheep: ³⁷ And the LORD'S tribute of the sheep was six hundred and threescore and fifteen. ³⁸ And the beeves *were* thirty and six thousand; of which the LORD'S tribute *was* threescore and twelve. ³⁹ And the asses *were* thirty thousand and five hundred; of which the LORD'S tribute *was* threescore and one. ⁴⁰ And the persons *were* sixteen thousand; of which the LORD'S tribute *was* thirty and two persons. ⁴¹ And Moses gave the tribute, *which was* the LORD'S heave offering, unto Eleazar the priest, as the LORD commanded Moses. ⁴² And of the children of Israel's half, which Moses divided from the men that warred, ⁴³ (Now the half *that pertained unto* the congregation was three hundred thousand and thirty thousand *and* seven thousand and five hundred sheep, ⁴⁴ And thirty and six thousand beeves, ⁴⁵ And thirty thousand asses and five hundred, ⁴⁶ And sixteen thousand

persons;)⁴⁷ Even of the children of Israel's half, Moses took one portion of fifty, *both* of man and of beast, and gave them unto the Levites, which kept the charge of the tabernacle of the LORD; as the LORD commanded Moses.

7. War Indemnity

Numbers 31:48-54

⁴⁸ And the officers which *were* over thousands of the host, the captains of thousands, and captains of hundreds, came near unto Moses: ⁴⁹ And they said unto Moses, Thy servants have taken the sum of the men of war which *are* under our charge, and there lacketh not one man of us. ⁵⁰ We have therefore brought an oblation for the LORD, what every man hath gotten, of jewels of gold, chains, and bracelets, rings, earrings, and tablets, to make an atonement for our souls before the LORD. ⁵¹ And Moses and Eleazar the priest took the gold of them, *even* all wrought jewels. ⁵² And all the gold of the offering that they offered up to the LORD, of the captains of thousands, and of the captains of hundreds, was sixteen thousand seven hundred and fifty shekels. ⁵³ (*For* the men of war had taken spoil, every man for himself.) ⁵⁴ And Moses and Eleazar the priest took the gold of the captains of thousands and of hundreds, and brought it into the tabernacle of the congregation, *for* a memorial for the children of Israel before the LORD.

C. Courts And Legal Procedure

1. Courts

a) Appointment of Judges

Deuteronomy 16:18-20

¹⁸ Judges and officers shalt thou make thee in all thy gates, which the LORD thy God giveth thee, throughout thy tribes: and they shall judge the people with just judgment. ¹⁹ Thou shalt not wrest judgment; thou shalt not respect persons,

neither take a gift: for a gift doth blind the eyes of the wise, and pervert the words of the righteous. ²⁰ That which is altogether just shalt thou follow, that thou mayest live, and inherit the land which the LORD thy God giveth thee.

b) System of Courts

Deuteronomy 1:13-16

¹³ Take you wise men, and understanding, and known among your tribes, and I will make them rulers over you. ¹⁴ And ye answered me, and said, The thing which thou hast spoken *is good for us* to do. ¹⁵ So I took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens, and officers among your tribes. ¹⁶ And I charged your judges at that time, saying, Hear *the causes* between your brethren, and judge righteously between *every* man and his brother, and the stranger *that is* with him.

c) Trials (Court Procedure, Witnesses and Evidence)

Deuteronomy 17:6,7

⁶ At the mouth of two witnesses, or three witnesses, shall he that is worthy of death be put to death; *but* at the mouth of one witness he shall not be put to death. ⁷ The hands of the witnesses shall be first upon him to put him to death, and afterward the hands of all the people. So thou shalt put the evil away from among you.

Deuteronomy 19:15-21

¹⁵ One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two witnesses, or at the mouth of three witnesses, shall the matter be established. ¹⁶ If a false witness rise up against any man to testify against him *that which is* wrong; ¹⁷ Then both the men, between whom the controversy *is*, shall stand before the LORD, before the priests and the judges, which shall be in those days; ¹⁸ And the judges shall make diligent inquisition: and, behold, *if* the witness *be* a false witness, *and* hath testified

falsely against his brother; ¹⁹ Then shall ye do unto him, as he had thought to have done unto his brother: so shalt thou put the evil away from among you. ²⁰ And those which remain shall hear, and fear, and shall henceforth commit no more any such evil among you. ²¹ And thine eye shall not pity; *but* life *shall go* for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

d) Judgments. Kinds Of and By Whom Rendered

Deuteronomy 17:8-13

⁸ If there arise a matter too hard for thee in judgment, between blood and blood, between plea and plea, and between stroke and stroke, *being* matters of controversy within thy gates: then shalt thou arise, and get thee up into the place which the LORD thy God shall choose; ⁹ And thou shalt come unto the priests the Levites, and unto the judge that shall be in those days, and enquire; and they shall shew thee the sentence of judgment: ¹⁰ And thou shalt do according to the sentence, which they of that place which the LORD shall choose shall shew thee; and thou shalt observe to do according to all that they inform thee: ¹¹ According to the sentence of the law which they shall teach thee, and according to the judgment which they shall tell thee, thou shalt do: thou shalt not decline from the sentence which they shall shew thee, *to* the right hand, nor *to* the left. ¹² And the man that will do presumptuously, and will not hearken unto the priest that standeth to minister there before the LORD thy God, or unto the judge, even that man shall die: and thou shalt put away the evil from Israel. ¹³ And all the people shall hear, and fear, and do no more presumptuously.

e) Appeals

i) To Moses

Deuteronomy 1:17

Ye shall not respect persons in judgment; *but* ye shall hear the small as well as the great; ye shall not be afraid of the face

of man; for the judgment *is* God's: and the cause that is too hard for you, bring *it* unto me, and I will hear it.

ii) To the Priests

Deuteronomy 17:8,9

⁸ If there arise a matter too hard for thee in judgment, between blood and blood, between plea and plea, and between stroke and stroke, *being* matters of controversy within thy gates: then shalt thou arise, and get thee up into the place which the LORD thy God shall choose; ⁹ And thou shalt come unto the priests the Levites, and unto the judge that shall be in those days, and enquire; and they shall shew thee the sentence of judgment:

iii) To the King

1 Kings 3:16-28 (An example from King Solomon's Judgment)

¹⁶ Then came there two women, *that were* harlots, unto the king, and stood before him. ¹⁷ And the one woman said, O my lord, I and this woman dwell in one house; and I was delivered of a child with her in the house. ¹⁸ And it came to pass the third day after that I was delivered, that this woman was delivered also: and we *were* together; *there was* no stranger with us in the house, save we two in the house. ¹⁹ And this woman's child died in the night; because she overlaid it. ²⁰ And she arose at midnight, and took my son from beside me, while thine handmaid slept, and laid it in her bosom, and laid her dead child in my bosom. ²¹ And when I rose in the morning to give my child suck, behold, it was dead: but when I had considered it in the morning, behold, it was not my son, which I did bear. ²² And the other woman said, Nay; but the living *is* my son, and the dead *is* thy son. And this said, No; but the dead *is* thy son, and the living *is* my son. Thus they spake before the king. ²³ Then said the king, The one saith, This *is* my son that liveth, and thy son *is* the dead: and the other saith, Nay; but thy son *is* the dead, and my son *is* the living. ²⁴ And the king said, Bring me a sword. And they brought a sword before the king. ²⁵ And

the king said, Divide the living child in two, and give half to the one, and half to the other. ²⁶ Then spake the woman whose the living child *was* unto the king, for her bowels yearned upon her son, and she said, O my lord, give her the living child, and in no wise slay it. But the other said, Let it be neither mine nor thine, *but* divide *it*. ²⁷ Then the king answered and said, Give her the living child, and in no wise slay it: she *is* the mother thereof. ²⁸ And all Israel heard of the judgment which the king had judged; and they feared the king: for they saw that the wisdom of God *was* in him, to do judgment.

iv) To the Sanhedrin in Later Time

Numbers 11:16-17,24-25

¹⁶ And the LORD said unto Moses, Gather unto me seventy men of the elders of Israel, whom thou knowest to be the elders of the people, and officers over them; and bring them unto the tabernacle of the congregation, that they may stand there with thee. ¹⁷ And I will come down and talk with thee there: and I will take of the spirit which *is* upon thee, and will put *it* upon them; and they shall bear the burden of the people with thee, that thou bear *it* not thyself alone.

²⁴ And Moses went out, and told the people the words of the LORD, and gathered the seventy men of the elders of the people, and set them round about the tabernacle. ²⁵ And the LORD came down in a cloud, and spake unto him, and took of the spirit that *was* upon him, and gave *it* unto the seventy elders: and it came to pass, *that*, when the spirit rested upon them, they prophesied, and did not cease.

f) Lawyers, Scribes

Ezra 7:6 (an example)

This Ezra went up from Babylon; and he *was* a ready scribe in the law of Moses, which the LORD God of Israel had given: and the king granted him all his request, according to the hand of the LORD his God upon him.

g) Instruction in the Law

Leviticus 19:15

Ye shall do no unrighteousness in judgment: thou shalt not respect the person of the poor, nor honour the person of the mighty: *but* in righteousness shalt thou judge thy neighbour.

h) Damages

i) for Maiming Person

Exodus 21:22

If men strive, and hurt a woman with child, so that her fruit depart *from her*, and yet no mischief follow: he shall be surely punished, according as the woman's husband will lay upon him; and he shall pay as the judges *determine*.

ii) for Stealing

Exodus 22:1,4

If a man shall steal an ox, or a sheep, and kill it, or sell it; he shall restore five oxen for an ox, and four sheep for a sheep.

⁴ If the theft be certainly found in his hand alive, whether it be ox, or ass, or sheep; he shall restore double.

iii) for Kindling Fire which Damages Property

Exodus 22:5,6

⁵ If a man shall cause a field or vineyard to be eaten, and shall put in his beast, and shall feed in another man's field; of the best of his own field, and of the best of his own vineyard, shall he make restitution. ⁶ If fire break out, and catch in thorns, so that the stacks of corn, or the standing corn, or the field, be consumed *therewith*; he that kindled the fire shall surely make restitution.

iv) for Breach of Trust

Exodus 22:8-11

⁸ If the thief be not found, then the master of the house shall be brought unto the judges, *to see* whether he have put

his hand unto his neighbour's goods. ⁹ For all manner of trespass, *whether it be* for ox, for ass, for sheep, for raiment, *or* for any manner of lost thing, which *another* challengeth to be his, the cause of both parties shall come before the judges; *and* whom the judges shall condemn, he shall pay double unto his neighbour. ¹⁰ If a man deliver unto his neighbour an ass, or an ox, or a sheep, or any beast, to keep; and it die, or be hurt, or driven away, no man seeing *it*: ¹¹ *Then* shall an oath of the LORD be between them both, that he hath not put his hand unto his neighbour's goods; and the owner of it shall accept *thereof*, and he shall not make *it* good.

v) for Perjury

Exodus 23:1,2,7

Thou shalt not raise a false report: put not thine hand with the wicked to be an unrighteous witness. ² Thou shalt not follow a multitude to *do* evil; neither shalt thou speak in a cause to decline after many to wrest *judgment*:

⁷ Keep thee far from a false matter; and the innocent and righteous slay thou not: for I will not justify the wicked.

vi) for Robbery

Leviticus 19:13

Thou shalt not defraud thy neighbour, neither rob *him*: the wages of him that is hired shall not abide with thee all night until the morning.

vii) for Killing Animal

Exodus 21:28-32

²⁸ If an ox gore a man or a woman, that they die: then the ox shall be surely stoned, and his flesh shall not be eaten; but the owner of the ox *shall be* quit. ²⁹ But if the ox were wont to push with his horn in time past, and it hath been testified to his owner, and he hath not kept him in, but that he hath killed a man or a woman; the ox shall be stoned, and his owner also shall be put to death. ³⁰ If there be laid on him a sum of money, then he shall give for the ransom of his life whatsoever is laid

upon him. ³¹ Whether he have gored a son, or have gored a daughter, according to this judgment shall it be done unto him.

³² If the ox shall push a manservant or a maidservant; he shall give unto their master thirty shekels of silver, and the ox shall be stoned.

viii) for Animal Killing Animal

Exodus 21:35,36

³⁵ And if one man's ox hurt another's, that he die; then they shall sell the live ox, and divide the money of it; and the dead ox also they shall divide. ³⁶ Or if it be known that the ox hath used to push in time past, and his owner hath not kept him in; he shall surely pay ox for ox; and the dead shall be his own.

ix) Damages for Stolen Bailment, for Loss of Borrowed Property

Exodus 22:7-15

⁷ If a man shall deliver unto his neighbour money or stuff to keep, and it be stolen out of the man's house; if the thief be found, let him pay double. ⁸ If the thief be not found, then the master of the house shall be brought unto the judges, *to see* whether he have put his hand unto his neighbour's goods. ⁹ For all manner of trespass, *whether it be* for ox, for ass, for sheep, for raiment, *or* for any manner of lost thing, which *another* challengeth to be his, the cause of both parties shall come before the judges; *and* whom the judges shall condemn, he shall pay double unto his neighbour. ¹⁰ If a man deliver unto his neighbour an ass, or an ox, or a sheep, or any beast, to keep; and it die, or be hurt, or driven away, no man seeing it: ¹¹ *Then* shall an oath of the LORD be between them both, that he hath not put his hand unto his neighbour's goods; and the owner of it shall accept *thereof*, and he shall not make *it* good. ¹² And if it be stolen from him, he shall make restitution unto the owner thereof. ¹³ If it be torn in pieces, *then* let him bring it *for* witness, *and* he shall not make good that which was torn. ¹⁴ And if a man borrow *ought* of his neighbour, and it be hurt, or die, the owner thereof *being* not with it, he shall surely

make *it* good. ¹⁵ *But* if the owner thereof *be* with it, he shall not make *it* good: if it *be* an hired *thing*, it came for his hire.

x) Double Damages for Stealing

Exodus 22:7

If a man shall deliver unto his neighbour money or stuff to keep, and it be stolen out of the man's house; if the thief be found, let him pay double.

Exodus 22:4

If the theft be certainly found in his hand alive, whether it be ox, or ass, or sheep; he shall restore double.

xi) Double Damages for Trespass

Exodus 22:9

For all manner of trespass, *whether it be* for ox, for ass, for sheep, for raiment, *or* for any manner of lost thing, which *another* challengeth to be his, the cause of both parties shall come before the judges; *and* whom the judges shall condemn, he shall pay double unto his neighbour.

Leviticus 19:20-22

²⁰ And whosoever lieth carnally with a woman, that *is* a bondmaid, betrothed to an husband, and not at all redeemed, nor freedom given her; she shall be scourged; they shall not be put to death, because she was not free. ²¹ And he shall bring his trespass offering unto the LORD, unto the door of the tabernacle of the congregation, *even* a ram for a trespass offering. ²² And the priest shall make an atonement for him with the ram of the trespass offering before the LORD for his sin which he hath done: and the sin which he hath done shall be forgiven him.

xii) Double Damages for Breach of Trust

Exodus 22:9

For all manner of trespass, *whether it be* for ox, for ass, for sheep, for raiment, *or* for any manner of lost thing, which

another challengeth to be his, the cause of both parties shall come before the judges; *and* whom the judges shall condemn, he shall pay double unto his neighbour.

