

CHAPTER 22

The laws of this chapter relate,

- I.** To the eighth commandment, concerning theft (v. 1-4), trespass by cattle (v. 5), damage by fire (v. 6), trusts (v. 7-13), borrowing cattle (v. 14, 15), or money (v. 25-27).
- II.** To the seventh commandment. Against fornication (v. 16, 17), bestiality (v. 19).
- III.** To the first table, forbidding witchcraft (v. 18), idolatry (v. 20). Commanding to offer the firstfruits (v. 29, 30).
- IV.** To the poor (v. 21-24).
- V.** To the civil government (v. 28).
- VI.** To the peculiarity of the Jewish nation (v. 31).

EXODUS 22:1-6

JUDICIAL LAWS

Here are the laws,

I. Concerning theft, which are these: —

1. If a man steal any cattle (in which the wealth of those times chiefly consisted), and they be found in his custody, he must restore double, v. 4. Thus he must both satisfy for the wrong and suffer for the crime. But it was afterwards provided that if the thief were touched in conscience, and voluntarily confessed it, before it was discovered or enquired into by any other, then he should only make restitution of what he had stolen, and add to it a fifth part, ~~1001~~ Leviticus 6:4, 5.

2. If he had killed or sold the sheep or ox he had stolen, and thereby persisted in his crime, he must restore *five oxen for an ox, and four sheep for a sheep* (v. 1), more for an ox than for a sheep because the owner, besides all the other profit, lost the daily labour of his ox. This law teaches us that fraud and injustice, so far from enriching men, will impoverish

them: if we unjustly get and keep that which is another's, it will not only waste itself, but it will consume that which is our own.

3. If he was not able to make restitution, he must be sold for a slave, v. 3. The court of judgment was to do it, and it is probable that the person robbed had the money. Thus with us, in some cases, felons are transported into plantations where alone Englishmen know what slavery is.

4. If a thief broke a house in the night, and was killed in the doing of it, his blood was upon his own head, and should not be required at the hand of him that shed it, v. 2. As he that does an unlawful act bears the blame of the mischief that follows to others, so likewise of that which follows to himself. A man's house is his castle, and God's law, as well as man's, sets a guard upon it; he that assaults it does so at his peril. Yet, if it was in the day-time that the thief was killed, he that killed him must be accountable for it (v. 3), unless it was in the necessary defence of his own life. Note, We ought to be tender of the lives even of bad men; the magistrate must afford us redress, and we must not avenge ourselves.

II. Concerning trespass, v. 5. He that wilfully put his cattle into his neighbour's field must make restitution of the best of his own. Our law makes a much greater difference between this and other thefts than the law of Moses did. The Jews hence observed it as a general rule that restitution must always be made of the best, and that no man should keep any cattle that were likely to trespass upon his neighbours or do them any damage. We should be more careful not to do wrong than not to suffer wrong, because to suffer wrong is only an affliction, but to do wrong is a sin, and sin is always worse than affliction.

III. Concerning damage done by fire, v. 6. He that designed only the burning of thorns might become accessory to the burning of corn, and should not be held guiltless. Men of hot and eager spirits should take heed, lest, while they pretend only to pluck up the tares, they root out the wheat also. If the fire did mischief, he that kindled it must answer for it, though it could not be proved that he designed the mischief. Men must suffer for their carelessness, as well as for their malice. We must take heed of beginning strife; for, though it seem but little, we know not how great a matter it may kindle, the blame of which we must bear, if, with the madman, we cast fire-brands, arrows, and death, and pretend we mean no harm. It will make us very careful of ourselves, if we consider that we are

accountable, not only for the hurt we do, but for the hurt we occasion through inadvertency.

~~1217~~ EXODUS 22:7-15

JUDICIAL LAWS

These laws are,

I. Concerning trusts, v. 7-13. If a man deliver goods, suppose to a carrier to be conveyed, or to a warehouse-keeper to be preserved, or cattle to a farmer to be fed, upon a valuable consideration, and if a special confidence be reposed in the person they are lodged with, in case these goods be stolen or lost, perish or be damaged, if it appear that it was not by any fault of the trustee, the owner must stand to the loss, otherwise he that has been false to this trust must be compelled to make satisfaction. The trustee must aver his innocence upon oath before the judges, if the case was such as afforded no other proof, and they were to determine the matter according as it appeared. This teaches us,

1. That we ought to be very careful of every thing we are entrusted with, as careful of it, though it be another's, as if it were our own. It is unjust and base, and that which all the world cries shame on, to betray a trust.

2. That there is such a general failing of truth and justice upon earth as gives too much occasion to suspect men's honesty whenever it is their interest to be dishonest.

