

Israel's Unique Law Code



- Had a Divinely-given moral base
- Included both simple *absolute laws* and “If...” *case laws*
- Made no class distinctions - Was humane
- Allowed for no permanent involuntary servitude
- Disallowed exploitation of the poor, women, orphans
- Called for appropriate justice to suit the offense
- Provided fair compensation to victims
- Punishment was to fit the crime
- Made room for both justice and also for mercy
- Insisted on honesty and responsibility regarding property
- Preserved personal and property rights
- Maintained separation between “Holy” and “common”
- Respected Authority, especially God’s
- Strengthened National and Spiritual unity

Other Ancient Near Eastern Law Codes

Moses said, “What other nation is so great as to have such righteous decrees and laws as this body of laws I am setting before you today?” (Deut. 4:8) A comparison with other Near Eastern nations shows that Moses spoke truly.

In centuries of history, Egypt never had a law code that gave predictable, consistent guidelines for rights, duties, and penalties. Indeed the Egyptian language had no word for “law.” The Pharaoh was regarded as a god on earth, whose every decree supposedly embodied truth and justice. It didn’t matter whether people were treated alike or in proportion to their deeds. In the same way, the petty kings of Canaan and Syria decided justice by their personal whims, not by permanent laws.

The common standard of tribal justice in Moses’ time was vengeance. If a man was killed, his kinsmen would try to kill the killer (and often his whole family). If a man was injured, his kinsmen would still try to kill the guilty person. This was unacceptable to God. Instead, He said that punishment must be neither more nor less than the price deserved, and that it should be chosen to suit the kind of crime. “Eye for eye” was a figure of speech. Actual bodily mutilation rarely occurred in Israel; monetary fines were much more common. Both proportionate restitution and fines are basic to Western judicial tradition today.

We know of several Babylonian Law codes, but none of these stated what judges were supposed to do. The recorded only what some judges had done in the past, so that a judge might use a case as a guide if he chose to do so. Assyria, likewise, compiled past decisions, but left judges free to judge by their opinions.

No other code than Israel’s included religious law or claimed that a god gave it or was its authority for justice. No other code gave motives or reasons for its decisions, as in Exodus 20:5 and 23:8-9. Israel’s law commanded the death penalty for crimes against God and against the holiness of life, but it was strikingly humane compared to other codes. Only Duet.25:11-12 mentions bodily mutilation, in contrast to many places in Babylonian, Hittite and other codes. Flogging was limited to forty lashes in Israel.

Other codes treated commoner’s lives as less valuable than noblemen’s. They regarded harm done to a woman, a slave, or an ox all as harm to a man’s property. By contrast, Israel’s law protected women and slaves explicitly from being used as property, and made justice the same for all social classes. Physical discipline of slaves was limited, though not forbidden (Exo.1) and killing a slave was punished the same way as killing a freeman.

(Wayne Nelson, Exodus: Lifechange Series)