CHAPTER II

PRIVATE LAW

A. Civil Law

1. Domestic Relations

a) Marriage, Husband and Wife. Divorce

Deuteronomy 24:1-4

When a man hath taken a wife, and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: then let him write her a bill of divorcement, and give *it* in her hand, and send her out of his house. ² And when she is departed out of his house, she may go and be another man's *wife*. ³ And *if* the latter husband hate her, and write her a bill of divorcement, and giveth *it* in her hand, and sendeth her out of his house; or if the latter husband die, which took her *to be* his wife; ⁴ Her former husband, which sent her away, may not take her again to be his wife, after that she is defiled; for that *is* abomination before the LORD: and thou shalt not cause the land to sin, which the LORD thy God giveth thee *for* an inheritance.

i) Marriage Relation Recognized

Deuteronomy 22:13-21

¹³ If any man take a wife, and go in unto her, and hate her, ¹⁴ And give occasions of speech against her, and bring up an evil name upon her, and say, I took this woman, and when I came to her, I found her not a maid: ¹⁵ Then shall the father of

the damsel, and her mother, take and bring forth *the tokens of* the damsel's virginity unto the elders of the city in the gate: ¹⁶ And the damsel's father shall say unto the elders, I gave my daughter unto this man to wife, and he hateth her; ¹⁷ And, lo, he hath given occasions of speech *against her*, saying, I found not thy daughter a maid; and yet these *are the tokens of* my daughter's virginity. And they shall spread the cloth before the elders of the city. ¹⁸ And the elders of that city shall take that man and chastise him; ¹⁹ And they shall amerce him in an hundred *shekels* of silver, and give *them* unto the father of the damsel, because he hath brought up an evil name upon a virgin of Israel: and she shall be his wife; he may not put her away all his days. ²⁰ But if this thing be true, *and the tokens of* virginity be not found for the damsel: ²¹ Then they shall bring out the damsel to the door of her father's house, and the men of her city shall stone her with stones that she die: because she hath wrought folly in Israel, to play the whore in her father's house: so shalt thou put evil away from among you.

ii) Polygamy

Deuteronomy 21:15-17

¹⁵ If a man have two wives, one beloved, and another hated, and they have born him children, *both* the beloved and the hated; and *if* the firstborn son be hers that was hated: ¹⁶ Then it shall be, when he maketh his sons to inherit *that* which he hath, *that* he may not make the son of the beloved firstborn before the son of the hated, *which is indeed* the firstborn: ¹⁷ But he shall acknowledge the son of the hated *for* the firstborn, by giving him a double portion of all that he hath: for he *is* the beginning of his strength; the right of the firstborn *is* his.

iii) Marriage Forbidden

Deuteronomy 7:2-6

² And when the LORD thy God shall deliver them before thee; thou shalt smite them, *and* utterly destroy them; thou shalt make no covenant with them, nor shew mercy unto them:

³ Neither shalt thou make marriages with them; thy daughter thou shalt not give unto his son, nor his daughter shalt thou take unto thy son. ⁴ For they will turn away thy son from following me, that they may serve other gods: so will the anger of the LORD be kindled against you, and destroy thee suddenly. ⁵ But thus shall ye deal with them; ye shall destroy their altars, and break down their images, and cut down their groves, and burn their graven images with fire. ⁶ For thou *art* an holy people unto the LORD thy God: the LORD thy God hath chosen thee to be a special people unto himself, above all people that *are* upon the face of the earth.

a) *As to Relationship*

Leviticus 18:6-20

⁶ None of you shall approach to any that is near of kin to him, to uncover *their* nakedness: I *am* the LORD. ⁷ The nakedness of thy father, or the nakedness of thy mother, shalt thou not uncover: she *is* thy mother; thou shalt not uncover her nakedness. ⁸ The nakedness of thy father's wife shalt thou not uncover: it *is* thy father's nakedness. ⁹ The nakedness of thy sister, the daughter of thy father, or daughter of thy mother, *whether she be* born at home, or born abroad, *even* their nakedness thou shalt not uncover. ¹⁰ The nakedness of thy son's daughter, or of thy daughter's daughter, *even* their nakedness thou shalt not uncover: for theirs *is* thine own nakedness. ¹¹ The nakedness of thy father's wife's daughter, begotten of thy father, she *is* thy sister, thou shalt not uncover her nakedness. ¹² Thou shalt not uncover the nakedness of thy father's sister: she *is* thy father's near kinswoman. ¹³ Thou shalt not uncover the nakedness of thy mother's sister: for she *is* thy mother's near kinswoman. ¹⁴ Thou shalt not uncover the nakedness of thy father's brother, thou shalt not approach to his wife: she *is* thine aunt. ¹⁵ Thou shalt not uncover the nakedness of thy daughter in law: she *is* thy son's wife; thou shalt not uncover her nakedness. ¹⁶ Thou shalt not uncover the nakedness of thy brother's wife: it *is* thy brother's nakedness. ¹⁷ Thou shalt not uncover the nakedness of a woman and her daughter, neither shalt thou take her son's daughter, or her

daughter's daughter, to uncover her nakedness; *for they are* her near kinswomen: *it is* wickedness. ¹⁸ Neither shalt thou take a wife to her sister, to vex *her*, to uncover her nakedness, beside the other in her life *time*.

¹⁹ Also thou shalt not approach unto a woman to uncover her nakedness, as long as she is put apart for her uncleanness. ²⁰ Moreover thou shalt not lie carnally with thy neighbour's wife, to defile thyself with her.

b) *With Aliens*

Deuteronomy 7:1-6

When the LORD thy God shall bring thee into the land whither thou goest to possess it, and hath cast out many nations before thee, the Hittites, and the Girgashites, and the Amorites, and the Canaanites, and the Perizzites, and the Hivites, and the Jebusites, seven nations greater and mightier than thou; ² And when the LORD thy God shall deliver them before thee; thou shalt smite them, *and* utterly destroy them; thou shalt make no covenant with them, nor shew mercy unto them: ³ Neither shalt thou make marriages with them; thy daughter thou shalt not give unto his son, nor his daughter shalt thou take unto thy son. ⁴ For they will turn away thy son from following me, that they may serve other gods: so will the anger of the LORD be kindled against you, and destroy thee suddenly. ⁵ But thus shall ye deal with them; ye shall destroy their altars, and break down their images, and cut down their groves, and burn their graven images with fire. ⁶ For thou *art* an holy people unto the LORD thy God: the LORD thy God hath chosen thee to be a special people unto himself, above all people that *are* upon the face of the earth.

c) *Priests*

Leviticus 21:7,14

⁷ They shall not take a wife *that is* a whore, or profane; neither shall they take a woman put away from her husband: for he *is* holy unto his God.

¹⁴ A widow, or a divorced woman, or profane, *or* an harlot, these shall he not take: but he shall take a virgin of his own people to wife.

iv) Position of wife that of Chattel

a) Divorce

Deuteronomy 24:1-4

When a man hath taken a wife, and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: then let him write her a bill of divorcement, and give *it* in her hand, and send her out of his house. ² And when she is departed out of his house, she may go and be another man's *wife*. ³ And *if* the latter husband hate her, and write her a bill of divorcement, and giveth *it* in her hand, and sendeth her out of his house; or if the latter husband die, which took her *to be* his wife; ⁴ Her former husband, which sent her away, may not take her again to be his wife, after that she is defiled; for that *is* abomination before the LORD: and thou shalt not cause the land to sin, which the LORD thy God giveth thee *for* an inheritance.

b) Permitted to Husband only (as above)

b) Parent and Child

i) Power of Parents

Deuteronomy 21:18-21

¹⁸ If a man have a stubborn and rebellious son, which will not obey the voice of his father, or the voice of his mother, and *that*, when they have chastened him, will not hearken unto them: ¹⁹ Then shall his father and his mother lay hold on him, and bring him out unto the elders of his city, and unto the gate of his place; ²⁰ And they shall say unto the elders of his city, This our son *is* stubborn and rebellious, he will not obey our voice; *he is* a glutton, and a drunkard. ²¹ And all the men of his city shall stone him with stones, that he die: so shalt thou put evil away from among you; and all Israel shall hear, and fear.

Leviticus 19:3

Ye shall fear every man his mother, and his father, and keep my sabbaths: I *am* the LORD your God.

ii) Duties of Children

Exodus 20:12

Honour thy father and thy mother: that thy days may be long upon the land which the LORD thy God giveth thee.

Leviticus 20:9

For every one that curseth his father or his mother shall be surely put to death: he hath cursed his father or his mother; his blood *shall be* upon him.

c) Master and Servant

Deuteronomy 24:14,15

¹⁴Thou shalt not oppress an hired servant *that is* poor and needy, *whether he be* of thy brethren, or of thy strangers that *are* in thy land within thy gates: ¹⁵At his day thou shalt give *him* his hire, neither shall the sun go down upon it; for he *is* poor, and setteth his heart upon it: lest he cry against thee unto the LORD, and it be sin unto thee.

Deuteronomy 23:15,16

¹⁵Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: ¹⁶He shall dwell with thee, *even* among you, in that place which he shall choose in one of thy gates, where it liketh him best: thou shalt not oppress him.

i) How Slaves were obtained

Exodus 21:1-6

Now these *are* the judgments which thou shalt set before them. ²If thou buy an Hebrew servant, six years he shall serve: and in the seventh he shall go out free for nothing. ³If he came in by himself, he shall go out by himself: if he were married, then his wife shall go out with him. ⁴If his master have given

him a wife, and she have born him sons or daughters; the wife and her children shall be her master's, and he shall go out by himself. ⁵ And if the servant shall plainly say, I love my master, my wife, and my children; I will not go out free: ⁶ Then his master shall bring him unto the judges; he shall also bring him to the door, or unto the door post; and his master shall bore his ear through with an aul; and he shall serve him for ever.

ii) Redemption of

Exodus 21:7-8

⁷ And if a man sell his daughter to be a maidservant, she shall not go out as the menservants do. ⁸ If she please not her master, who hath betrothed her to himself, then shall he let her be redeemed: to sell her unto a strange nation he shall have no power, seeing he hath dealt deceitfully with her.

iii) Rights and Duties of

Exodus 21:9-11

⁹ And if he have betrothed her unto his son, he shall deal with her after the manner of daughters. ¹⁰ If he take him another *wife*; her food, her raiment, and her duty of marriage, shall he not diminish. ¹¹ And if he do not these three unto her, then shall she go out free without money.

2. Laws of Inheritance

a) Wills

Numbers 34:13-15

¹³ And Moses commanded the children of Israel, saying, This *is* the land which ye shall inherit by lot, which the LORD commanded to give unto the nine tribes, and to the half tribe: ¹⁴ For the tribe of the children of Reuben according to the house of their fathers, and the tribe of the children of Gad according to the house of their fathers, have received *their inheritance*; and half the tribe of Manasseh have received their inheritance: ¹⁵ The two tribes and the half tribe have received

their inheritance on this side Jordan *near* Jericho eastward, toward the sunrising.

i) Only Men Could Make

Numbers 34:16-29

¹⁶ And the LORD spake unto Moses, saying, ¹⁷ These *are* the names of the men which shall divide the land unto you: Eleazar the priest, and Joshua the son of Nun. ¹⁸ And ye shall take one prince of every tribe, to divide the land by inheritance. ¹⁹ And the names of the men *are* these: Of the tribe of Judah, Caleb the son of Jephunneh. ²⁰ And of the tribe of the children of Simeon, Shemuel the son of Ammihud. ²¹ Of the tribe of Benjamin, Elidad the son of Chislon. ²² And the prince of the tribe of the children of Dan, Bukki the son of Jogli. ²³ The prince of the children of Joseph, for the tribe of the children of Manasseh, Hanniel the son of Ephod. ²⁴ And the prince of the tribe of the children of Ephraim, Kemuel the son of Shiptan. ²⁵ And the prince of the tribe of the children of Zebulun, Elizaphan the son of Parnach. ²⁶ And the prince of the tribe of the children of Issachar, Paltiel the son of Azzan. ²⁷ And the prince of the tribe of the children of Asher, Ahihud the son of Shelomi. ²⁸ And the prince of the tribe of the children of Naphtali, Pedahel the son of Ammihud. ²⁹ These *are they* whom the LORD commanded to divide the inheritance unto the children of Israel in the land of Canaan.

ii) Power of Disposition of Property

Numbers 33:54

And ye shall divide the land by lot for an inheritance among your families: *and* to the more ye shall give the more inheritance, and to the fewer ye shall give the less inheritance: every man's *inheritance* shall be in the place where his lot falleth; according to the tribes of your fathers ye shall inherit.

b) Intestate Estates, Descent of Property to Heirs

Numbers 27:8-11

⁸ And thou shalt speak unto the children of Israel, saying, If a man die, and have no son, then ye shall cause his inheritance to pass unto his daughter. ⁹ And if he have no daughter, then ye shall give his inheritance unto his brethren. ¹⁰ And if he have no brethren, then ye shall give his inheritance unto his father's brethren. ¹¹ And if his father have no brethren, then ye shall give his inheritance unto his kinsman that is next to him of his family, and he shall possess it: and it shall be unto the children of Israel a statute of judgment, as the LORD commanded Moses.

Numbers 36:1-13

And the chief fathers of the families of the children of Gilead, the son of Machir, the son of Manasseh, of the families of the sons of Joseph, came near, and spake before Moses, and before the princes, the chief fathers of the children of Israel: ² And they said, The LORD commanded my lord to give the land for an inheritance by lot to the children of Israel: and my lord was commanded by the LORD to give the inheritance of Zelophehad our brother unto his daughters. ³ And if they be married to any of the sons of the *other* tribes of the children of Israel, then shall their inheritance be taken from the inheritance of our fathers, and shall be put to the inheritance of the tribe whereunto they are received: so shall it be taken from the lot of our inheritance. ⁴ And when the jubile of the children of Israel shall be, then shall their inheritance be put unto the inheritance of the tribe whereunto they are received: so shall their inheritance be taken away from the inheritance of the tribe of our fathers.

