

Exodus – The Revealing of God’s Glory and His Design for the Chosen

#75 – What’s Mine is Mine and
What’s Yours is Yours

Exodus 22:1-15

Theft of property – Exodus 22:1-4

Damage of property – Exodus 22:5-6

Custody of property – Exodus 22:7-13

Borrowing of property – Exodus 22:14-15

Restitution

The Hebrew means
“to make whole or complete.”

Theft of Property

Exodus 22:1-4

“¹ If a man steals an ox or a sheep and slaughters it or sells it, he shall pay five oxen for the ox and four sheep for the sheep. ² If the thief is caught while breaking in and is struck so that he dies, there will be no bloodguiltiness on his account. ³ But if the sun has risen on him, there will be bloodguiltiness on his account. He shall surely make restitution; if he owns nothing, then he shall be sold for his theft. ⁴ If what he stole is actually found alive in his possession, whether an ox or a donkey or a sheep, he shall pay double.”

Exodus 20:15

“¹⁵ You shall not steal.”

Deuteronomy 25:1-3

“¹ If there is a dispute between men and they go to court, and the judges decide their case, and they justify the righteous and condemn the wicked, ² then it shall be if the wicked man deserves to be beaten, the judge shall then make him lie down and be beaten in his presence with the number of stripes according to his guilt. ³ He may beat him forty times but no more, so that he does not beat him with many more stripes than these and your brother is not degraded in your eyes.”

“Law no. 8 of the Code of Hammurabi states that ‘If a seignior (Lord or noble) stole either an ox or a sheep or an ass or a pig or a boat, if it belonged to the church (religious group) [or] if it belonged to the state, he shall make thirtyfold restitution; if it belonged to a private citizen, he shall make good tenfold. If the thief does not have sufficient to make restitution, he shall be put to death.” – Currid, Vol. II, p. 90.

“Breaking in”
literally is
“digging through.”

Damage of Property

Exodus 22:5-6

“⁵ If a man lets a field or vineyard be grazed bare and lets his animal loose so that it grazes in another man's field, he shall make restitution from the best of his own field and the best of his own vineyard. ⁶ If a fire breaks out and spreads to thorn bushes, so that stacked grain or the standing grain or the field itself is consumed, he who started the fire shall surely make restitution.”

Custody of Property

Exodus 22:7-13

“⁷ If a man gives his neighbor money or goods to keep for him and it is stolen from the man’s house, if the thief is caught, he shall pay double. ⁸ If the thief is not caught, then the owner of the house shall appear before the judges, to determine whether he laid his hands on his neighbor’s property. ⁹ For every breach of trust, whether it is for ox, for donkey, for sheep, for clothing, or for any lost thing about which one says, ‘This is it,’ the case of both parties shall come before the judges; he whom the judges condemn shall pay double to his neighbor.

“¹⁰ If a man gives his neighbor a donkey, an ox, a sheep, or any animal to keep for him, and it dies or is hurt or is driven away while no one is looking, ¹¹ an oath before the Lord shall be made by the two of them that he has not laid hands on his neighbor’s property; and its owner shall accept it, and he shall not make restitution. ¹² But if it is actually stolen from him, he shall make restitution to its owner. ¹³ If it is all torn to pieces, let him bring it as evidence; he shall not make restitution for what has been torn to pieces.”

Exodus 22:9

“⁹ For every breach of trust, whether it is for ox, for donkey, for sheep, for clothing, or for any lost thing about which one says, ‘This is it,’ the case of both parties shall come before the judges; he whom the judges condemn shall pay double to his neighbor.”

Borrowing Property

Exodus 22:14-15

“¹⁴ If a man borrows anything from his neighbor, and it is injured or dies while its owner is not with it, he shall make full restitution. ¹⁵ If its owner is with it, he shall not make restitution; if it is hired, it came for its hire.”

Summation

“The Code of Hammurabi imposes penalties on theft that vary with the status of the victim, depending on whether the ox was stolen from the king, temple, a man of middle station, a slave, etc. The sliding scale of penalties ranged from death at one end to tenfold at the other with thirtyfold in the middle for good measure. If the thief could not pay the penalty it was death. Several scholars have pointed out that one of the crucial differences between the Torah and the Babylonian codex is the fact that the former makes no distinction between rich and poor, king or priest.” Nehama Leibowitz, *Studies in Shemot* (Jerusalem: The World Zionist Organization, 1976), pp. 361-362.

Story of Zaccheus

Luke 19:1-10

“¹ He entered Jericho and was passing through. ² And there was a man called by the name of Zaccheus; he was a chief tax collector and he was rich. ³ Zaccheus was trying to see who Jesus was, and was unable because of the crowd, for he was small in stature. ⁴ So he ran on ahead and climbed up into a sycamore tree in order to see Him, for He was about to pass through that way. ⁵ When Jesus came to the place, He looked up and said to him, ‘Zaccheus, hurry and come down, for today I must stay at your house.’ ⁶ And he hurried and came down and received Him gladly. ⁷ When they saw it, they all began to grumble, saying, ‘He has gone to be the guest of a man who is a sinner.’ ⁸ Zaccheus stopped and said to the Lord, ‘Behold, Lord, half of my possessions I will give to the poor, and if I have defrauded anyone of anything, I will give back four times as much.’ ⁹ And Jesus said to him, ‘Today salvation has come to this house, because he, too, is a son of Abraham. ¹⁰ For the Son of Man has come to seek and to save that which was lost.’”

We know he was a thief because:

Wealthy, vs 2

Sinner, vs 7

His confession of defrauding, vs. 8

Repentance
indicates change of
thinking and living.

“I will give half of all my
possessions to the poor.”

Love your neighbor as yourself.

**When you are in the
wrong, look to Zaccheus
as your model.**

**Restitution is
definitely out of favor
in our society.**

“Just write it off.”

**Note that some breaches of
the Moral Law provide
no restitutionary process.**

Trust your elders to settle disputes.