

# An Eye for an Eye

Exodus 21:22–25; Matthew 5:38–42

Last week’s sermon was entitled “Taking Responsibility for Our Actions.” It dealt with unintended consequences when fights break out. If a man strikes another with deadly force, but the victim, though seriously wounded, lives and recovers, then the man who struck him is not charged with murder but is obligated to pay for his victim’s food, lodging and medical expenses. He has seriously damaged a fellow human, and he must take responsibility for his actions and pay restitution.

Today’s situation is different but the underlying principle of taking responsibility for our actions is still prominent. Here is, first,

## 1. Assuming responsibility for unintended consequences of our actions

“If men fight, and hurt a woman with child, so that she gives birth prematurely, yet no harm follows, he shall surely be punished accordingly as the woman’s husband imposes on him; and he shall pay as the judges determine.”

This text deals with a judicial case where two men are fighting. A pregnant woman (perhaps drawing near to break up the fight) is standing too close and gets hit. She goes into premature labor. This case law covers all the possibilities—everything from *no* harm to the mother and her prematurely born children (plural, as we shall see), to harm resulting in death to the mother or to one or more of her unborn children, and everything in between.<sup>1</sup>

So here is a woman with child. Such a woman is deserving of extra protection,<sup>2</sup> but the men keep fighting in spite of the risk to onlookers. As a result, whether intentionally or unintentionally, the woman with child is forcibly struck. Perhaps she is knocked to the ground, perhaps she is bruised or scratched, but in any case her injury is severe enough to cause her to go into premature labor, and she gives birth.

The phrase “she gives birth prematurely” is literally “and her children come out.”<sup>3</sup> Consider that phrase. The word for *child* is a common word, used some 89 times in the Old Testament. It is the same word used of baby Moses when the Egyptian princess’s maid brought her the ark that had been hidden in the bulrushes. We read that “when she opened it, she saw the *child*, and behold, the baby wept.” Here is Moses, probably a 3–6 month old baby, hungry, crying for his mother. The same word describing a healthy infant is used for a tiny pre-born baby, still in the protection of his mother’s womb. Again, the same word is used of Isaac when he was a toddler: “And the *child* grew, and was weaned: and Abraham made a great feast the same day that Isaac was weaned.” The use of the word “child” is

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<sup>1</sup> <https://americanvision.org/posts/biblical-law-and-abortion/> accessed 3-29-25

<sup>2</sup> See the author’s sermon of 3-9-25, “Extra Protections for Women” ([https://all-of-grace.org/sermon\\_manuscripts/2025-03-09\\_Ex-21-7\\_Extra-Protections-for-Women.pdf](https://all-of-grace.org/sermon_manuscripts/2025-03-09_Ex-21-7_Extra-Protections-for-Women.pdf))

<sup>3</sup> וַיֵּצֵאוּ יְלָדֶיהָ

intentional. A pregnant woman does not carry a mass of undefined tissue; she carries a human *child*. This is a scientific fact known to man from the beginning of our race. Those who deny the humanity of the unborn child are sinning against knowledge. They are denying science. The reason they do this is because they have a diabolical agenda. They want to desensitize people to the reality of what happens in an abortion: a precious tiny human life made in God's very image is killed—snuffed out, sacrificed on the altar of convenience. Abortion is *murder*, a violation of the sixth commandment, “Thou shalt not kill,” rooted in the very character of God, who doesn't change, and written on every human heart. Every human being intuitively knows this, but those who are in rebellion against God are stubborn and refuse to admit it.

So in the hypothetical case of two men fighting, the mother who was accidentally struck goes into labor and gives birth prematurely. This fact is evident to the midwife and the woman's family, who would be able to give eyewitness testimony at a trial. They have seen newborn babies before; they know what size they ought to be. Here is a little premie—very vulnerable—but, amazingly, he or she survives! Psalm 139 has such a child singing to the LORD: “You formed my inward parts; You covered me in my mother's womb. I will praise You, for I am fearfully and wonderfully made; marvelous are Your works, and that my soul knows very well.” Oh, the hardness of a heart that can examine God's handiwork in a newborn baby and confidently assert, “There is nothing special about the human body; it is just the chance product of purely mechanical forces.”

