

January 16 Lesson 7 (NIV)

JUSTICE AND FAIRNESS

DEVOTIONAL READING: Exodus 23:1–12

BACKGROUND SCRIPTURE: Exodus 23

EXODUS 23:1–12

¹ “Do not spread false reports. Do not help a guilty person by being a malicious witness.

² “Do not follow the crowd in doing wrong. When you give testimony in a lawsuit, do not pervert justice by siding with the crowd, ³ and do not show favoritism to a poor person in a lawsuit.

⁴ “If you come across your enemy’s ox or donkey wandering off, be sure to return it. ⁵ If you see the donkey of someone who hates you fallen down under its load, do not leave it there; be sure you help them with it.

⁶ “Do not deny justice to your poor people in their lawsuits. ⁷ Have nothing to do with a false charge and do not put an innocent or honest person to death, for I will not acquit the guilty.

⁸ “Do not accept a bribe, for a bribe blinds those who see and twists the words of the innocent.

⁹ “Do not oppress a foreigner; you yourselves know how it feels to be foreigners, because you were foreigners in Egypt.

¹⁰ “For six years you are to sow your fields and harvest the crops, ¹¹ but during the seventh year let the land lie unplowed and unused. Then the poor among your people may get food from it, and the wild animals may eat what is left. Do the same with your vineyard and your olive grove.

¹² “Six days do your work, but on the seventh day do not work, so that your ox and your donkey may rest, and so that the slave born in your household and the foreigner living among you may be refreshed.”

KEY TEXT

Do not follow the crowd in doing wrong. When you give testimony in a lawsuit, do not pervert justice by siding with the crowd, and do not show favoritism to a poor person in a lawsuit.— Exodus 23:2–3

JUSTICE, LAW, HISTORY

Unit 2: God: The Source of Justice

LESSONS 5–9

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- B. Prayer
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HOW TO SAY IT

Français (*French*)Fraun-say.

parlez-vous (*French*)par-lay-voo.

SeptuagintSep-too-ih-jent.

Introduction

A. Law from a Loving God

“Meet your new family,” said the judge to Bill and Rosa. For the previous year or so, the couple had welcomed into their home three siblings under age 5. Finally the adoption process was complete. As the courtroom erupted in applause by members of their church family, Bill and Rosa took their three little children in their arms. The smiles on every face and tears in every eye signaled the power of justice and love. Law and family worked together for the improvement of lives.

All nations and cultures have vulnerable people, often those who are very young or very old. All cultures develop ways of caring for such people. The Bible has much to say in this regard as it directs our actions—individually and corporately—toward the benefit of everyone we encounter.

B. Lesson Context

To understand the laws under consideration in today's text, we must pay attention to their contexts (plural). On a larger scale, Exodus 21–23 is often called the Covenant Code because it gives foundational rules for ancient Israel's corporate life. In other words, the laws reflect how people were to conduct themselves in typical, everyday situations. This collection of laws is the basis of longer discussions in Leviticus 17–27 and Deuteronomy 12–26.

Within Exodus, the Covenant Code comes immediately after the Ten Commandments. While that shorter list includes 10 distinct laws, expressed for easy memorization, the longer list of the Covenant Code repeats itself and arranges topics more by association (“speaking of X, consider also Y”). That sort of organization appears in today's lesson.

The sequence of the laws influences meaning. Readers should not think of them as sound bites but as a web of required behaviors that collectively reflected the character of those practicing them.

On a smaller scale, today's text of Exodus 23:1–12 concentrates on issues of justice. Verses 1–9 fit closely with the end of chapter 22, while verses 10–12 open up a discussion of the proper use of time for worship and rest. The two major sections of the text at hand use the same sort of lock-and-key organizational technique common in Israelite legal texts and in the book of Proverbs. That is, several statements on obviously related themes follow each other. Then the topic seems to change, and then it returns to the original subject.

This pattern challenges the reader to see previously unconsidered dimensions of both the main idea on the ends of the list and a seemingly different idea wedged into the middle. In this case, Exodus 23:4–5 seems to change the subject covered in verses 1–3 and 6–8, all of which feature a courtroom setting. Verses 4–5 envision encounters out in the field or on the road. The apparent change of topics reminds the reader that lying in court does not occur in the abstract but at the expense of real people and relationships. Conversely, the text's connection between judicial proceedings and ordinary helpfulness toward enemies reminds the reader that even the most mundane incidents of life have wider societal implications.