⁵ And Moses commanded the children of Israel according to the word of the LORD, saying, The tribe of the sons of Joseph hath said well. ⁶ This *is* the thing which the LORD doth command concerning the daughters of Zelophehad, saying, Let them marry to whom they think best; only to the family of the tribe of their father shall they marry. ⁷ So shall not the

inheritance of the children of Israel remove from tribe to tribe: for every one of the children of Israel shall keep himself to the inheritance of the tribe of his fathers. ⁸ And every daughter, that possesseth an inheritance in any tribe of the children of Israel, shall be wife unto one of the family of the tribe of her father, that the children of Israel may enjoy every man the inheritance of his fathers. ⁹ Neither shall the inheritance remove from *one* tribe to another tribe; but every one of the tribes of the children of Israel shall keep himself to his own inheritance. ¹⁰ Even as the LORD commanded Moses, so did the daughters of Zelophehad: ¹¹ For Mahlah, Tirzah, and Hoglah, and Milcah, and Noah, the daughters of Zelophehad, were married unto their father's brothers' sons: ¹² *And* they were married into the families of the sons of Manasseh the son of Joseph, and their inheritance remained in the tribe of the family of their father. ¹³ These *are* the commandments and the judgments, which the LORD commanded by the hand of Moses unto the children of Israel in the plains of Moab by Jordan *near* Jericho.

i) Persons Who Were Heirs

Numbers 27:8

And thou shalt speak unto the children of Israel, saying, If a man die, and have no son, then ye shall cause his inheritance to pass unto his daughter.

ii) Rules of Descent

Numbers 27:9-11

⁹ And if he have no daughter, then ye shall give his inheritance unto his brethren. ¹⁰ And if he have no brethren, then ye shall give his inheritance unto his father's brethren. ¹¹ And if his father have no brethren, then ye shall give his inheritance unto his kinsman that is next to him of his family, and he shall possess it: and it shall be unto the children of Israel a statute of judgment, as the LORD commanded Moses.

iii) What Property Could Be Inherited

Numbers 36:1-13

And the chief fathers of the families of the children of Gilead, the son of Machir, the son of Manasseh, of the families of the sons of Joseph, came near, and spake before Moses, and before the princes, the chief fathers of the children of Israel: ²And they said, The LORD commanded my lord to give the land for an inheritance by lot to the children of Israel: and my lord was commanded by the LORD to give the inheritance of Zelophehad our brother unto his daughters. ³ And if they be married to any of the sons of the *other* tribes of the children of Israel, then shall their inheritance be taken from the inheritance of our fathers, and shall be put to the inheritance of the tribe whereunto they are received: so shall it be taken from the lot of our inheritance. ⁴ And when the jubile of the children of Israel shall be, then shall their inheritance be put unto the inheritance of the tribe whereunto they are received: so shall their inheritance be taken away from the inheritance of the tribe of our fathers.

⁵ And Moses commanded the children of Israel according to the word of the LORD, saying, The tribe of the sons of Joseph hath said well. ⁶ This *is* the thing which the LORD doth command concerning the daughters of Zelophehad, saying, Let them marry to whom they think best; only to the family of the tribe of their father shall they marry. ⁷ So shall not the inheritance of the children of Israel remove from tribe to tribe: for every one of the children of Israel shall keep himself to the inheritance of the tribe of his fathers. ⁸ And every daughter, that possesseth an inheritance in any tribe of the children of Israel, shall be wife unto one of the family of the tribe of her father, that the children of Israel may enjoy every man the inheritance of his fathers. ⁹ Neither shall the inheritance remove from *one* tribe to another tribe; but every one of the tribes of the children of Israel shall keep himself to his own inheritance. ¹⁰ Even as the LORD commanded Moses, so did the daughters of Zelophehad: ¹¹ For Mahlah, Tirzah, and Hoglah, and Milcah, and Noah, the daughters of Zelophehad,

were married unto their father's brothers' sons: ¹² *And* they were married into the families of the sons of Manasseh the son of Joseph, and their inheritance remained in the tribe of the family of their father. ¹³ These *are* the commandments and the judgments, which the LORD commanded by the hand of Moses unto the children of Israel in the plains of Moab by Jordan *near* Jericho.

3. Laws Relating to Real Property

a) Definition and Historical Note

Numbers 33:51-53

⁵¹ Speak unto the children of Israel, and say unto them, When ye are passed over Jordan into the land of Canaan; ⁵² Then ye shall drive out all the inhabitants of the land from before you, and destroy all their pictures, and destroy all their molten images, and quite pluck down all their high places: ⁵³ And ye shall dispossess *the inhabitants* of the land, and dwell therein: for I have given you the land to possess it.

b) Allotment of Canaan Among Jewish Tribes

Numbers 33:54

And ye shall divide the land by lot for an inheritance among your families: *and* to the more ye shall give the more inheritance, and to the fewer ye shall give the less inheritance: every man's *inheritance* shall be in the place where his lot falleth; according to the tribes of your fathers ye shall inherit.

c) Sale of Land - Law Against Perpetuities

Leviticus 25:23,24

²³ The land shall not be sold for ever: for the land *is* mine; for ye *are* strangers and sojourners with me. ²⁴ And in all the land of your possession ye shall grant a redemption for the land.

d) Redemption of Lands

i) In year of Jubilee

Leviticus 25:8-12

⁸ And thou shalt number seven sabbaths of years unto thee, seven times seven years; and the space of the seven sabbaths of years shall be unto thee forty and nine years. ⁹ Then shalt thou cause the trumpet of the jubile to sound on the tenth *day* of the seventh month, in the day of atonement shall ye make the trumpet sound throughout all your land. ¹⁰ And ye shall hallow the fiftieth year, and proclaim liberty throughout *all* the land unto all the inhabitants thereof: it shall be a jubile unto you; and ye shall return every man unto his possession, and ye shall return every man unto his family. ¹¹ A jubile shall that fiftieth year be unto you: ye shall not sow, neither reap that which groweth of itself in it, nor gather *the grapes* in it of thy vine undressed. ¹² For it *is* the jubile; it shall be holy unto you: ye shall eat the increase thereof out of the field.

ii) By whom Redeemed

Leviticus 25:25-34

²⁵ If thy brother be waxen poor, and hath sold away *some* of his possession, and if any of his kin come to redeem it, then shall he redeem that which his brother sold. ²⁶ And if the man have none to redeem it, and himself be able to redeem it; ²⁷ Then let him count the years of the sale thereof, and restore the overplus unto the man to whom he sold it; that he may return unto his possession. ²⁸ But if he be not able to restore *it* to him, then that which is sold shall remain in the hand of him that hath bought it until the year of jubile: and in the jubile it shall go out, and he shall return unto his possession. ²⁹ And if a man sell a dwelling house in a walled city, then he may redeem it within a whole year after it is sold; *within* a full year may he redeem it. ³⁰ And if it be not redeemed within the space of a full year, then the house that *is* in the walled city shall be established for ever to him that bought it throughout his generations: it shall not go out in the jubile. ³¹ But the houses

of the villages which have no wall round about them shall be counted as the fields of the country: they may be redeemed, and they shall go out in the jubile. ³²Notwithstanding the cities of the Levites, *and* the houses of the cities of their possession, may the Levites redeem at any time. ³³And if a man purchase of the Levites, then the house that was sold, and the city of his possession, shall go out in *the year of jubile*: for the houses of the cities of the Levites *are* their possession among the children of Israel. ³⁴But the field of the suburbs of their cities may not be sold; for it *is* their perpetual possession.

iii) Amount Required to Redeem

Leviticus 25:13-17

¹³In the year of this jubile ye shall return every man unto his possession. ¹⁴And if thou sell ought unto thy neighbour, or buyest *ought* of thy neighbour's hand, ye shall not oppress one another: ¹⁵According to the number of years after the jubile thou shalt buy of thy neighbour, *and* according unto the number of years of the fruits he shall sell unto thee: ¹⁶According to the multitude of years thou shalt increase the price thereof, and according to the fewness of years thou shalt diminish the price of it: for *according* to the number *of the years* of the fruits doth he sell unto thee. ¹⁷Ye shall not therefore oppress one another; but thou shalt fear thy God: for *I am* the LORD your God.

e) Modes of Transfer and Recording

i) Form of Deed

Numbers 33:54

And ye shall divide the land by lot for an inheritance among your families: *and* to the more ye shall give the more inheritance, and to the fewer ye shall give the less inheritance: every man's *inheritance* shall be in the place where his lot falleth; according to the tribes of your fathers ye shall inherit.

ii) & iii) Delivery of Deed and Recording

Numbers 34:17,18

¹⁷ These *are* the names of the men which shall divide the land unto you: Eleazar the priest, and Joshua the son of Nun.

¹⁸ And ye shall take one prince of every tribe, to divide the land by inheritance.

iv) Mortgages

Leviticus 25:25-28

²⁵ If thy brother be waxen poor, and hath sold away *some* of his possession, and if any of his kin come to redeem it, then shall he redeem that which his brother sold. ²⁶ And if the man have none to redeem it, and himself be able to redeem it;

²⁷ Then let him count the years of the sale thereof, and restore the overplus unto the man to whom he sold it; that he may return unto his possession. ²⁸ But if he be not able to restore *it* to him, then that which is sold shall remain in the hand of him that hath bought it until the year of jubile: and in the jubile it shall go out, and he shall return unto his possession.

f) Sabbatical Year

i) Land Must Lie Fallow

Exodus 23:10-12

¹⁰ And six years thou shalt sow thy land, and shalt gather in the fruits thereof: ¹¹ But the seventh *year* thou shalt let it rest and lie still; that the poor of thy people may eat: and what they leave the beasts of the field shall eat. In like manner thou shalt deal with thy vineyard, *and* with thy oliveyard. ¹² Six days thou shalt do thy work, and on the seventh day thou shalt rest: that thine ox and thine ass may rest, and the son of thy handmaid, and the stranger, may be refreshed.

g) Jubilee Year

i) Land to Lie Fallow

Leviticus 25:8-12

⁸ And thou shalt number seven sabbaths of years unto thee, seven times seven years; and the space of the seven sabbaths of years shall be unto thee forty and nine years. ⁹ Then shalt thou cause the trumpet of the jubile to sound on the tenth *day* of the seventh month, in the day of atonement shall ye make the trumpet sound throughout all your land. ¹⁰ And ye shall hallow the fiftieth year, and proclaim liberty throughout *all* the land unto all the inhabitants thereof: it shall be a jubile unto you; and ye shall return every man unto his possession, and ye shall return every man unto his family. ¹¹ A jubile shall that fiftieth year be unto you: ye shall not sow, neither reap that which groweth of itself in it, nor gather *the grapes* in it of thy vine undressed. ¹² For it *is* the jubile; it shall be holy unto you: ye shall eat the increase thereof out of the field.

ii) Redemption of Land in

Leviticus 25:13-17

¹³ In the year of this jubile ye shall return every man unto his possession. ¹⁴ And if thou sell ought unto thy neighbour, or buyest *ought* of thy neighbour's hand, ye shall not oppress one another: ¹⁵ According to the number of years after the jubile thou shalt buy of thy neighbour, *and* according unto the number of years of the fruits he shall sell unto thee: ¹⁶ According to the multitude of years thou shalt increase the price thereof, and according to the fewness of years thou shalt diminish the price of it: for *according* to the number *of the years* of the fruits doth he sell unto thee. ¹⁷ Ye shall not therefore oppress one another; but thou shalt fear thy God: for *I am* the LORD your God.

4. Personal Property

a) Sale of

Leviticus 25:29

And if a man sell a dwelling house in a walled city, then he may redeem it within a whole year after it is sold; *within* a full year may he redeem it.

b) Mortgages and Pledges

Deuteronomy 24:10-13

¹⁰ When thou dost lend thy brother any thing, thou shalt not go into his house to fetch his pledge. ¹¹ Thou shalt stand abroad, and the man to whom thou dost lend shall bring out the pledge abroad unto thee. ¹² And if the man *be* poor, thou shalt not sleep with his pledge: ¹³ In any case thou shalt deliver him the pledge again when the sun goeth down, that he may sleep in his own raiment, and bless thee: and it shall be righteousness unto thee before the LORD thy God.

c) Redemption of

Leviticus 25:29,30

²⁹ And if a man sell a dwelling house in a walled city, then he may redeem it within a whole year after it is sold; *within* a full year may he redeem it. ³⁰ And if it be not redeemed within the space of a full year, then the house that *is* in the walled city shall be established for ever to him that bought it throughout his generations: it shall not go out in the jubile.

5. Usury

a) Forbidden Among Jews

Exodus 22:25

If thou lend money to *any of* my people *that is* poor by thee, thou shalt not be to him as an usurer, neither shalt thou lay upon him usury.

Leviticus 25:35-37

³⁵ And if thy brother be waxen poor, and fallen in decay with thee; then thou shalt relieve him: *yea, though he be a stranger, or a sojourner; that he may live with thee.* ³⁶ Take thou no usury of him, or increase: but fear thy God; that thy brother may live with thee. ³⁷ Thou shalt not give him thy money upon usury, nor lend him thy victuals for increase.

Deuteronomy 23:19

Thou shalt not lend upon usury to thy brother; usury of money, usury of victuals, usury of any thing that is lent upon usury:

b) Permitted to Foreigners

Deuteronomy 15:3

Of a foreigner thou mayest exact *it again*: but *that* which is thine with thy brother thine hand shall release;

Deuteronomy 23:20

Unto a stranger thou mayest lend upon usury; but unto thy brother thou shalt not lend upon usury: that the LORD thy God may bless thee in all that thou settest thine hand to in the land whither thou goest to possess it.

c) Penalty for Charging

Ezekiel 18:13, conversely 17

¹³ Hath given forth upon usury, and hath taken increase: shall he then live? he shall not live: he hath done all these abominations; he shall surely die; his blood shall be upon him.

¹⁷ *That* hath taken off his hand from the poor, *that* hath not received usury nor increase, hath executed my judgments, hath walked in my statutes; he shall not die for the iniquity of his father, he shall surely live.

d) Rate of Interest

According to Smith's Bible Dictionary, the ratio is 1 in 100 per month or 12% per annum.

Nehemiah 5:1-13

And there was a great cry of the people and of their wives against their brethren the Jews. ² For there were that said, We, our sons, and our daughters, *are* many: therefore we take up corn *for them*, that we may eat, and live. ³ *Some* also there were that said, We have mortgaged our lands, vineyards, and houses, that we might buy corn, because of the dearth. ⁴ There were also that said, We have borrowed money for the king's tribute, *and that upon* our lands and vineyards. ⁵ Yet now our flesh *is* as the flesh of our brethren, our children as their children: and, lo, we bring into bondage our sons and our daughters to be servants, and *some* of our daughters are brought unto bondage *already*: neither *is it* in our power *to redeem them*; for other men have our lands and vineyards.

⁶ And I was very angry when I heard their cry and these words. ⁷ Then I consulted with myself, and I rebuked the nobles, and the rulers, and said unto them, Ye exact usury, every one of his brother. And I set a great assembly against them. ⁸ And I said unto them, We after our ability have redeemed our brethren the Jews, which were sold unto the heathen; and will ye even sell your brethren? or shall they be sold unto us? Then held they their peace, and found nothing *to answer*. ⁹ Also I said, *It is* not good that ye do: ought ye not to walk in the fear of our God because of the reproach of the heathen our enemies? ¹⁰ I likewise, *and* my brethren, and my servants, might exact of them money and corn: I pray you, let us leave off this usury. ¹¹ Restore, I pray you, to them, even this day, their lands, their vineyards, their oliveyards, and their houses, also the hundredth *part* of the money, and of the corn, the wine, and the oil, that ye exact of them. ¹² Then said they, We will restore *them*, and will require nothing of them; so will we do as thou sayest. Then I called the priests, and took an oath of them, that they should do according to this promise.

¹³ Also I shook my lap, and said, So God shake out every man from his house, and from his labour, that performeth not this promise, even thus be he shaken out, and emptied. And all the congregation said, Amen, and praised the LORD. And the people did according to this promise.