3. That *an oath for confirmation is an end of strife*, ~~306~~ Hebrews 6:16. It is called an *oath for the Lord* (v. 11), because to him the appeal is made, not only as to a witness of truth, but as to an avenger of wrong and falsehood. Those that had offered injury to their neighbour by doing any unjust thing, yet, it might be hoped, had not so far debauched their consciences as to profane an oath of the Lord, and call the God of truth to be witness to a lie: perjury is a sin which natural conscience startles at as much as any other. The religion of an oath is very ancient, and a plain indication of the universal belief of a God, and a providence, and a judgment to come.

4. That magistracy is an ordinance of God, designed, among other intentions, to assist men both in discovering rights disputed and recovering

rights denied; and great respect ought to be paid to the determination of the judges.

5. That there is no reason why a man should suffer for that which he could not help: masters should consider this, in dealing with their servants, and not rebuke that as a fault which was a mischance, and which they themselves, had they been in their servants' places, could not have prevented.

II. Concerning loans, v. 14, 15. If a man (suppose) lent his team to his neighbour, if the owner was with it, or was to receive profit for the loan of it, whatever harm befel the cattle the owner must stand to the loss of: but if the owner was so kind to the borrower as to lend it to him gratis, and put such a confidence in him as to trust it from under his own eye, then, if any harm happened, the borrower must make it good. Let us learn hence to be very careful not to abuse any thing that is lent us; it is not only unjust, but base and disingenuous, inasmuch as it is rendering evil for good; we should much rather choose to lose ourselves than that any should sustain loss by their kindness to us. *Alas, master! for it was borrowed,* ^{<1185>}2 Kings 6:5.

~~<1226>~~ EXODUS 22:16-24

JUDICIAL LAWS

Here is,

I. A law that he who debauched a young woman should be obliged to marry her, v. 16, 17. If she was betrothed to another, it was death to debauch her (^{<1623>}Deuteronomy 22:23, 24); but the law here mentioned respects her as single. But, if the father refused her to him, he was to give satisfaction in money for the injury and disgrace he had done her. This law puts an honour upon marriage and shows likewise how improper a thing it is that children should marry without their parents' consent: even here, where the divine law appointed the marriage, both as a punishment to him that had done wrong and a recompence to her that had suffered wrong, yet there was an express reservation for the father's power; if he denied his consent, it must be no marriage.

II. A law which makes witchcraft a capital crime, v. 18. Witchcraft not only gives that honour to the devil which is due to God alone, but bids defiance to the divine Providence, wages war with God's government, and puts his work into the devil's hand, expecting him to do good and evil, and so making him indeed *the god of this world*; justly therefore was it punished with death, especially among a people that were blessed with a divine revelation, and cared for by divine Providence above any people under the sun. By our law, consulting, covenanting with, invoking, or employing, any evil spirit, to any intent whatsoever, and exercising any enchantment, charm, or sorcery, whereby hurt shall be done to any person whatsoever, is made felony, without benefit of clergy; also pretending to tell where goods lost or stolen may be found, or the like, is an iniquity punishable by the judge, and the second offence with death. The justice of our law herein is supported by the law of God recorded here.

III. Unnatural abominations are here made capital; such beasts in the shape of men as are guilty of them are unfit to live (v. 19): *Whosoever lies with a beast shall die.*

IV. Idolatry is also made capital, v. 20. God having declared himself jealous in this matter, the civil powers must be jealous in it too, and utterly destroy those persons, families, and places of Israel, that worshipped any god, save the Lord: this law might have prevented the woeful apostasies of the Jewish nation in after times, if those that should have executed it had not been ringleaders in the breach of it.

V. A caution against oppression. Because those who were empowered to punish other crimes were themselves most in danger of this, God takes the punishing of it into his own hands.

1. Strangers must not be abused (v. 21), not wronged in judgment by the magistrates, not imposed upon in contracts, nor must any advantage be taken of their ignorance or necessity; no, nor must they be taunted, trampled upon, treated with contempt, or upbraided with being strangers; for all these were vexations, and would discourage strangers from coming to live among them, or would strengthen their prejudices against their religion, to which, by all kind and gentle methods, they should endeavour to proselyte them. The reason given why they should be kind to strangers is, "*You were strangers in Egypt, and knew what it was to be vexed and oppressed there,*" Note,

(1.) Humanity is one of the laws of religion, and obliges us particularly to be tender of those that lie most under disadvantages and discouragements, and to extend our compassionate concern to strangers, and those to whom we are not under the obligations of alliance or acquaintance. Those that are strangers to us are known to God, and he preserves them, ⁴¹⁸⁹Psalm 146:9.

(2.) Those that profess religion should study to oblige strangers, that they may thereby recommend religion to their good opinion, and take heed of doing any thing that may tempt them to think ill of it or its professors, ⁴¹⁹²1 Peter 2:12.

(3.) Those that have themselves been in poverty and distress, if Providence enrich and enlarge them, ought to show a particular tenderness towards those that are now in such circumstances as they were in formerly, doing now by them as they then wished to be done by.