These laws apply concretely the more general command to “love your neighbor as yourself” (Leviticus 19:18). Since people tend to extend greatest love to friends and family members while treating others less favorably, the Law of Moses identifies classes of people who deserved respect in the Israelites' interactions with them. The law does not allow for rationalizing, self-indulgence, or sanctimonious self-justification. Rather, it demanded that the Israelites take seriously their status as peers with all other human beings and as fellow subjects of their Creator. This fact is reflected in the apostle Paul's statement that “whoever loves others has fulfilled the law” (Romans 13:8).

These laws also assumed that the Israelites *wanted* to be people of integrity. The Israelites should have wanted to act justly, even when pushed to do otherwise or when conflict made them want to take personal revenge. They were to have recognized their own faults and temptations to misbehavior and take steps to correct them.

I. Justice in Court and Home

(EXODUS 23:1–8)

A. Rules of Due Process, Part 1 (vv. 1–3)

1. “Do not spread false reports. Do not help a guilty person by being a malicious witness.

The first law in the chain prohibits giving *false reports* (also known as perjury) in court. The two halves of the verse do not merely say the same thing, however. The first clause offers a general command against lying such as would harm another person (compare Exodus 20:16; Deuteronomy 5:20), while the second clause addresses a subset of the first clause in forbidding conspiracy to commit perjury. Cooperating with others to harm a third party undermines any justice system and leads to societal conflict and violence. When a legal system is corrupt, everyone eventually suffers (compare 1 Kings 21:8–14 and Matthew 26:59–60).

2. “Do not follow the crowd in doing wrong. When you give testimony in a lawsuit, do not pervert justice by siding with the crowd,

The first clause states a general requirement: an ancient Israelite was not to determine correct behavior by what everyone else was doing. The specific reference may be to mob action (compare Acts 7:57–58; 17:5); at the least it refers to a crowd mentality that perpetuated common prejudices that denied the divinely determined rights of others.

The meaning of the second clause is more obscure. The Hebrew verb translated *pervert* occurs a second time, translated *siding with*, to create a memorable play on words that is difficult for translators. The verb used by the ancient Greek translation called the Septuagint occurs in the New Testament three times: in Romans 3:12; 16:17; and 1 Peter 3:11—all implying a departure or turning of some sort. The verse at hand seems to say the same thing twice, though the second clause narrows possible interpretations of the first clause to fit in the ongoing discussion of these verses.

3. “and do not show favoritism to a poor person in a lawsuit.

The law forbids bending the legal system, even when it seems to level the playing field. Judges must decide cases solely on the evidence. Leviticus 19:15 repeats the verb translated *show favoritism* in affirming the flip side of the coin: that judges were not to “show ... favoritism to the great” in legal proceedings. See Exodus 23:6, below.

B. Helping an Enemy (vv. 4–5)

4. “If you come across your enemy’s ox or donkey wandering off, be sure to return it.

This verse and the next assume that people have enemies. In envisioning ideals, the law is also practical. Even when a person is hated, Israelites were not to hate and be vindictive in return. Jesus’ call to pray for enemies and resist repaying evil for evil (Matthew 5:43–48) makes a general statement about a principle that was already in the law.

In agricultural societies like that of ancient Israel, beasts of burden provided labor for plowing and threshing, dung for fuel, transportation for family members, etc. For a poor farming family,

the loss of one such animal would create a major financial hardship. On the other hand, rustling allowed poor people to add to their assets at the expense of others. In a time when 98 percent of people farmed, the residents of farming villages had to help each other survive and flourish as they exhibited the love and holiness of God to one another.

5. “If you see the donkey of someone who hates you fallen down under its load, do not leave it there; be sure you help them with it.

The law depicted four phases of a decision-making process: (1) spotting an animal in difficulty, (2) realizing that it belonged to an enemy, (3) checking one’s own motives, and (4) deciding to help despite the underlying personal relationship. The law did not state how the animal’s owner might be identified as such. Was the owner present? Or did living in close quarters in the village make the identification possible? The law exhibited no concern for that detail; the law made an absolute demand on the Israelites. No matter how sorely tempted one was to avoid helping an enemy, concerns for the animal’s welfare, societal harmony, and honoring God dictated giving assistance.