6. Debtor and Creditor

a) Relation Recognized

Deuteronomy 15:1-3

At the end of *every* seven years thou shalt make a release.
² And this *is* the manner of the release: Every creditor that lendeth *ought* unto his neighbour shall release *it*; he shall not exact *it* of his neighbour, or of his brother; because it is called the LORD'S release. ³ Of a foreigner thou mayest exact *it again*: but *that* which is thine with thy brother thine hand shall release;

b) Release of Debts - Year of Jubilee

Leviticus 25:13-16

¹³ In the year of this jubile ye shall return every man unto his possession. ¹⁴ And if thou sell ought unto thy neighbour, or buyest *ought* of thy neighbour's hand, ye shall not oppress one another: ¹⁵ According to the number of years after the jubile thou shalt buy of thy neighbour, *and* according unto the number of years of the fruits he shall sell unto thee: ¹⁶ According to the multitude of years thou shalt increase the price thereof, and according to the fewness of years thou shalt diminish the price of it: for *according* to the number *of the years* of the fruits doth he sell unto thee.

c) Moratorium and Statute of Limitations

Leviticus 25:17,18,23,24

¹⁷ Ye shall not therefore oppress one another; but thou shalt fear thy God: for I *am* the LORD your God. ¹⁸ Wherefore ye shall do my statutes, and keep my judgments, and do them; and ye shall dwell in the land in safety.

²³ The land shall not be sold for ever: for the land *is* mine; for ye *are* strangers and sojourners with me. ²⁴ And in all the land of your possession ye shall grant a redemption for the land.

7. Miscellaneous Contracts

Exodus 22:10-15

¹⁰ If a man deliver unto his neighbour an ass, or an ox, or a sheep, or any beast, to keep; and it die, or be hurt, or driven away, no man seeing *it*: ¹¹ *Then* shall an oath of the LORD be between them both, that he hath not put his hand unto his neighbour's goods; and the owner of it shall accept *thereof*, and he shall not make *it* good. ¹² And if it be stolen from him, he shall make restitution unto the owner thereof. ¹³ If it be torn in pieces, *then* let him bring it *for* witness, *and* he shall not make good that which was torn. ¹⁴ And if a man borrow *ought* of his neighbour, and it be hurt, or die, the owner thereof *being* not with it, he shall surely make *it* good. ¹⁵ *But* if the owner thereof *be* with it, he shall not make *it* good: if it *be* an hired *thing*, it came for his hire.

8. Damages for Breach of Contract (See Courts and Legal Procedure, page 25)

Exodus 22:9

For all manner of trespass, *whether it be* for ox, for ass, for sheep, for raiment, *or* for any manner of lost thing, which *another* challengeth to be his, the cause of both parties shall come before the judges; *and* whom the judges shall condemn, he shall pay double unto his neighbour.

B. Criminal Law

1. Introductory Note. Crimes and their Punishment

2. Crimes Against the Public

a) Bribery

Exodus 23:8

And thou shalt take no gift: for the gift blindeth the wise, and perverteth the words of the righteous.

b) Perjury

Exodus 23:1,2,7

Thou shalt not raise a false report: put not thine hand with the wicked to be an unrighteous witness. ² Thou shalt not follow a multitude to *do* evil; neither shalt thou speak in a cause to decline after many to wrest *judgment*:

⁷ Keep thee far from a false matter; and the innocent and righteous slay thou not: for I will not justify the wicked.

c) Defiance of Law

Exodus 23:2

Thou shalt not follow a multitude to *do* evil; neither shalt thou speak in a cause to decline after many to wrest *judgment*:

d) Perverting and Obstructing Justice

Exodus 23:6,8

⁶ Thou shalt not wrest the judgment of thy poor in his cause.

⁸ And thou shalt take no gift: for the gift blindeth the wise, and perverteth the words of the righteous.

3. Crimes Against Morality

a) Adultery

Leviticus 18:20

Moreover thou shalt not lie carnally with thy neighbour's wife, to defile thyself with her.

Leviticus 20:10

And the man that committeth adultery with *another* man's wife, *even he* that committeth adultery with his neighbour's wife, the adulterer and the adulteress shall surely be put to death.

Deuteronomy 22:22

If a man be found lying with a woman married to an husband, then they shall both of them die, *both* the man that lay with the woman, and the woman: so shalt thou put away evil from Israel.

b) Rape

Deuteronomy 22:25,28,29

²⁵ But if a man find a betrothed damsel in the field, and the man force her, and lie with her: then the man only that lay with her shall die:

²⁸ If a man find a damsel *that is* a virgin, which is not betrothed, and lay hold on her, and lie with her, and they be found; ²⁹ Then the man that lay with her shall give unto the damsel's father fifty *shekels* of silver, and she shall be his wife; because he hath humbled her, he may not put her away all his days.

c) Prostitution

Leviticus 19:29

Do not prostitute thy daughter, to cause her to be a whore; lest the land fall to whoredom, and the land become full of wickedness.

d) Seduction

Leviticus 19:20-22

²⁰ And whosoever lieth carnally with a woman, that *is* a bondmaid, betrothed to an husband, and not at all redeemed, nor freedom given her; she shall be scourged; they shall not be put to death, because she was not free. ²¹ And he shall bring his trespass offering unto the LORD, unto the door of the tabernacle of the congregation, *even* a ram for a trespass offering. ²² And the priest shall make an atonement for him with the ram of the trespass offering before the LORD for his sin which he hath done: and the sin which he hath done shall be forgiven him.

e) Incest

Leviticus 20:11,20,21

¹¹ And the man that lieth with his father's wife hath uncovered his father's nakedness: both of them shall surely be put to death; their blood *shall be* upon them.

²⁰ And if a man shall lie with his uncle's wife, he hath uncovered his uncle's nakedness: they shall bear their sin; they shall die childless. ²¹ And if a man shall take his brother's wife, it *is* an unclean thing: he hath uncovered his brother's nakedness; they shall be childless.

f) Woman Impure

Leviticus 20:18

And if a man shall lie with a woman having her sickness, and shall uncover her nakedness; he hath discovered her fountain, and she hath uncovered the fountain of her blood: and both of them shall be cut off from among their people.

Numbers 5:12-31

¹² Speak unto the children of Israel, and say unto them, If any man's wife go aside, and commit a trespass against him, ¹³ And a man lie with her carnally, and it be hid from the eyes of her husband, and be kept close, and she be defiled, and *there*

be no witness against her, neither she be taken *with the manner*; ¹⁴ And the spirit of jealousy come upon him, and he be jealous of his wife, and she be defiled: or if the spirit of jealousy come upon him, and he be jealous of his wife, and she be not defiled: ¹⁵ Then shall the man bring his wife unto the priest, and he shall bring her offering for her, the tenth *part* of an ephah of barley meal; he shall pour no oil upon it, nor put frankincense thereon; for it *is* an offering of jealousy, an offering of memorial, bringing iniquity to remembrance. ¹⁶ And the priest shall bring her near, and set her before the LORD: ¹⁷ And the priest shall take holy water in an earthen vessel; and of the dust that is in the floor of the tabernacle the priest shall take, and put *it* into the water: ¹⁸ And the priest shall set the woman before the LORD, and uncover the woman's head, and put the offering of memorial in her hands, which *is* the jealousy offering: and the priest shall have in his hand the bitter water that causeth the curse: ¹⁹ And the priest shall charge her by an oath, and say unto the woman, If no man have lain with thee, and if thou hast not gone aside to uncleanness *with another* instead of thy husband, be thou free from this bitter water that causeth the curse: ²⁰ But if thou hast gone aside *to another* instead of thy husband, and if thou be defiled, and some man have lain with thee beside thine husband: ²¹ Then the priest shall charge the woman with an oath of cursing, and the priest shall say unto the woman, The LORD make thee a curse and an oath among thy people, when the LORD doth make thy thigh to rot, and thy belly to swell; ²² And this water that causeth the curse shall go into thy bowels, to make *thy* belly to swell, and *thy* thigh to rot: And the woman shall say, Amen, amen. ²³ And the priest shall write these curses in a book, and he shall blot *them* out with the bitter water: ²⁴ And he shall cause the woman to drink the bitter water that causeth the curse: and the water that causeth the curse shall enter into her, *and become* bitter. ²⁵ Then the priest shall take the jealousy offering out of the woman's hand, and shall wave the offering before the LORD, and offer it upon the altar: ²⁶ And the priest shall take an handful of the offering, *even* the memorial thereof, and burn *it* upon the altar, and

afterward shall cause the woman to drink the water. ²⁷ And when he hath made her to drink the water, then it shall come to pass, *that*, if she be defiled, and have done trespass against her husband, that the water that causeth the curse shall enter into her, *and become* bitter, and her belly shall swell, and her thigh shall rot: and the woman shall be a curse among her people. ²⁸ And if the woman be not defiled, but be clean; then she shall be free, and shall conceive seed. ²⁹ This *is* the law of jealousies, when a wife goeth aside *to another* instead of her husband, and is defiled; ³⁰ Or when the spirit of jealousy cometh upon him, and he be jealous over his wife, and shall set the woman before the LORD, and the priest shall execute upon her all this law. ³¹ Then shall the man be guiltless from iniquity, and this woman shall bear her iniquity.

g) Lying

Exodus 20:16

Thou shalt not bear false witness against thy neighbour.

h) Covetousness

Exodus 20:17

Thou shalt not covet thy neighbour's house, thou shalt not covet thy neighbour's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that *is* thy neighbour's.

i) Wearing Dress of Other Sex

Deuteronomy 22:5

The woman shall not wear that which pertaineth unto a man, neither shall a man put on a woman's garment: for all that do so *are* abomination unto the LORD thy God.

j) Indecent Assault

Deuteronomy 25:11,12

¹¹ When men strive together one with another, and the wife of the one draweth near for to deliver her husband out of the hand of him that smiteth him, and putteth forth her hand, and

takeh him by the secrets: ¹² Then thou shalt cut off her hand, thine eye shall not pity *her*.

k) Sodomy

Leviticus 18:22

Thou shalt not lie with mankind, as with womankind: it *is* abomination.

Leviticus 20:13

If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination: they shall surely be put to death; their blood *shall be* upon them.

l) Bestiality

Exodus 22:19

Whosoever lieth with a beast shall surely be put to death.

Leviticus 18:23-25

²³ Neither shalt thou lie with any beast to defile thyself therewith: neither shall any woman stand before a beast to lie down thereto: it *is* confusion. ²⁴ Defile not ye yourselves in any of these things: for in all these the nations are defiled which I cast out before you: ²⁵ And the land is defiled: therefore I do visit the iniquity thereof upon it, and the land itself vomiteth out her inhabitants.

Leviticus 20:15,16

¹⁵ And if a man lie with a beast, he shall surely be put to death: and ye shall slay the beast. ¹⁶ And if a woman approach unto any beast, and lie down thereto, thou shalt kill the woman, and the beast: they shall surely be put to death; their blood *shall be* upon them.

4. Crimes Against Persons

a) Murder

Leviticus 24:17

And he that killeth any man shall surely be put to death.

Numbers 35:30,31

³⁰ Whoso killeth any person, the murderer shall be put to death by the mouth of witnesses: but one witness shall not testify against any person *to cause him* to die. ³¹ Moreover ye shall take no satisfaction for the life of a murderer, which *is* guilty of death: but he shall be surely put to death.

b) Manslaughter

Exodus 21:12,13,20,21

¹² He that smiteth a man, so that he die, shall be surely put to death. ¹³ And if a man lie not in wait, but God deliver *him* into his hand; then I will appoint thee a place whither he shall flee.

²⁰ And if a man smite his servant, or his maid, with a rod, and he die under his hand; he shall be surely punished.

²¹ Notwithstanding, if he continue a day or two, he shall not be punished: for he *is* his money.

c) Rape

Deuteronomy 22:25-29

²⁵ But if a man find a betrothed damsel in the field, and the man force her, and lie with her: then the man only that lay with her shall die: ²⁶ But unto the damsel thou shalt do nothing; *there is* in the damsel no sin *worthy* of death: for as when a man riseth against his neighbour, and slayeth him, even so *is* this matter: ²⁷ For he found her in the field, *and* the betrothed damsel cried, and *there was* none to save her. ²⁸ If a man find a damsel *that is* a virgin, which is not betrothed, and lay hold on her, and lie with her, and they be found; ²⁹ Then the man that lay with her shall give unto the damsel's father fifty *shekels* of

silver, and she shall be his wife; because he hath humbled her, he may not put her away all his days.

d) Seduction

Exodus 22:16,17

¹⁶ And if a man entice a maid that is not betrothed, and lie with her, he shall surely endow her to be his wife. ¹⁷ If her father utterly refuse to give her unto him, he shall pay money according to the dowry of virgins.

e) Assault

Exodus 21:18,19,22-25

¹⁸ And if men strive together, and one smite another with a stone, or with *his* fist, and he die not, but keepeth *his* bed: ¹⁹ If he rise again, and walk abroad upon his staff, then shall he that smote *him* be quit: only he shall pay *for* the loss of his time, and shall cause *him* to be thoroughly healed.

²² If men strive, and hurt a woman with child, so that her fruit depart *from her*, and yet no mischief follow: he shall be surely punished, according as the woman's husband will lay upon him; and he shall pay as the judges *determine*. ²³ And if *any* mischief follow, then thou shalt give life for life, ²⁴ Eye for eye, tooth for tooth, hand for hand, foot for foot, ²⁵ Burning for burning, wound for wound, stripe for stripe.

f) Slander

Leviticus 19:16

Thou shalt not go up and down *as* a talebearer among thy people: neither shalt thou stand against the blood of thy neighbour: I *am* the LORD.

g) Kidnapping

Deuteronomy 24:7

If a man be found stealing any of his brethren of the children of Israel, and maketh merchandise of him, or selleth

him; then that thief shall die; and thou shalt put evil away from among you.

h) Using False Weights and Measures

Leviticus 19:35,36

³⁵ Ye shall do no unrighteousness in judgment, in meteyard, in weight, or in measure. ³⁶ Just balances, just weights, a just ephah, and a just hin, shall ye have: I *am* the LORD your God, which brought you out of the land of Egypt.

i) Selling into Slavery for Theft

Exodus 21:16

And he that stealeth a man, and selleth him, or if he be found in his hand, he shall surely be put to death.

j) Miscellaneous Crimes, Punishable by Death

i) Cursing Father and Mother

Exodus 21:15,17

¹⁵ And he that smiteth his father, or his mother, shall be surely put to death.

¹⁷ And he that curseth his father, or his mother, shall surely be put to death.

ii) Rebellious Son

Exodus 21:15

And he that smiteth his father, or his mother, shall be surely put to death.

Deuteronomy 21:18-21

¹⁸ If a man have a stubborn and rebellious son, which will not obey the voice of his father, or the voice of his mother, and *that*, when they have chastened him, will not hearken unto them: ¹⁹ Then shall his father and his mother lay hold on him, and bring him out unto the elders of his city, and unto the gate of his place; ²⁰ And they shall say unto the elders of his city, This our son *is* stubborn and rebellious, he will not obey our

voice; *he is* a glutton, and a drunkard. ²¹ And all the men of his city shall stone him with stones, that he die: so shalt thou put evil away from among you; and all Israel shall hear, and fear.

iii) Stealing and Selling Man

Exodus 21:16

And he that stealeth a man, and selleth him, or if he be found in his hand, he shall surely be put to death.