So our text teaches that if a woman who is with child is accidentally struck, causing her to give birth prematurely, even though the child is OK, the man who accidentally struck her is liable to pay damages as the judges shall determine. Even though he did not intend it, he is obligated to pay the cost of the birth to the husband, and for hurt and pain to the woman,<sup>4</sup> as ordered by the court. Here is “an instance of unintentional battery involving culpability.”<sup>5</sup>

The men who lost their temper and fought in the heat of the moment ought to be reconciled. Hopefully, after the fight is over and they've both settled down, each will see the error of his ways, admit his guilt, and offer the olive leaf to his adversary. God wants people to live at peace with each other. He wants the relationships between humans to reflect the peace and harmony that exist between the persons of the Godhead. The eternal Father, Son and Holy Spirit existed in perfect peace and harmony from eternity past—never a harsh word, no bitterness, no rivalry; only blissful peace and collegiality. As we read in Isaiah, “Behold my servant, whom I uphold; mine elect, in whom my soul *delighteth*; I have put my

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<sup>4</sup> Maimonides, cited in Gill

<sup>5</sup> Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford University Press, 1985, 92), cited in Dave Mill, “Abortion and Exodus 21,” Apologetics Press, cited in <https://americanvision.org/posts/biblical-law-and-abortion/>

spirit upon him: he shall bring forth judgment to the Gentiles” (42:1). Here is the Father, delighting in the Son, putting his Spirit upon him, sending him into the world—Father Son and Spirit delighting in one another, perfect harmony, working constructively together, perfect cooperation, dedicated to work out the plan for man’s salvation. Would that every marriage would be like that! Would that every church would be like that! But what happens in human society because of sin? There is envy and strife, confusion and every evil work.<sup>6</sup> Oh, may God grant us to be instruments of his peace in a hurting world! “How beautiful are the feet of them that preach the gospel of *peace!*” (Rom. 10:15). The primary reference there is to preachers, but there is an application to all God’s people. May we *all* be instruments of his peace!

But on the other hand, “whoever is angry with his brother without a cause shall be in danger of the judgment” (Matt. 5:22). If you are unwilling to forgive your brother, and live in peace with him, you need to confess that, humble yourself and be reconciled to your brother.

The first point, then, is (1) Assuming responsibility for unintended consequences of our actions; second, consider

## **2. Assuming responsibility for protecting human life**

I have cited the New King James Version (NKJV). The NKJV, along with the New American Standard Version, preserves the phraseology of the old KJV, “If men strive, and hurt *a woman with child,*” a translation that goes back to the John Wycliffe Bible of 1382: “If men chide, and a man smite a woman with child, and sotheli maketh the child dead-born.”<sup>7</sup> Other translations have “a pregnant woman,” a translation that is correct as far as it goes, but is more clinical. Those who try to make a case for abortion argue that a woman is not pregnant until the implantation of the zygote in the uterine wall. The historic English translation recognizes that from the moment of conception the mother is “with child”; that is, she carries a living, human person. This tender, homey expression, “a woman with child,” gives a window into how pregnancy was viewed in time past, and how far modern thought has deviated from the Bible. “A woman with child” expresses both the *humanity* of the child and the *dignity* of the mother. It is “a woman with *child*” who is damaged in our hypothetical case. As the Psalmist writes, “Lo, *children* are an heritage of the LORD: and the fruit of the womb is his reward” (Ps. 127:3).