The last part of the verse can be interpreted in several ways. One interpretation might be “you shall *surely* leave [it] with him.” More broadly, the line implies that the person obedient to the law was not to take advantage of the animal’s (and the enemy’s) distress.

Jesus later built on this and similar laws in his disputes about doing good on the Sabbath. If Jesus’ opponents would rescue a trapped animal on the Sabbath, how much more should they help a fellow human being (Matthew 12:9–14; see also Luke 14:1–6; John 5:1–18)!

C. Rules of Due Process, Part 2 (vv. 6–8)

6. “Do not deny justice to your poor people in their lawsuits.

While Exodus 23:3 banned the Israelites’ favoring a *poor* person in legal proceedings merely because of his or her poverty, the verse before us forbids the opposite. Considered alongside Leviticus 19:15, God’s rule is clear: that anyone involved in a dispute, especially a witness or a judge, must decide fairly without regard to external factors such as the socioeconomic status of the persons involved.

7a. “Have nothing to do with a false charge

People are often inclined to get as close as possible to the line separating truth telling from lying without actually crossing that line. Think of how often we have heard (and voiced) half-truths, or quotes of others out of context. And what about a lack of being forthcoming when questioned! But the command here broadly required an Israelite to stay far away from deception.

7b. “and do not put an innocent or honest person to death,

This part of the verse moves from deceptive speaking to murder of those undeserving of death. By setting the two forbidden actions side by side, the verse reminds readers of the potential for abusive situations to escalate.

7c. “for I will not acquit the guilty.

This declaration offers a reason to keep God’s laws. He had extended mercy to Israel by delivering them from heartless Egyptian slavery. Thus the Israelites dare not become a heartless

society themselves (compare Matthew 18:23–35). God will not cheapen his gift of redemption by turning a blind eye on wickedness.

8. “Do not accept a bribe, for a bribe blinds those who see and twists the words of the innocent.

Like intimidating witnesses or lying in open court, bribery can negatively affect the outcome of any dispute. The word translated *bribe* appears 26 times across 24 verses in the Old Testament that results in injustice against an innocent party (example: 1 Samuel 8:3). Centuries later, prophets would complain often and loudly about judicial corruption traceable to bribery (Isaiah 1:23; Amos 5:12; Micah 3:11; etc.). Bribery can be thought of as purchasing a certain outcome in court. Such a “purchase” may go as far as ensuring the slaying of an innocent person. (Deuteronomy 27:25 explicitly connects the two.) Thus these bribery texts imply the threat that this corrupt practice posed to the entire social structure of ancient Israel (compare Proverbs 15:27). And sometimes the bribery texts emphasize God’s dismay at such behavior, since God has called on Israel to imitate the divine justice extended to all of them (see Ezekiel 22:12).

The verse before us is unusual, however, in its reason for avoiding bribery: such an action corrupts the very character of the ones involved. A judge receiving a bribe abandons the very qualification for being a judge: wisdom. A temporary advantage, gained to the detriment of others, can corrode the very soul of the person gaining that advantage, as well as harming many others. And a system that tolerates such behavior sooner or later decays into conflict as distrust builds.

II. Justice in Economic Matters

(EXODUS 23:9–12)

A. Care for Migrants (v. 9)

9a. “Do not oppress a foreigner;

A foreigner living away from his or her homeland is often without the support system of family and friends. In ancient Israel, as in most nations before modern times, the extended family or clan was the basic unit of social organization. Family units provided financial, physical, and emotional support for their members. The migrant might have no support system. Therefore laws were needed to protect that person.

9b. “you yourselves know how it feels to be foreigners, because you were foreigners in Egypt.

For this analogy to make sense, the hypothetical *foreigners* in the first clause must be non-Israelites. Many migrants must have been refugees, given the many wars in the history of the Middle East. Because Israel’s collective memory centered around its experiences in Egyptian bondage, the core story of the Israelites—individually and collectively—had to show empathy toward similarly vulnerable people, honoring their divinely given rights (compare Exodus 23:8, above).