Deuteronomy 24:7

If a man be found stealing any of his brethren of the children of Israel, and maketh merchandise of him, or selleth him; then that thief shall die; and thou shalt put evil away from among you.

iv) Death caused by Unruly Animal

Exodus 21:29

But if the ox were wont to push with his horn in time past, and it hath been testified to his owner, and he hath not kept him in, but that he hath killed a man or a woman; the ox shall be stoned, and his owner also shall be put to death.

v) Sorcery

Deuteronomy 18:10-12

¹⁰ There shall not be found among you *any one* that maketh his son or his daughter to pass through the fire, *or* that useth divination, *or* an observer of times, or an enchanter, or a witch, ¹¹ Or a charmer, or a consulter with familiar spirits, or a wizard, or a necromancer. ¹² For all that do these things *are* an abomination unto the LORD: and because of these abominations the LORD thy God doth drive them out from before thee.

vi) Familiar Spirits

Leviticus 20:27

A man also or woman that hath a familiar spirit, or that is a wizard, shall surely be put to death: they shall stone them with stones: their blood *shall be* upon them.

vii) False Prophecy

Deuteronomy 18:22

When a prophet speaketh in the name of the LORD, if the thing follow not, nor come to pass, that *is* the thing which the LORD hath not spoken, *but* the prophet hath spoken it presumptuously: thou shalt not be afraid of him.

viii) Apostasy

Deuteronomy 13:1-5

If there arise among you a prophet, or a dreamer of dreams, and giveth thee a sign or a wonder, ² And the sign or the wonder come to pass, whereof he spake unto thee, saying, Let us go after other gods, which thou hast not known, and let us serve them; ³ Thou shalt not hearken unto the words of that prophet, or that dreamer of dreams: for the LORD your God proveth you, to know whether ye love the LORD your God with all your heart and with all your soul. ⁴ Ye shall walk after the LORD your God, and fear him, and keep his commandments, and obey his voice, and ye shall serve him, and cleave unto him. ⁵ And that prophet, or that dreamer of dreams, shall be put to death; because he hath spoken to turn *you* away from the LORD your God, which brought you out of the land of Egypt, and redeemed you out of the house of bondage, to thrust thee out of the way which the LORD thy God commanded thee to walk in. So shalt thou put the evil away from the midst of thee.

ix) Sacrificing to other gods

Exodus 22:20

He that sacrificeth unto *any* god, save unto the LORD only, he shall be utterly destroyed.

x) Refusing to Follow Decision of Court

Exodus 23:1,2

Thou shalt not raise a false report: put not thine hand with the wicked to be an unrighteous witness. ² Thou shalt not follow a multitude to *do* evil; neither shalt thou speak in a cause to decline after many to wrest *judgment*:

xi) Blasphemy

Leviticus 24:10-16

¹⁰ And the son of an Israelitish woman, whose father *was* an Egyptian, went out among the children of Israel: and this son of the Israelitish *woman* and a man of Israel strove together in the camp; ¹¹ And the Israelitish woman's son blasphemed the name *of the LORD*, and cursed. And they brought him unto Moses: (and his mother's name *was* Shelomith, the daughter of Dibri, of the tribe of Dan:) ¹² And they put him in ward, that the mind of the LORD might be shewed them. ¹³ And the LORD spake unto Moses, saying, ¹⁴ Bring forth him that hath cursed without the camp; and let all that heard *him* lay their hands upon his head, and let all the congregation stone him. ¹⁵ And thou shalt speak unto the children of Israel, saying, Whosoever curseth his God shall bear his sin. ¹⁶ And he that blasphemeth the name of the LORD, he shall surely be put to death, *and* all the congregation shall certainly stone him: as well the stranger, as he that is born in the land, when he blasphemeth the name *of the LORD*, shall be put to death.

xii) Sabbath Desecration

Numbers 15:33-36

³³ And they that found him gathering sticks brought him unto Moses and Aaron, and unto all the congregation. ³⁴ And they put him in ward, because it was not declared what should be done to him. ³⁵ And the LORD said unto Moses, The man shall be surely put to death: all the congregation shall stone him with stones without the camp. ³⁶ And all the congregation brought him without the camp, and stoned him with stones, and he died; as the LORD commanded Moses.

Exodus 35:2,3

² Six days shall work be done, but on the seventh day there shall be to you an holy day, a sabbath of rest to the LORD: whosoever doeth work therein shall be put to death. ³ Ye shall kindle no fire throughout your habitations upon the sabbath day.

xiii) Unchastity

Deuteronomy 22:20,21

²⁰ But if this thing be true, *and the tokens of virginity* be not found for the damsel: ²¹ Then they shall bring out the damsel to the door of her father's house, and the men of her city shall stone her with stones that she die: because she hath wrought folly in Israel, to play the whore in her father's house: so shalt thou put evil away from among you.

5. Crimes Against Property

a) Theft

Exodus 22:1,4-15

If a man shall steal an ox, or a sheep, and kill it, or sell it; he shall restore five oxen for an ox, and four sheep for a sheep.

⁴ If the theft be certainly found in his hand alive, whether it be ox, or ass, or sheep; he shall restore double. ⁵ If a man shall cause a field or vineyard to be eaten, and shall put in his

beast, and shall feed in another man's field; of the best of his own field, and of the best of his own vineyard, shall he make restitution. ⁶ If fire break out, and catch in thorns, so that the stacks of corn, or the standing corn, or the field, be consumed *therewith*; he that kindled the fire shall surely make restitution.

⁷ If a man shall deliver unto his neighbour money or stuff to keep, and it be stolen out of the man's house; if the thief be found, let him pay double. ⁸ If the thief be not found, then the master of the house shall be brought unto the judges, *to see* whether he have put his hand unto his neighbour's goods. ⁹ For all manner of trespass, *whether it be* for ox, for ass, for sheep, for raiment, *or* for any manner of lost thing, which *another* challengeth to be his, the cause of both parties shall come before the judges; *and* whom the judges shall condemn, he shall pay double unto his neighbour. ¹⁰ If a man deliver unto his neighbour an ass, or an ox, or a sheep, or any beast, to keep; and it die, or be hurt, or driven away, no man seeing *it*: ¹¹ *Then* shall an oath of the LORD be between them both, that he hath not put his hand unto his neighbour's goods; and the owner of it shall accept *thereof*, and he shall not make *it* good. ¹² And if it be stolen from him, he shall make restitution unto the owner thereof. ¹³ If it be torn in pieces, *then* let him bring it *for* witness, *and* he shall not make good that which was torn. ¹⁴ And if a man borrow *ought* of his neighbour, and it be hurt, or die, the owner thereof *being* not with it, he shall surely make *it* good. ¹⁵ *But* if the owner thereof *be* with it, he shall not make *it* good: if *it be* an hired *thing*, it came for his hire.

b) Burglary

Exodus 22:2,3

² If a thief be found breaking up, and be smitten that he die, *there shall* no blood *be shed* for him. ³ If the sun be risen upon him, *there shall be* blood *shed* for him; *for* he should make full restitution; if he have nothing, then he shall be sold for his theft.

c) Arson

Exodus 22:5,6

⁵ If a man shall cause a field or vineyard to be eaten, and shall put in his beast, and shall feed in another man's field; of the best of his own field, and of the best of his own vineyard, shall he make restitution. ⁶ If fire break out, and catch in thorns, so that the stacks of corn, or the standing corn, or the field, be consumed *therewith*; he that kindled the fire shall surely make restitution.

d) Killing Beast

Exodus 21:32

If the ox shall push a manservant or a maidservant; he shall give unto their master thirty shekels of silver, and the ox shall be stoned.

e) Removing Landmarks

Deuteronomy 19:14

Thou shalt not remove thy neighbour's landmark, which they of old time have set in thine inheritance, which thou shalt inherit in the land that the LORD thy God giveth thee to possess it.

f) Loss of Beast in Pit

Exodus 21:33,34

³³ And if a man shall open a pit, or if a man shall dig a pit, and not cover it, and an ox or an ass fall therein; ³⁴ The owner of the pit shall make *it good*, *and* give money unto the owner of them; and the dead *beast* shall be his.

g) Trespass

Exodus 22:9

For all manner of trespass, *whether it be* for ox, for ass, for sheep, for raiment, *or* for any manner of lost thing, which *another* challengeth to be his, the cause of both parties shall

come before the judges; *and* whom the judges shall condemn, he shall pay double unto his neighbour.

Numbers 15:29

Ye shall have one law for him that sinneth through ignorance, *both* for him that is born among the children of Israel, and for the stranger that sojourneth among them.

h) Ox Killing Ox

Exodus 21:35,36

³⁵ And if one man's ox hurt another's, that he die; then they shall sell the live ox, and divide the money of it; and the dead *ox* also they shall divide. ³⁶ Or if it be known that the ox hath used to push in time past, and his owner hath not kept him in; he shall surely pay ox for ox; and the dead shall be his own.

6. Crimes for which No Punishment was Inflicted

a) Destroying Eye of Servant

Exodus 21:26,27

²⁶ And if a man smite the eye of his servant, or the eye of his maid, that it perish; he shall let him go free for his eye's sake. ²⁷ And if he smite out his manservant's tooth, or his maidservant's tooth; he shall let him go free for his tooth's sake.

b) Ox Goring Man to Death

Exodus 21:28-32

²⁸ If an ox gore a man or a woman, that they die: then the ox shall be surely stoned, and his flesh shall not be eaten; but the owner of the ox *shall be* quit. ²⁹ But if the ox were wont to push with his horn in time past, and it hath been testified to his owner, and he hath not kept him in, but that he hath killed a man or a woman; the ox shall be stoned, and his owner also shall be put to death. ³⁰ If there be laid on him a sum of money, then he shall give for the ransom of his life whatsoever is laid upon him. ³¹ Whether he have gored a son, or have gored a

daughter, according to this judgment shall it be done unto him.
³² If the ox shall push a manservant or a maidservant; he shall give unto their master thirty shekels of silver, and the ox shall be stoned.

c) Killing Burglar

Exodus 22:2

If a thief be found breaking up, and be smitten that he die, *there shall no blood be shed* for him.

d) If Bailment Dies or is Destroyed

Exodus 22:10,11

¹⁰ If a man deliver unto his neighbour an ass, or an ox, or a sheep, or any beast, to keep; and it die, or be hurt, or driven away, no man seeing *it*: ¹¹ *Then* shall an oath of the LORD be between them both, that he hath not put his hand unto his neighbour's goods; and the owner of it shall accept *thereof*, and he shall not make *it* good.

e) Loss of Hired Property

Exodus 22:14,15

¹⁴ And if a man borrow *ought* of his neighbour, and it be hurt, or die, the owner thereof *being* not with it, he shall surely make *it* good. ¹⁵ *But* if the owner thereof *be* with it, he shall not make *it* good: if it *be* an hired *thing*, it came for his hire.

7. Modes of Punishment

a) Lex Talionis

Leviticus 24:18-22

¹⁸ And he that killeth a beast shall make it good; beast for beast. ¹⁹ And if a man cause a blemish in his neighbour; as he hath done, so shall it be done to him; ²⁰ Breach for breach, eye for eye, tooth for tooth: as he hath caused a blemish in a man, so shall it be done to him *again*. ²¹ And he that killeth a beast, he shall restore it: and he that killeth a man, he shall be put to

death. ²² Ye shall have one manner of law, as well for the stranger, as for one of your own country: for I *am* the LORD your God.

b) Burning

Joshua 7:25

And Joshua said, Why hast thou troubled us? the LORD shall trouble thee this day. And all Israel stoned him with stones, and burned them with fire, after they had stoned them with stones.

Joshua 8:19

And the ambush arose quickly out of their place, and they ran as soon as he had stretched out his hand: and they entered into the city, and took it, and hastened and set the city on fire.

c) Mutilation

Leviticus 24:19,20

¹⁹ And if a man cause a blemish in his neighbour; as he hath done, so shall it be done to him; ²⁰ Breach for breach, eye for eye, tooth for tooth: as he hath caused a blemish in a man, so shall it be done to him *again*.

d) “Cutting Off From People”

Leviticus 20:2,3

² Again, thou shalt say to the children of Israel, Whosoever *he be* of the children of Israel, or of the strangers that sojourn in Israel, that giveth *any* of his seed unto Molech; he shall surely be put to death: the people of the land shall stone him with stones. ³ And I will set my face against that man, and will cut him off from among his people; because he hath given of his seed unto Molech, to defile my sanctuary, and to profane my holy name.

Leviticus 20:17,18

¹⁷ And if a man shall take his sister, his father’s daughter, or his mother’s daughter, and see her nakedness, and she see

his nakedness; *it is* a wicked thing; and they shall be cut off in the sight of their people: he hath uncovered his sister's nakedness; he shall bear his iniquity. ¹⁸ And if a man shall lie with a woman having her sickness, and shall uncover her nakedness; he hath discovered her fountain, and she hath uncovered the fountain of her blood: and both of them shall be cut off from among their people.

e) Hanging or Impaling

Deuteronomy 21:22,23

²² And if a man have committed a sin worthy of death, and he be to be put to death, and thou hang him on a tree: ²³ His body shall not remain all night upon the tree, but thou shalt in any wise bury him that day; (for he that is hanged *is* accursed of God;) that thy land be not defiled, which the LORD thy God giveth thee *for* an inheritance.

f) Stoning

Deuteronomy 17:2-7

² If there be found among you, within any of thy gates which the LORD thy God giveth thee, man or woman, that hath wrought wickedness in the sight of the LORD thy God, in transgressing his covenant, ³ And hath gone and served other gods, and worshipped them, either the sun, or moon, or any of the host of heaven, which I have not commanded; ⁴ And it be told thee, and thou hast heard *of it*, and enquired diligently, and, behold, *it be* true, *and* the thing certain, *that* such abomination is wrought in Israel: ⁵ Then shalt thou bring forth that man or that woman, which have committed that wicked thing, unto thy gates, *even* that man or that woman, and shalt stone them with stones, till they die. ⁶ At the mouth of two witnesses, or three witnesses, shall he that is worthy of death be put to death; *but* at the mouth of one witness he shall not be put to death. ⁷ The hands of the witnesses shall be first upon him to put him to death, and afterward the hands of all the people. So thou shalt put the evil away from among you.

g) Beating or Scourging

Deuteronomy 25:1-3

If there be a controversy between men, and they come unto judgment, that *the judges* may judge them; then they shall justify the righteous, and condemn the wicked. ² And it shall be, if the wicked man *be* worthy to be beaten, that the judge shall cause him to lie down, and to be beaten before his face, according to his fault, by a certain number. ³ Forty stripes he may give him, *and* not exceed: lest, *if* he should exceed, and beat him above these with many stripes, then thy brother should seem vile unto thee.