2. Widows and fatherless must not be abused (v. 22): *You shall not afflict them*, that is, “You shall comfort and assist them, and be ready upon all occasions to show them kindness.” In making just demands from them, their condition must be considered, who have lost those that should deal for them, and protect them; they are supposed to be unversed in business, destitute of advice, timorous, and of a tender spirit, and therefore must be treated with kindness and compassion; no advantage must be taken against them, nor any hardship put upon them, from which a husband or a father would have sheltered them. For,

(1.) God takes particular cognizance of their case, v. 23. Having no one else to complain and appeal to, they will *cry unto God*, and he will be sure *to hear them*; for his law and his providence are guardians to the widows and fatherless, and if men do not pity them, and will not hear them, he will. Note, It is a great comfort to those who are injured and oppressed by men that they have a God to go to who will do more than *give them the hearing*; and it ought to be a terror to those who are oppressive that they have the cry of the poor against them, which God will hear. Nay,

(2.) He will severely reckon with those that do oppress them. Though they escape punishments from men, God's righteous judgments will pursue and overtake them, v. 24. Men that have a sense of justice and honour will espouse the injured cause of the weak and helpless; and shall not the righteous God do it? Observe the equity of the sentence here passed upon those that oppress the widows and fatherless: their wives shall become

widows, and their children fatherless; and the Lord is known by these judgments, which he sometimes executes still.

~~1225~~ EXODUS 22:25-31

JUDICIAL LAWS

Here is,

I. A law against extortion in lending.

1. They must not receive use for money from any that borrowed for necessity (v. 25), as in that case, ~~1415~~ Nehemiah 5:5, 7. And such provision the law made for the preservation of estates to their families by the year of jubilee that a people who had little concern in trade could not be supposed to borrow money but for necessity, and therefore it is generally forbidden among themselves; but to a stranger, whom yet they might not oppress, they were allowed to lend upon usury: this law, therefore, in the strictness of it, seems to have been peculiar to the Jewish state; but, in the equity of it, it obliges us to show mercy to those of whom we might take advantage, and to be content to share, in loss as well as profit, with those we lend to, if Providence cross them; and, upon this condition, it seems as lawful to receive interest for my money, which another takes pains with and improves, but runs the hazard of, in trade, as it is to receive rent for my land, which another takes pains with and improves, but runs the hazard of, in husbandry.

2. They must not take a poor man's bed-clothes in pawn; but, if they did, must restore them by bed-time, v. 26, 27. Those who lie soft and warm themselves should consider the hard and cold lodgings of many poor people, and not do any thing to make bad worse, or to add affliction to the afflicted.

II. A law against the contempt of authority (v. 28): *Thou shalt not revile the gods*, that is, the *judges* and *magistrates*, for their executing these laws; they must do their duty, whoever suffer by it. Magistrates ought not to fear the reproach of men, nor their revilings, but to despise them as long as they keep a good conscience; but those that do revile them for their being a terror to evil works and workers reflect upon God himself, and

will have a great deal to answer for another day. We find those under a black character, and a heavy doom, that *despise dominion, and speak evil of dignities*, <4018> Jude 1:8. Princes and magistrates are our fathers, whom the fifth commandment obliges us to honour and forbids us to revile. St. Paul applies this law to himself, and owns that he ought not to *speak evil of the ruler of his people*; no, not though the ruler was then his most unrighteous persecutor, <4025> Acts 23:5; see <2110> Ecclesiastes 10:20.

III. A law concerning the offering of their first-fruits to God, v. 29, 30. It was appointed before (Exodus 13), and it is here repeated: *The firstborn of thy sons shalt thou give unto me*; and much more reason have we to give ourselves, and all we have, to God, who *spared not his own Son, but delivered him up for us all*. The first ripe of their corn they must not delay to offer. There is danger, if we delay our duty, lest we wholly omit it; and by slipping the first opportunity, in expectation of another, we suffer Satan to cheat us of all our time. Let not young people delay to offer to God the first-fruits of their time and strength, lest their delays come, at last, to be denials, through the deceitfulness of sin, and the more convenient season they promise themselves never arrive. Yet it is provided that the firstlings of their cattle should not be dedicated to God till they were past seven days old, for then they began to be good for something. Note, God is the first and best, and therefore must have the first and best.

IV. A distinction put between the Jews and all other people: *You shall be holy men unto me*; and one mark of that honourable distinction is appointed in their diet, which was, that they should not *eat any flesh that was torn of beasts* (v. 31), not only because it was unwholesome, but because it was paltry, and base, and covetous, and a thing below those who were holy men unto God, to eat the leavings of the beasts of prey. We that are sanctified to God must not be curious in our diet; but we must be conscientious, not feeding ourselves without fear, but eating and drinking by rule, the rule of sobriety, to the glory of God.