

# Problem Passages – 2 – Harsh Punishments

---

*Adapted from "Is God a Moral Monster?" by Paul Copan*

## I. **The Problem Stated: Why does the Law of Moses contain extremely severe punishments for seemingly minor offences?**

### A. **Examples**

1. Leviticus 20:9 has a child put to death for cursing father or mother
2. Leviticus 24:10-14 has a man stoned for blaspheming.
3. Numbers 15:32-36 has a man stoned for gathering wood on the Sabbath.
4. A stubborn and rebellious child is to be put to death according to Deuteronomy 21:18-21

### B. **Context**

1. Recall again that the Law was given in the cultural context of the ancient Near East. Many ancient Egyptian, Hittite, Akkadian and ancient Babylonian law codes have been found. There are many parallels between the Law of Moses and these Laws. God used the cultural context that Moses and his people were from.
2. At the same time, there are vast differences, showing the divine character of the Law of Moses. These differences show us the humane nature of the Law, given its place in human history, its stage in the development of revelation, and its culture context.

### C. **Commands and Explanations**

#### 1. **Sabbath Breaking**

The man stoned in Numbers 15 comes right after a discussion of the difference between unintentional and high-handed sins. The man gathering stick on the Sabbath was sinning defiantly. Often, the first-time offender is chastened harshly, as a warning and lesson to the nation. Consider Nadab and Abihu, or even Ananias and Saphira.

#### 2. **The Rebellious Child of Deuteronomy 21.**

This does not refer to the little boy who will not clean up his room. He is a delinquent- an insubordinate, riotous young man. Notice the reference to his refusing to respond to their discipline. This suggests this goes on for some time. He is ultimately a threat to social order. He will undoubtedly squander any inheritance he has and bring financial ruin to the family. Notice also that the parents confer with the civil authorities. This is a last resort, and a drastic action.

#### 3. **Mediums, Sorcerers and False Prophets (Leviticus 19:26)**

These were outlawed in Israel, and if they openly practiced and were found out, they were to be put to death.

Once again, these false religions were obsessed with death, not life. Israel's priests were not even to attend funerals, unless they were relatives. Recall that Israel had publicly made a

covenant with Yahweh, to be faithful to him alone. If someone did not want to be part of Israel, they could have renounced their citizenship, moved to another nation, and practiced their sorcery and witchcraft there. To do so in Israel was to be a religious saboteur within a theocracy. It was more than a different religious opinion; it was treason.

#### **4. Beating with the Rod (Deut 25:1-3)**

Notice several protections: A trial had to take place first. The offended man could not take the law into his own hands. The process was supervised by a judge. There was a maximum punishment that could not be exceeded. The offended party was reminded that the other man was a brother.

It is important to compare this with other Near-Eastern codes. Usually the punishment was the loss of a hand, an ear, or the tongue. One code had a man to be dragged around by cattle. The code of Hammurabi prescribes punishment for a thief, whereas the Law of Moses only demands double compensation. The Egyptian law prescribed between one hundred and two hundred strokes, one hundred being the minimum.

#### **5. An Eye for An Eye (Ex 21:23-25; Deut 19:16-21, Lev 24:17-22)**

Notice vs 26-27 of Exodus 21. The command was not taken literally – instead the compensation was full freedom. The point was not personal vengeance, but that punishments should fit the crime. It prevented blood feuds and mob retaliation.

The other Near Eastern codes had unfair punishments – an incompetent builder would have his son killed if the building he had made collapsed on another's child, killing him or her. Or, an ox that gored others did not have to be put to death, and the owner went free. This showed a wrong view of human life.

The Law of Moses also made a distinction between intentional and accidental killing. This distinction was not maintained in other cultures. Revenge was a part of life, accidental killing or not. The Law of Moses made cities of refuge for the person who had killed unintentionally, and there no one filled with vengeance could kill him.

#### **6. Jephthah's Rash Vow ( Judges 11:30-40)**

Remember that whatever we conclude about what Jephthah did, the book of Judges is hardly the place to look for high moral example. Much of what goes in in Judges is not recorded as exemplary, but as illustrations that 'every man did that which was right in his own eyes.' Child sacrifice was forbidden (Lev 18:1, 20:2-5, Deut 12:31, 18:10)

#### **7. Unborn Life (Exodus 21:22-25)**

Is this text neglectful of the life of the unborn? Does a man get off by paying a fine, even if there is a miscarriage? The key questions are: does the term refer to premature birth or miscarriage, and does the injury refer to the mother alone or mother and child?

The word *yabad* always refers to an actual birth of a live human. The injury could be to either mother or child. The implication is that a man would be culpable for causing the death of a child in the womb, even to the loss of his own life.