h) Banishment

Jeremiah 18:15-17

¹⁵ Because my people hath forgotten me, they have burned incense to vanity, and they have caused them to stumble in their ways *from* the ancient paths, to walk in paths, *in* a way not cast up; ¹⁶ To make their land desolate, *and* a perpetual hissing; every one that passeth thereby shall be astonished, and wag his head. ¹⁷ I will scatter them as with an east wind before the enemy; I will shew them the back, and not the face, in the day of their calamity.

i) Excommunication and Forfeiture

Numbers 12:14,15

¹⁴ And the LORD said unto Moses, If her father had but spit in her face, should she not be ashamed seven days? let her be shut out from the camp seven days, and after that let her be received in *again*. ¹⁵ And Miriam was shut out from the camp seven days: and the people journeyed not till Miriam was brought in *again*.

j) Imprisonment

Ezra 7:26

And whosoever will not do the law of thy God, and the law of the king, let judgment be executed speedily upon him,

whether *it be* unto death, or to banishment, or to confiscation of goods, or to imprisonment.

k) Ordeal

Jeremiah 19:4-9

⁴ Because they have forsaken me, and have estranged this place, and have burned incense in it unto other gods, whom neither they nor their fathers have known, nor the kings of Judah, and have filled this place with the blood of innocents; ⁵ They have built also the high places of Baal, to burn their sons with fire *for* burnt offerings unto Baal, which I commanded not, nor spake *it*, neither came *it* into my mind: ⁶ Therefore, behold, the days come, saith the LORD, that this place shall no more be called Tophet, nor The valley of the son of Hinnom, but The valley of slaughter. ⁷ And I will make void the counsel of Judah and Jerusalem in this place; and I will cause them to fall by the sword before their enemies, and by the hands of them that seek their lives: and their carcasses will I give to be meat for the fowls of the heaven, and for the beasts of the earth. ⁸ And I will make this city desolate, and an hissing; every one that passeth thereby shall be astonished and hiss because of all the plagues thereof. ⁹ And I will cause them to eat the flesh of their sons and the flesh of their daughters, and they shall eat every one the flesh of his friend in the siege and straitness, wherewith their enemies, and they that seek their lives, shall straiten them.

l) Restitution

Exodus 22:1

If a man shall steal an ox, or a sheep, and kill it, or sell it; he shall restore five oxen for an ox, and four sheep for a sheep.

m) Compensation or Damages

Exodus 22:5,6

⁵ If a man shall cause a field or vineyard to be eaten, and shall put in his beast, and shall feed in another man's field; of the best of his own field, and of the best of his own vineyard,

shall he make restitution. ⁶ If fire break out, and catch in thorns, so that the stacks of corn, or the standing corn, or the field, be consumed *therewith*; he that kindled the fire shall surely make restitution.

8. Avenger of Blood

Deuteronomy 19:11-13

¹¹ But if any man hate his neighbour, and lie in wait for him, and rise up against him, and smite him mortally that he die, and fleeth into one of these cities: ¹² Then the elders of his city shall send and fetch him thence, and deliver him into the hand of the avenger of blood, that he may die. ¹³ Thine eye shall not pity him, but thou shalt put away *the guilt of innocent blood* from Israel, that it may go well with thee.

9. Cities of Refuge

a) Appointment of

Deuteronomy 19:1-3,7-9

When the LORD thy God hath cut off the nations, whose land the LORD thy God giveth thee, and thou succeedest them, and dwellest in their cities, and in their houses; ² Thou shalt separate three cities for thee in the midst of thy land, which the LORD thy God giveth thee to possess it. ³ Thou shalt prepare thee a way, and divide the coasts of thy land, which the LORD thy God giveth thee to inherit, into three parts, that every slayer may flee thither.

⁷ Wherefore I command thee, saying, Thou shalt separate three cities for thee. ⁸ And if the LORD thy God enlarge thy coast, as he hath sworn unto thy fathers, and give thee all the land which he promised to give unto thy fathers; ⁹ If thou shalt keep all these commandments to do them, which I command thee this day, to love the LORD thy God, and to walk ever in his ways; then shalt thou add three cities more for thee, beside these three:

b) Purpose of

Deuteronomy 19:4-6,10-13

⁴ And this *is* the case of the slayer, which shall flee thither, that he may live: Whoso killeth his neighbour ignorantly, whom he hated not in time past; ⁵ As when a man goeth into the wood with his neighbour to hew wood, and his hand fetcheth a stroke with the axe to cut down the tree, and the head slippeth from the helve, and lighteth upon his neighbour, that he die; he shall flee unto one of those cities, and live: ⁶ Lest the avenger of the blood pursue the slayer, while his heart is hot, and overtake him, because the way is long, and slay him; whereas he *was* not worthy of death, inasmuch as he hated him not in time past.

¹⁰ That innocent blood be not shed in thy land, which the LORD thy God giveth thee *for* an inheritance, and *so* blood be upon thee. ¹¹ But if any man hate his neighbour, and lie in wait for him, and rise up against him, and smite him mortally that he die, and fleeth into one of these cities: ¹² Then the elders of his city shall send and fetch him thence, and deliver him into the hand of the avenger of blood, that he may die. ¹³ Thine eye shall not pity him, but thou shalt put away *the guilt of* innocent blood from Israel, that it may go well with thee.

CHAPTER III

RELIGIOUS LAW

A. National Duties and Prohibitions

1. General Rules in Decalogue

Deuteronomy 4:5-10,23-25

⁵ Behold, I have taught you statutes and judgments, even as the LORD my God commanded me, that ye should do so in the land whither ye go to possess it. ⁶ Keep therefore and do *them*; for this *is* your wisdom and your understanding in the sight of the nations, which shall hear all these statutes, and say, Surely this great nation *is* a wise and understanding people. ⁷ For what nation *is there so* great, who *hath* God *so* nigh unto them, as the LORD our God *is* in all *things that* we call upon him *for*? ⁸ And what nation *is there so* great, that hath statutes and judgments *so* righteous as all this law, which I set before you this day? ⁹ Only take heed to thyself, and keep thy soul diligently, lest thou forget the things which thine eyes have seen, and lest they depart from thy heart all the days of thy life: but teach them thy sons, and thy sons' sons; ¹⁰ *Specially* the day that thou stoodest before the LORD thy God in Horeb, when the LORD said unto me, Gather me the people together, and I will make them hear my words, that they may learn to fear me all the days that they shall live upon the earth, and *that* they may teach their children.

²³ Take heed unto yourselves, lest ye forget the covenant of the LORD your God, which he made with you, and make you

a graven image, *or* the likeness of any *thing*, which the LORD thy God hath forbidden thee. ²⁴ For the LORD thy God *is* a consuming fire, *even* a jealous God. ²⁵ When thou shalt beget children, and children's children, and ye shall have remained long in the land, and shall corrupt *yourselves*, and make a graven image, *or* the likeness of any *thing*, and shall do evil in the sight of the LORD thy God, to provoke him to anger:

2. To be a Holy Nation

Exodus 22:31

And ye shall be holy men unto me: neither shall ye eat *any* flesh *that is* torn of beasts in the field; ye shall cast it to the dogs.

Leviticus 19:2

Speak unto all the congregation of the children of Israel, and say unto them, Ye shall be holy: for I the LORD your God *am* holy.

Leviticus 20:7

Sanctify yourselves therefore, and be ye holy: for I *am* the LORD your God.

Leviticus 21:7

They shall not take a wife *that is* a whore, or profane; neither shall they take a woman put away from her husband: for he *is* holy unto his God.

3. No Heathen Alliances Permitted

Leviticus 19:4

Turn ye not unto idols, nor make to yourselves molten gods: I *am* the LORD your God.

Leviticus 20:2-6

² Again, thou shalt say to the children of Israel, Whosoever *he be* of the children of Israel, or of the strangers

that sojourn in Israel, that giveth *any* of his seed unto Molech; he shall surely be put to death: the people of the land shall stone him with stones. ³ And I will set my face against that man, and will cut him off from among his people; because he hath given of his seed unto Molech, to defile my sanctuary, and to profane my holy name. ⁴ And if the people of the land do any ways hide their eyes from the man, when he giveth of his seed unto Molech, and kill him not: ⁵ Then I will set my face against that man, and against his family, and will cut him off, and all that go a whoring after him, to commit whoredom with Molech, from among their people. ⁶ And the soul that turneth after such as have familiar spirits, and after wizards, to go a whoring after them, I will even set my face against that soul, and will cut him off from among his people.

4. The Golden Rule

Deuteronomy 6:4,5

⁴ Hear, O Israel: The LORD our God *is* one LORD: ⁵ And thou shalt love the LORD thy God with all thine heart, and with all thy soul, and with all thy might.

Leviticus 19:18

Thou shalt not avenge, nor bear any grudge against the children of thy people, but thou shalt love thy neighbour as thyself: I *am* the LORD.

5. Apostasy and Idolatry

Leviticus 26:1

Ye shall make you no idols nor graven image, neither rear you up a standing image, neither shall ye set up *any* image of stone in your land, to bow down unto it: for I *am* the LORD your God.

6. Against Heathen Shrines

Deuteronomy 7:25,26

²⁵ The graven images of their gods shall ye burn with fire: thou shalt not desire the silver or gold *that is* on them, nor take *it* unto thee, lest thou be snared therein: for it *is* an abomination to the LORD thy God. ²⁶ Neither shalt thou bring an abomination into thine house, lest thou be a cursed thing like it: *but* thou shalt utterly detest it, and thou shalt utterly abhor it; for it *is* a cursed thing.

7. Sabbath Observance

Leviticus 19:30

Ye shall keep my sabbaths, and reverence my sanctuary: I *am* the LORD.

Exodus 20:8-11

⁸ Remember the sabbath day, to keep it holy. ⁹ Six days shalt thou labour, and do all thy work: ¹⁰ But the seventh day *is* the sabbath of the LORD thy God: *in it* thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that *is* within thy gates: ¹¹ For *in* six days the LORD made heaven and earth, the sea, and all that in them *is*, and rested the seventh day: wherefore the LORD blessed the sabbath day, and hallowed it.

Leviticus 23:1-8

And the LORD spake unto Moses, saying, ² Speak unto the children of Israel, and say unto them, *Concerning* the feasts of the LORD, which ye shall proclaim *to be* holy convocations, *even these are* my feasts. ³ Six days shall work be done: but the seventh day *is* the sabbath of rest, an holy convocation; ye shall do no work *therein*: it *is* the sabbath of the LORD in all your dwellings.

⁴ These *are* the feasts of the LORD, *even* holy convocations, which ye shall proclaim in their seasons. ⁵ In the fourteenth *day* of the first month at even *is* the LORD'S

passover. ⁶ And on the fifteenth day of the same month *is* the feast of unleavened bread unto the LORD: seven days ye must eat unleavened bread. ⁷ In the first day ye shall have an holy convocation: ye shall do no servile work therein. ⁸ But ye shall offer an offering made by fire unto the LORD seven days: in the seventh day *is* an holy convocation: ye shall do no servile work *therein*.

Leviticus 23:33-44

³³ And the LORD spake unto Moses, saying, ³⁴ Speak unto the children of Israel, saying, The fifteenth day of this seventh month *shall be* the feast of tabernacles *for* seven days unto the LORD. ³⁵ On the first day *shall be* an holy convocation: ye shall do no servile work *therein*. ³⁶ Seven days ye shall offer an offering made by fire unto the LORD: on the eighth day shall be an holy convocation unto you; and ye shall offer an offering made by fire unto the LORD: it *is* a solemn assembly; *and* ye shall do no servile work *therein*. ³⁷ These *are* the feasts of the LORD, which ye shall proclaim *to be* holy convocations, to offer an offering made by fire unto the LORD, a burnt offering, and a meat offering, a sacrifice, and drink offerings, every thing upon his day: ³⁸ Beside the sabbaths of the LORD, and beside your gifts, and beside all your vows, and beside all your freewill offerings, which ye give unto the LORD. ³⁹ Also in the fifteenth day of the seventh month, when ye have gathered in the fruit of the land, ye shall keep a feast unto the LORD seven days: on the first day *shall be* a sabbath, and on the eighth day *shall be* a sabbath. ⁴⁰ And ye shall take you on the first day the boughs of goodly trees, branches of palm trees, and the boughs of thick trees, and willows of the brook; and ye shall rejoice before the LORD your God seven days. ⁴¹ And ye shall keep it a feast unto the LORD seven days in the year. *It shall be* a statute for ever in your generations: ye shall celebrate it in the seventh month. ⁴² Ye shall dwell in booths seven days; all that are Israelites born shall dwell in booths: ⁴³ That your generations may know that I made the children of Israel to dwell in booths, when I brought them out of the land

of Egypt: I *am* the LORD your God. ⁴⁴ And Moses declared unto the children of Israel the feasts of the LORD.

Leviticus 25:1-7

And the LORD spake unto Moses in mount Sinai, saying, ² Speak unto the children of Israel, and say unto them, When ye come into the land which I give you, then shall the land keep a sabbath unto the LORD. ³ Six years thou shalt sow thy field, and six years thou shalt prune thy vineyard, and gather in the fruit thereof; ⁴ But in the seventh year shall be a sabbath of rest unto the land, a sabbath for the LORD: thou shalt neither sow thy field, nor prune thy vineyard. ⁵ That which groweth of its own accord of thy harvest thou shalt not reap, neither gather the grapes of thy vine undressed: *for* it is a year of rest unto the land. ⁶ And the sabbath of the land shall be meat for you; for thee, and for thy servant, and for thy maid, and for thy hired servant, and for thy stranger that sojourneth with thee, ⁷ And for thy cattle, and for the beast that *are* in thy land, shall all the increase thereof be meat.

Deuteronomy 15:1-2

At the end of *every* seven years thou shalt make a release. ² And this *is* the manner of the release: Every creditor that lendeth *ought* unto his neighbour shall release *it*; he shall not exact *it* of his neighbour, or of his brother; because it is called the LORD'S release.

Deuteronomy 15:12-15

¹² *And* if thy brother, an Hebrew man, or an Hebrew woman, be sold unto thee, and serve thee six years; then in the seventh year thou shalt let him go free from thee. ¹³ And when thou sendest him out free from thee, thou shalt not let him go away empty: ¹⁴ Thou shalt furnish him liberally out of thy flock, and out of thy floor, and out of thy winepress: *of that* wherewith the LORD thy God hath blessed thee thou shalt give unto him. ¹⁵ And thou shalt remember that thou wast a bondman in the land of Egypt, and the LORD thy God redeemed thee: therefore I command thee this thing to day.

8. Blasphemy

Leviticus 24:10-16

¹⁰ And the son of an Israelitish woman, whose father *was* an Egyptian, went out among the children of Israel: and this son of the Israelitish *woman* and a man of Israel strove together in the camp; ¹¹ And the Israelitish woman's son blasphemed the name *of the LORD*, and cursed. And they brought him unto Moses: (and his mother's name *was* Shelomith, the daughter of Dibri, of the tribe of Dan:) ¹² And they put him in ward, that the mind of the LORD might be shewed them. ¹³ And the LORD spake unto Moses, saying, ¹⁴ Bring forth him that hath cursed without the camp; and let all that heard *him* lay their hands upon his head, and let all the congregation stone him. ¹⁵ And thou shalt speak unto the children of Israel, saying, Whosoever curseth his God shall bear his sin. ¹⁶ And he that blasphemeth the name of the LORD, he shall surely be put to death, *and* all the congregation shall certainly stone him: as well the stranger, as he that is born in the land, when he blasphemeth the name *of the LORD*, shall be put to death.