Laws protecting foreigners appear several times in Exodus. The Ten Commandments protected them during the observance of the Sabbath, when they also may rest (Exodus 20:10; compare Deuteronomy 5:14). Exodus 22:21–24 links them with widows and orphans as vulnerable people lacking family ties and, therefore, social protection. A legal case between a

foreigner and an Israelite was to be judged just as if the case was between two Israelites (Deuteronomy 1:16). The law forbade mistreating them, threatening divine punishment of those who did so.

B. The Sabbatical Year (vv. 10–11)

10–11. “For six years you are to sow your fields and harvest the crops, but during the seventh year let the land lie unplowed and unused. Then the poor among your people may get food from it, and the wild animals may eat what is left. Do the same with your vineyard and your olive grove.

It is unclear whether this law required all land to lie fallow in *the seventh year*, or if a rotation of crops should occur. Nor is it clear whether allowing the land to remain *unplowed* means not harvesting the field in addition to not even planting it. Ambiguities here receive greater clarity in Leviticus 25:1–7, which is a sort of commentary on this earlier text. Leviticus expressly forbade sowing any seed during the seventh year.

The owners of the *land* should have stored a year’s worth of food for their families, allowing any surpluses to go to *poor, landless people*. The last part of verse 11 closes a possible loophole, so that not only fields but also vineyards and olive groves must not be harvested. These three major food sources (for bread, wine, and olive oil), constituted the core of the Israelite diet, and so the law aimed at comprehensiveness. Relying on God’s generosity for large parts of the food supply would allow those keeping the law to live in solidarity with each other regardless of income. They all must trust in God’s care for them.

C. The Sabbath Day (v. 12)

12. “Six days do your work, but on the seventh day do not work, so that your ox and your donkey may rest, and so that the slave born in your household and the foreigner living among you may be refreshed.”

Six days here echoes the six years of verse 10. The law of the Sabbath Day (*the seventh day*) here returns to the theme of helping domesticated animals, as seen in verses 4–5. In this instance, the help is *rest* rather than some other active intervention.

This text differs from the Sabbath laws in the Ten Commandments (Exodus 20:8–11; Deuteronomy 5:12–15) in two ways. First, the verse before us does not give a warrant for the law (elsewhere justified by referring to the creation of the world or to God’s deliverance of Israel in the exodus). And second, it does not command the recipient’s family to rest. That latter point went without saying, while the former points to the fact that the Ten Commandments, despite their brevity, richly develop important details.

This version of the Sabbath law does name those members of the household most vulnerable to self-centered action on the part of the family head. So, *the slave born in your household* as well as *the foreigner* living with the family had the right to rest just as much as did the citizens of Israel.

Conclusion

A. Seeking Justice

One of the most powerful treatments of the nature of God appears in Exodus. It contains a richly layered set of stories exploring the question “What sort of God do we have in our midst?” This story lies behind all of Israel’s laws. Rather than creating a long philosophical discussion on God, the scroll of Exodus weaves together stories about divine actions and conversations around them. As it reveals a God who practices a radical commitment to mercy, Exodus does not avoid the challenges that belief in a redeemer God poses.

The 600-plus laws in the Old Testament do not address every imaginable circumstance. Even so, they lay out enough specific examples to allow thinking people to figure out how to act in situations not explicitly named. The Law of Moses invites reflection. Those following it ask questions that will shape commitments and attitudes for a lifetime.

A remarkable feature of today’s church in much of the Western world is its distance from the poorest among us. American Christians, in particular, often seem to live in a bubble. Wealth is taken as proof of God’s blessing, which can lead us to blame others for their alleged failures if they do not obtain it. We are slow to acknowledge how decisions of past generations still affect people’s lives. And those most vulnerable pay the price for that self-deception.

The Law of Moses, while aimed at the people of Israel, offers guiding principles for the church as well. Life together requires practical actions that show love for difficult people. In this way, we can fulfill the law: to love our God, and to love both neighbors and enemies, wherever they are found.

B. Prayer

Father, continue to teach us to be generous to our enemies, loyal to our friends, honest in all our dealings, and compassionate toward all in need. Make us people who always treat the poor with respect and care. In Jesus’ name we pray. Amen.

C. Thought to Remember

Drawing near to God requires caring for others.¹

¹