9. Desecration of Sacred Things

Isaiah 1:10-16

¹⁰ Hear the word of the LORD, ye rulers of Sodom; give ear unto the law of our God, ye people of Gomorrah. ¹¹ To what purpose *is* the multitude of your sacrifices unto me? saith the LORD: I am full of the burnt offerings of rams, and the fat of fed beasts; and I delight not in the blood of bullocks, or of lambs, or of he goats. ¹² When ye come to appear before me, who hath required this at your hand, to tread my courts? ¹³ Bring no more vain oblations; incense is an abomination unto me; the new moons and sabbaths, the calling of assemblies, I cannot away with; *it is* iniquity, even the solemn meeting. ¹⁴ Your new moons and your appointed feasts my soul hateth: they are a trouble unto me; I am weary to bear *them*. ¹⁵ And when ye spread forth your hands, I will hide mine eyes

from you: yea, when ye make many prayers, I will not hear: your hands are full of blood.

¹⁶Wash you, make you clean; put away the evil of your doings from before mine eyes; cease to do evil;

10. Sorcery and Witchcraft

Exodus 22:18

Thou shalt not suffer a witch to live.

Leviticus 19:31

Regard not them that have familiar spirits, neither seek after wizards, to be defiled by them: I *am* the LORD your God.

Deuteronomy 18:10-12

¹⁰ There shall not be found among you *any one* that maketh his son or his daughter to pass through the fire, *or* that useth divination, *or* an observer of times, or an enchanter, or a witch, ¹¹ Or a charmer, or a consulter with familiar spirits, or a wizard, or a necromancer. ¹² For all that do these things *are* an abomination unto the LORD: and because of these abominations the LORD thy God doth drive them out from before thee.

11. False Prophecy

Deuteronomy 13:1-11

If there arise among you a prophet, or a dreamer of dreams, and giveth thee a sign or a wonder, ² And the sign or the wonder come to pass, whereof he spake unto thee, saying, Let us go after other gods, which thou hast not known, and let us serve them; ³ Thou shalt not hearken unto the words of that prophet, or that dreamer of dreams: for the LORD your God proveth you, to know whether ye love the LORD your God with all your heart and with all your soul. ⁴ Ye shall walk after the LORD your God, and fear him, and keep his commandments, and obey his voice, and ye shall serve him, and cleave unto him. ⁵ And that prophet, or that dreamer of

dreams, shall be put to death; because he hath spoken to turn *you* away from the LORD your God, which brought you out of the land of Egypt, and redeemed you out of the house of bondage, to thrust thee out of the way which the LORD thy God commanded thee to walk in. So shalt thou put the evil away from the midst of thee.

⁶ If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which *is* as thine own soul, entice thee secretly, saying, Let us go and serve other gods, which thou hast not known, thou, nor thy fathers; ⁷ *Namely*, of the gods of the people which *are* round about you, nigh unto thee, or far off from thee, from the *one* end of the earth even unto the *other* end of the earth; ⁸ Thou shalt not consent unto him, nor hearken unto him; neither shall thine eye pity him, neither shalt thou spare, neither shalt thou conceal him: ⁹ But thou shalt surely kill him; thine hand shall be first upon him to put him to death, and afterwards the hand of all the people. ¹⁰ And thou shalt stone him with stones, that he die; because he hath sought to thrust thee away from the LORD thy God, which brought thee out of the land of Egypt, from the house of bondage. ¹¹ And all Israel shall hear, and fear, and shall do no more any such wickedness as this is among you.

Deuteronomy 18:20-22

²⁰ But the prophet, which shall presume to speak a word in my name, which I have not commanded him to speak, or that shall speak in the name of other gods, even that prophet shall die. ²¹ And if thou say in thine heart, How shall we know the word which the LORD hath not spoken? ²² When a prophet speaketh in the name of the LORD, if the thing follow not, nor come to pass, that *is* the thing which the LORD hath not spoken, *but* the prophet hath spoken it presumptuously: thou shalt not be afraid of him.

12. Sacrifice of Children

Leviticus 18:21

And thou shalt not let any of thy seed pass through *the fire* to Molech, neither shalt thou profane the name of thy God: I *am* the LORD.

Deuteronomy 18:9-12

⁹ When thou art come into the land which the LORD thy God giveth thee, thou shalt not learn to do after the abominations of those nations. ¹⁰ There shall not be found among you *any one* that maketh his son or his daughter to pass through the fire, *or* that useth divination, *or* an observer of times, or an enchanter, or a witch, ¹¹ Or a charmer, or a consulter with familiar spirits, or a wizard, or a necromancer. ¹² For all that do these things *are* an abomination unto the LORD: and because of these abominations the LORD thy God doth drive them out from before thee.

13. Punishment if Laws are Not Observed

Numbers 15:22-29

²² And if ye have erred, and not observed all these commandments, which the LORD hath spoken unto Moses, ²³ *Even* all that the LORD hath commanded you by the hand of Moses, from the day that the LORD commanded *Moses*, and henceforward among your generations; ²⁴ Then it shall be, if *ought* be committed by ignorance without the knowledge of the congregation, that all the congregation shall offer one young bullock for a burnt offering, for a sweet savour unto the LORD, with his meat offering, and his drink offering, according to the manner, and one kid of the goats for a sin offering. ²⁵ And the priest shall make an atonement for all the congregation of the children of Israel, and it shall be forgiven them; for it *is* ignorance: and they shall bring their offering, a sacrifice made by fire unto the LORD, and their sin offering before the LORD, for their ignorance: ²⁶ And it shall be forgiven all the congregation of the children of Israel, and the

stranger that sojourneth among them; seeing all the people *were* in ignorance. ²⁷ And if any soul sin through ignorance, then he shall bring a she goat of the first year for a sin offering. ²⁸ And the priest shall make an atonement for the soul that sinneth ignorantly, when he sinneth by ignorance before the LORD, to make an atonement for him; and it shall be forgiven him. ²⁹ Ye shall have one law for him that sinneth through ignorance, *both for* him that is born among the children of Israel, and for the stranger that sojourneth among them.

B. Individual Conduct

1. Love to God and Neighbour

Joshua 23:11

Take good heed therefore unto yourselves, that ye love the LORD your God.

Leviticus 19:18

Thou shalt not avenge, nor bear any grudge against the children of thy people, but thou shalt love thy neighbour as thyself: I *am* the LORD.

2. Reverence and Gratitude

Joshua 24:14

Now therefore fear the LORD, and serve him in sincerity and in truth: and put away the gods which your fathers served on the other side of the flood, and in Egypt; and serve ye the LORD.

3. Covetousness

Exodus 20:17

Thou shalt not covet thy neighbour's house, thou shalt not covet thy neighbour's wife, nor his manservant, nor his

maidservant, nor his ox, nor his ass, nor any thing that *is* thy neighbour's.

4. Lying

Exodus 20:16

Thou shalt not bear false witness against thy neighbour.

5. Cheating

Exodus 20:15

Thou shalt not steal.

6. Honouring Parents

Exodus 20:12

Honour thy father and thy mother: that thy days may be long upon the land which the LORD thy God giveth thee.

Exodus 21:17

And he that curseth his father, or his mother, shall surely be put to death.

7. To Dedicate First Born and First Fruits to Jehovah

Exodus 22:29-30

²⁹ Thou shalt not delay *to offer* the first of thy ripe fruits, and of thy liquors: the firstborn of thy sons shalt thou give unto me. ³⁰ Likewise shalt thou do with thine oxen, *and* with thy sheep: seven days it shall be with his dam; on the eighth day thou shalt give it me.

Exodus 23:16-19

¹⁶ And the feast of harvest, the firstfruits of thy labours, which thou hast sown in the field: and the feast of ingathering, *which is* in the end of the year, when thou hast gathered in thy labours out of the field. ¹⁷ Three times in the year all thy males shall appear before the Lord GOD. ¹⁸ Thou shalt not offer the

blood of my sacrifice with leavened bread; neither shall the fat of my sacrifice remain until the morning. ¹⁹ The first of the firstfruits of thy land thou shalt bring into the house of the LORD thy God. Thou shalt not seethe a kid in his mother's milk.

Deuteronomy 26:1-19

And it shall be, when thou *art* come in unto the land which the LORD thy God giveth thee *for* an inheritance, and possessest it, and dwellest therein; ² That thou shalt take of the first of all the fruit of the earth, which thou shalt bring of thy land that the LORD thy God giveth thee, and shalt put *it* in a basket, and shalt go unto the place which the LORD thy God shall choose to place his name there. ³ And thou shalt go unto the priest that shall be in those days, and say unto him, I profess this day unto the LORD thy God, that I am come unto the country which the LORD sware unto our fathers for to give us. ⁴ And the priest shall take the basket out of thine hand, and set it down before the altar of the LORD thy God. ⁵ And thou shalt speak and say before the LORD thy God, A Syrian ready to perish *was* my father, and he went down into Egypt, and sojourned there with a few, and became there a nation, great, mighty, and populous: ⁶ And the Egyptians evil entreated us, and afflicted us, and laid upon us hard bondage: ⁷ And when we cried unto the LORD God of our fathers, the LORD heard our voice, and looked on our affliction, and our labour, and our oppression: ⁸ And the LORD brought us forth out of Egypt with a mighty hand, and with an outstretched arm, and with great terribleness, and with signs, and with wonders: ⁹ And he hath brought us into this place, and hath given us this land, *even* a land that floweth with milk and honey. ¹⁰ And now, behold, I have brought the firstfruits of the land, which thou, O LORD, hast given me. And thou shalt set it before the LORD thy God, and worship before the LORD thy God: ¹¹ And thou shalt rejoice in every good *thing* which the LORD thy God hath given unto thee, and unto thine house, thou, and the Levite, and the stranger that *is* among you.

¹² When thou hast made an end of tithing all the tithes of thine increase the third year, *which is* the year of tithing, and hast given *it* unto the Levite, the stranger, the fatherless, and the widow, that they may eat within thy gates, and be filled; ¹³ Then thou shalt say before the LORD thy God, I have brought away the hallowed things out of *mine* house, and also have given them unto the Levite, and unto the stranger, to the fatherless, and to the widow, according to all thy commandments which thou hast commanded me: I have not transgressed thy commandments, neither have I forgotten *them*: ¹⁴ I have not eaten thereof in my mourning, neither have I taken away *ought* thereof for *any* unclean *use*, nor given *ought* thereof for the dead: *but* I have hearkened to the voice of the LORD my God, *and* have done according to all that thou hast commanded me. ¹⁵ Look down from thy holy habitation, from heaven, and bless thy people Israel, and the land which thou hast given us, as thou swarest unto our fathers, a land that floweth with milk and honey.

¹⁶ This day the LORD thy God hath commanded thee to do these statutes and judgments: thou shalt therefore keep and do them with all thine heart, and with all thy soul. ¹⁷ Thou hast avouched the LORD this day to be thy God, and to walk in his ways, and to keep his statutes, and his commandments, and his judgments, and to hearken unto his voice: ¹⁸ And the LORD hath avouched thee this day to be his peculiar people, as he hath promised thee, and that *thou* shouldst keep all his commandments; ¹⁹ And to make thee high above all nations which he hath made, in praise, and in name, and in honour; and that thou mayest be an holy people unto the LORD thy God, as he hath spoken.

8. To Act Justly

Deuteronomy 27:9-26

⁹ And Moses and the priests the Levites spake unto all Israel, saying, Take heed, and hearken, O Israel; this day thou art become the people of the LORD thy God. ¹⁰ Thou shalt

therefore obey the voice of the LORD thy God, and do his commandments and his statutes, which I command thee this day.

¹¹ And Moses charged the people the same day, saying, ¹² These shall stand upon mount Gerizim to bless the people, when ye are come over Jordan; Simeon, and Levi, and Judah, and Issachar, and Joseph, and Benjamin: ¹³ And these shall stand upon mount Ebal to curse; Reuben, Gad, and Asher, and Zebulun, Dan, and Naphtali. ¹⁴ And the Levites shall speak, and say unto all the men of Israel with a loud voice, ¹⁵ Cursed *be* the man that maketh *any* graven or molten image, an abomination unto the LORD, the work of the hands of the craftsman, and putteth *it* in a secret *place*. And all the people shall answer and say, Amen. ¹⁶ Cursed *be* he that setteth light by his father or his mother. And all the people shall say, Amen. ¹⁷ Cursed *be* he that removeth his neighbour's landmark. And all the people shall say, Amen. ¹⁸ Cursed *be* he that maketh the blind to wander out of the way. And all the people shall say, Amen. ¹⁹ Cursed *be* he that perverteth the judgment of the stranger, fatherless, and widow. And all the people shall say, Amen. ²⁰ Cursed *be* he that lieth with his father's wife; because he uncovereth his father's skirt. And all the people shall say, Amen. ²¹ Cursed *be* he that lieth with any manner of beast. And all the people shall say, Amen. ²² Cursed *be* he that lieth with his sister, the daughter of his father, or the daughter of his mother. And all the people shall say, Amen. ²³ Cursed *be* he that lieth with his mother in law. And all the people shall say, Amen. ²⁴ Cursed *be* he that smiteth his neighbour secretly. And all the people shall say, Amen. ²⁵ Cursed *be* he that taketh reward to slay an innocent person. And all the people shall say, Amen. ²⁶ Cursed *be* he that confirmeth not *all* the words of this law to do them. And all the people shall say, Amen.

9. To Follow the Law

Deuteronomy 27:1-8

And Moses with the elders of Israel commanded the people, saying, Keep all the commandments which I command you this day. ² And it shall be on the day when ye shall pass over Jordan unto the land which the LORD thy God giveth thee, that thou shalt set thee up great stones, and plaister them with plaister: ³ And thou shalt write upon them all the words of this law, when thou art passed over, that thou mayest go in unto the land which the LORD thy God giveth thee, a land that floweth with milk and honey; as the LORD God of thy fathers hath promised thee. ⁴ Therefore it shall be when ye be gone over Jordan, *that* ye shall set up these stones, which I command you this day, in mount Ebal, and thou shalt plaister them with plaister. ⁵ And there shalt thou build an altar unto the LORD thy God, an altar of stones: thou shalt not lift up *any* iron *tool* upon them. ⁶ Thou shalt build the altar of the LORD thy God of whole stones: and thou shalt offer burnt offerings thereon unto the LORD thy God: ⁷ And thou shalt offer peace offerings, and shalt eat there, and rejoice before the LORD thy God. ⁸ And thou shalt write upon the stones all the words of this law very plainly.

Deuteronomy 29:9-15

⁹ Keep therefore the words of this covenant, and do them, that ye may prosper in all that ye do.

¹⁰ Ye stand this day all of you before the LORD your God; your captains of your tribes, your elders, and your officers, *with* all the men of Israel, ¹¹ Your little ones, your wives, and thy stranger that *is* in thy camp, from the hewer of thy wood unto the drawer of thy water: ¹² That thou shouldest enter into covenant with the LORD thy God, and into his oath, which the LORD thy God maketh with thee this day: ¹³ That he may establish thee to day for a people unto himself, and *that* he may be unto thee a God, as he hath said unto thee, and as he hath sworn unto thy fathers, to Abraham, to Isaac, and to Jacob. ¹⁴ Neither with you only do I make this covenant and

this oath; ¹⁵ But with *him* that standeth here with us this day before the LORD our God, and also with *him* that *is* not here with us this day:

10. Not to Mingle Animals, Seed or Garments

Leviticus 19:19

Ye shall keep my statutes. Thou shalt not let thy cattle gender with a diverse kind: thou shalt not sow thy field with mingled seed: neither shall a garment mingled of linen and woollen come upon thee.

Deuteronomy 22:9,11

⁹ Thou shalt not sow thy vineyard with divers seeds: lest the fruit of thy seed which thou hast sown, and the fruit of thy vineyard, be defiled.

¹¹ Thou shalt not wear a garment of divers sorts, *as* of woollen and linen together.

Deuteronomy 22:5

The woman shall not wear that which pertaineth unto a man, neither shall a man put on a woman's garment: for all that do so *are* abomination unto the LORD thy God.

11. To Wear Reminders of the Law

Deuteronomy 6:4-8

⁴ Hear, O Israel: The LORD our God *is* one LORD: ⁵ And thou shalt love the LORD thy God with all thine heart, and with all thy soul, and with all thy might. ⁶ And these words, which I command thee this day, shall be in thine heart: ⁷ And thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up. ⁸ And thou shalt bind them for a sign upon thine hand, and they shall be as frontlets between thine eyes.

Numbers 15:38-40

³⁸ Speak unto the children of Israel, and bid them that they make them fringes in the borders of their garments throughout their generations, and that they put upon the fringe of the borders a ribband of blue: ³⁹ And it shall be unto you for a fringe, that ye may look upon it, and remember all the commandments of the LORD, and do them; and that ye seek not after your own heart and your own eyes, after which ye use to go a whoring: ⁴⁰ That ye may remember, and do all my commandments, and be holy unto your God.

CHAPTER IV

HUMANE LAWS

A. Duties Toward Persons

1. To Widows and Orphans

Exodus 22:22-24

²² Ye shall not afflict any widow, or fatherless child. ²³ If thou afflict them in any wise, and they cry at all unto me, I will surely hear their cry; ²⁴ And my wrath shall wax hot, and I will kill you with the sword; and your wives shall be widows, and your children fatherless.

2. To Neighbours

Leviticus 19:13

Thou shalt not defraud thy neighbour, neither rob *him*: the wages of him that is hired shall not abide with thee all night until the morning.

Leviticus 19:16-18

¹⁶ Thou shalt not go up and down *as* a talebearer among thy people: neither shalt thou stand against the blood of thy neighbour: I *am* the LORD. ¹⁷ Thou shalt not hate thy brother in thine heart: thou shalt in any wise rebuke thy neighbour, and not suffer sin upon him. ¹⁸ Thou shalt not avenge, nor bear any grudge against the children of thy people, but thou shalt love thy neighbour as thyself: I *am* the LORD.

3. To the Poor

Exodus 22:25-27

²⁵ If thou lend money to *any of* my people *that is* poor by thee, thou shalt not be to him as an usurer, neither shalt thou lay upon him usury. ²⁶ If thou at all take thy neighbour's raiment to pledge, thou shalt deliver it unto him by that the sun goeth down: ²⁷ For that *is* his covering only, it *is* his raiment for his skin: wherein shall he sleep? and it shall come to pass, when he crieth unto me, that I will hear; for I *am* gracious.

Leviticus 25:47-49

⁴⁷ And if a sojourner or stranger wax rich by thee, and thy brother *that dwelleth* by him wax poor, and sell himself unto the stranger *or* sojourner by thee, or to the stock of the stranger's family: ⁴⁸ After that he is sold he may be redeemed again; one of his brethren may redeem him: ⁴⁹ Either his uncle, or his uncle's son, may redeem him, or *any* that is nigh of kin unto him of his family may redeem him; or if he be able, he may redeem himself.

4. To Sojourners

Exodus 22:21

Thou shalt neither vex a stranger, nor oppress him: for ye were strangers in the land of Egypt.

Leviticus 19:33-34

³³ And if a stranger sojourn with thee in your land, ye shall not vex him. ³⁴ *But* the stranger that dwelleth with you shall be unto you as one born among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt: I *am* the LORD your God.

Leviticus 25:47-55

⁴⁷ And if a sojourner or stranger wax rich by thee, and thy brother *that dwelleth* by him wax poor, and sell himself unto the stranger *or* sojourner by thee, or to the stock of the

stranger's family: ⁴⁸ After that he is sold he may be redeemed again; one of his brethren may redeem him: ⁴⁹ Either his uncle, or his uncle's son, may redeem him, or *any* that is nigh of kin unto him of his family may redeem him; or if he be able, he may redeem himself. ⁵⁰ And he shall reckon with him that bought him from the year that he was sold to him unto the year of jubile: and the price of his sale shall be according unto the number of years, according to the time of an hired servant shall it be with him. ⁵¹ If *there be* yet many years *behind*, according unto them he shall give again the price of his redemption out of the money that he was bought for. ⁵² And if there remain but few years unto the year of jubile, then he shall count with him, *and* according unto his years shall he give him again the price of his redemption. ⁵³ *And* as a yearly hired servant shall he be with him: *and the other* shall not rule with rigour over him in thy sight. ⁵⁴ And if he be not redeemed in these *years*, then he shall go out in the year of jubile, *both* he, and his children with him. ⁵⁵ For unto me the children of Israel *are* servants; they *are* my servants whom I brought forth out of the land of Egypt: I *am* the LORD your God.

Numbers 9:14

And if a stranger shall sojourn among you, and will keep the passover unto the LORD; according to the ordinance of the passover, and according to the manner thereof, so shall he do: ye shall have one ordinance, both for the stranger, and for him that was born in the land.

5. To the Needy and Defenceless

Exodus 22:22-24

²² Ye shall not afflict any widow, or fatherless child. ²³ If thou afflict them in any wise, and they cry at all unto me, I will surely hear their cry; ²⁴ And my wrath shall wax hot, and I will kill you with the sword; and your wives shall be widows, and your children fatherless.

Exodus 23:9

Also thou shalt not oppress a stranger: for ye know the heart of a stranger, seeing ye were strangers in the land of Egypt.

Leviticus 19:9-10

⁹ And when ye reap the harvest of your land, thou shalt not wholly reap the corners of thy field, neither shalt thou gather the gleanings of thy harvest. ¹⁰ And thou shalt not glean thy vineyard, neither shalt thou gather *every* grape of thy vineyard; thou shalt leave them for the poor and stranger: I *am* the LORD your God.

Leviticus 23:22

And when ye reap the harvest of your land, thou shalt not make clean riddance of the corners of thy field when thou reapest, neither shalt thou gather any gleanings of thy harvest: thou shalt leave them unto the poor, and to the stranger: I *am* the LORD your God.

6. To Slaves and Servants

Deuteronomy 15:16-18

¹⁶ And it shall be, if he say unto thee, I will not go away from thee; because he loveth thee and thine house, because he is well with thee; ¹⁷ Then thou shalt take an aul, and thrust *it* through his ear unto the door, and he shall be thy servant for ever. And also unto thy maidservant thou shalt do likewise. ¹⁸ It shall not seem hard unto thee, when thou sendest him away free from thee; for he hath been worth a double hired servant *to thee*, in serving thee six years: and the LORD thy God shall bless thee in all that thou doest.

7. Reverence for the Aged

Leviticus 19:32

Thou shalt rise up before the hoary head, and honour the face of the old man, and fear thy God: I *am* the LORD.

8. To Construct Battlement

Deuteronomy 22:8

When thou buildest a new house, then thou shalt make a battlement for thy roof, that thou bring not blood upon thine house, if any man fall from thence.

9. Gleanings

Deuteronomy 24:19-22

¹⁹ When thou cuttest down thine harvest in thy field, and hast forgot a sheaf in the field, thou shalt not go again to fetch it: it shall be for the stranger, for the fatherless, and for the widow: that the LORD thy God may bless thee in all the work of thine hands. ²⁰ When thou beatest thine olive tree, thou shalt not go over the boughs again: it shall be for the stranger, for the fatherless, and for the widow. ²¹ When thou gatherest the grapes of thy vineyard, thou shalt not glean *it* afterward: it shall be for the stranger, for the fatherless, and for the widow. ²² And thou shalt remember that thou wast a bondman in the land of Egypt: therefore I command thee to do this thing.

Leviticus 23:22

And when ye reap the harvest of your land, thou shalt not make clean riddance of the corners of thy field when thou reapest, neither shalt thou gather any gleaning of thy harvest: thou shalt leave them unto the poor, and to the stranger: *I am* the LORD your God.

10. Sharing Offerings

Deuteronomy 12:17-19

¹⁷ Thou mayest not eat within thy gates the tithe of thy corn, or of thy wine, or of thy oil, or the firstlings of thy herds or of thy flock, nor any of thy vows which thou vowest, nor thy freewill offerings, or heave offering of thine hand: ¹⁸ But thou must eat them before the LORD thy God in the place which the LORD thy God shall choose, thou, and thy son, and

thy daughter, and thy manservant, and thy maidservant, and the Levite that *is* within thy gates: and thou shalt rejoice before the LORD thy God in all that thou puttest thine hands unto. ¹⁹Take heed to thyself that thou forsake not the Levite as long as thou livest upon the earth.

B. Kindness to Animals

1. Beasts of Burden

Exodus 23:5

If thou see the ass of him that hateth thee lying under his burden, and wouldest forbear to help him, thou shalt surely help with him.

Exodus 20:10

But the seventh day *is* the sabbath of the LORD thy God: *in it* thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that *is* within thy gates:

Proverbs 12:10

A righteous *man* regardeth the life of his beast: but the tender mercies of the wicked *are* cruel.

2. The Threshing Ox

Deuteronomy 25:4

Thou shalt not muzzle the ox when he treadeth out *the* corn.

3. Wild Animals

Psalm 84:3,4

³Yea, the sparrow hath found an house, and the swallow a nest for herself, where she may lay her young, *even* thine altars, O LORD of hosts, my King, and my God. ⁴Blessed *are*

they that dwell in thy house: they will be still praising thee.
Selah.

Psalm 104:16,17,21

¹⁶ The trees of the LORD are full *of sap*; the cedars of Lebanon, which he hath planted; ¹⁷ Where the birds make their nests: *as for* the stork, the fir trees *are* her house.

²¹ The young lions roar after their prey, and seek their meat from God.

Exodus 23:11

But the seventh *year* thou shalt let it rest and lie still; that the poor of thy people may eat: and what they leave the beasts of the field shall eat. In like manner thou shalt deal with thy vineyard, *and* with thy oliveyard.

4. Mother and Young

Deuteronomy 22:6,7

⁶ If a bird's nest chance to be before thee in the way in any tree, or on the ground, *whether they be* young ones, or eggs, and the dam sitting upon the young, or upon the eggs, thou shalt not take the dam with the young: ⁷ *But* thou shalt in any wise let the dam go, and take the young to thee; that it may be well with thee, and *that* thou mayest prolong *thy* days.

Leviticus 22:27,28

²⁷ When a bullock, or a sheep, or a goat, is brought forth, then it shall be seven days under the dam; and from the eighth day and thenceforth it shall be accepted for an offering made by fire unto the LORD. ²⁸ And *whether it be* cow or ewe, ye shall not kill it and her young both in one day.

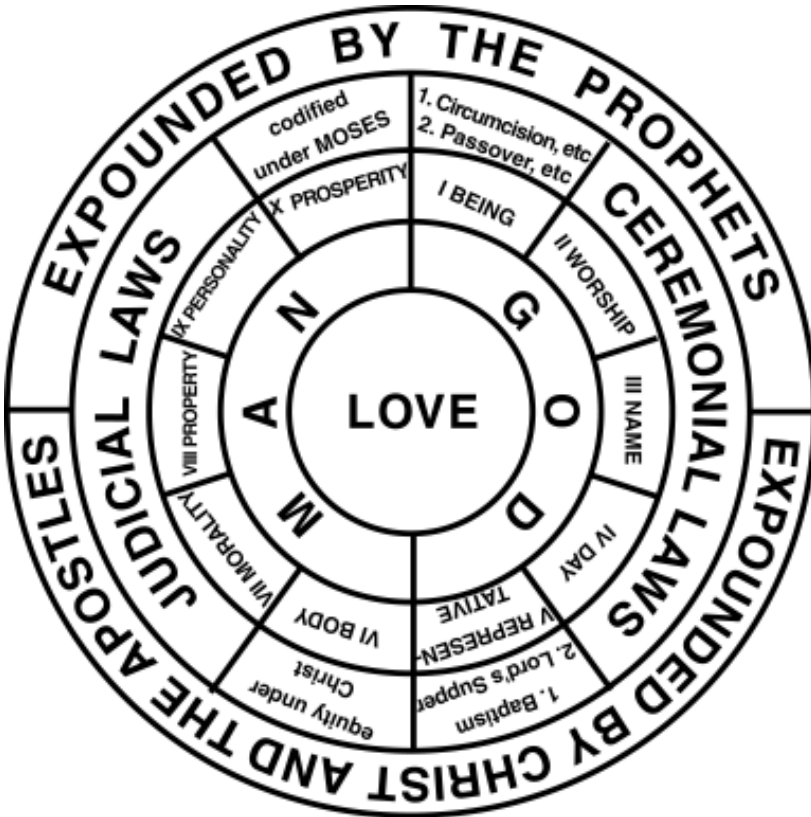
5. Return of Strays

Exodus 23:4

If thou meet thine enemy's ox or his ass going astray, thou shalt surely bring it back to him again.

Deuteronomy 22:1

Thou shalt not see thy brother's ox or his sheep go astray, and hide thyself from them: thou shalt in any case bring them again unto thy brother.



The LAW OF MOSES
 Comprehended Under
 the TWO GREAT COMMANDMENTS
 Matt. 22:37ff.



THERE IS INDEED a true law, right reason, conformable to nature, diffused among all, unchanging, eternal, which, by commanding, urges to duty; by prohibiting, deters from fraud; not in vain commanding or prohibiting the good, though by neither moving the wicked. This law cannot be abrogated, nor may anything be withdrawn from it; it is in the power of no senate or people to set us free from it; nor is there to be sought any extraneous teacher or interpreter of it. It shall not be one law at Rome, another at Athens; one now, another at some future time; but one law, alike eternal and unchangeable, shall bind all nations and through all time; and one shall be the common teacher, as it were, and governor of all — God, who is Himself the Author, the Administrator, and Enactor of this law

— Cicero in *De Republica*



Far Eastern Bible College Press

9A Gilstead Road, Singapore 309063

Tel: (65) 2569256 Fax: (65) 2506955

Email: febc@pacific.net.sg

Internet: <http://www.lifefebc.com>

ISBN 981-04-5406-6