Children are young human persons who are not yet grown up. They, like all of us, are descendants of our first parents, Adam and Eve, and thus members of the human race. The Bible teaches that all humanity descended from a single forebear, Adam. If evolution were true, this would not be. Unborn children, like Adam

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<sup>6</sup> James 3:16

<sup>7</sup> “If men chiden, and a man smytith a womman with childe, and sotheli makith the child deed borun” (<https://textusreceptusbibles.com/Wycliffe/2/21> accessed 3-29-25)

before them, are made in the image of God. This differentiates them from all other creatures. *All* the creatures are the works of the Creator's hands, which were found "very good" on the sixth day of creation. God *delights* in all his creatures, but man, alone among the living creatures, was made in God's very own image. The image of God is not physical, but moral. Man, alone among the creatures, was endowed with knowledge, righteousness and holiness, that is, with ability to have a relationship with the God of heaven. Our Shorter Catechism, summarizing Scripture, observes that "God created man male and female, after his own image, in knowledge, righteousness and holiness, with dominion over the creatures." Though man, because of Adam's sin, fell from his first estate, and all humans, descending from Adam by ordinary generation, inherit Adam's sin, the image of God cannot be erased. Because of this, the Bible calls for the death penalty for murder: "Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man" (Gen. 9:6). If a man killed his neighbor's animal, he must pay restitution, but if he kills his neighbor, the only restitution possible is the forfeiting of his own life. Blood defiles the land; the blood of innocent victims cries out to God for justice.

So the Bible says, "If men strive, and hurt a *woman with child*." Children are not born to "birthing persons" but to "mothers." The Bible uses this careful language, which conforms to truth. The church must not relinquish this important deposit of truth, but emphasize it as it proclaims the gospel: "As in Adam all die, even so in Christ shall all be made alive" (1 Cor. 15:22). You and I and every human person fell in Adam; you and I and every human person need to be saved by Christ. There is no salvation without him. If you want your sins to be forgiven, if you want to be accepted at God's judgment throne, if you want to live the abundant life in the eternal presence of the Lamb of God who takes away the sin of the world, then you have to come to God through Christ. Confess Christ with his church and become his worshipper. That is the way of salvation taught in the Holy Bible. In the hypothetical case before us, if there is injury, either to a mother or her child (children), then the judges must determine the appropriate penalty based on the extent of the injury, because both mother and child are *persons* in terms of biblical law.

Gary DeMar observes that "the Bible attributes self-consciousness to unborn babies. Jacob and Esau 'struggled together within' their mother's womb (Gen. 25:22). The New Testament offers a similar glimpse into prenatal consciousness: 'And it came about that when Elizabeth heard Mary's greeting, the baby leaped in her womb' (Luke 1:41)." Twins struggling together in their mother's womb (something that presaged their posture toward each other as they grew up together) and leaping for joy at the approach of Christ (as in the case of John the baptist)

indicates that the unborn are not a blob of tissue but living persons whose actions matter.

In our language, the stage of gestation at which fetal motion is felt is called *quickenning*. As a young father it was thrilling to feel my unborn children moving about in my wife's womb, kicking and making themselves known. To those who recognize that human life is a special gift of the Creator it is doubly special.

The fact that human life, from the moment of conception, is the gift of Almighty God means that it is the responsibility of every person to protect it. Christian, God calls upon you to protect human life. This includes living responsibly, not taking unnecessary risks, and to protect the life of vulnerable persons to the best of your ability. The Shorter Catechism, summarizing Scripture, observes that the sixth commandment requires "all lawful endeavors to preserve our own life, and the life of others." God requires of you to "choose life" and choose to protect it. Amen!

The third thing that we see in our text is

### **3. Proportionality**

Our text continues: "But if any harm follows, then you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe."

What is proportionality? It is *the quality of corresponding in size, degree or intensity*. Keep this definition in mind, as it expresses an important biblical principle. "Life for life, eye for eye, tooth for tooth," and so forth, is known as the *lex talionis*—literally, *the law of the tooth*. The punishment and restitution must be proportional. If an attacker knocks out his victim's tooth, the judge does not order that the aggressor's tooth be knocked out; rather, he is to require the payment of an appropriate amount of damages for the damage which he has inflicted. Our text goes on to state that "If a man strikes the eye of his male or female servant, and destroys it, he shall let him go free for the sake of his eye. And if he knocks out the tooth of his male or female servant, he shall let him go free for the sake of his tooth." This law was prescribed to make masters careful not to abuse their servants. Though the master had taken them as indentured servants, though he had payed off their debts and taken them into his home to help him with his work, that did not give him the right to abuse them. As he disciplined his servants, he must at all times recognize their basic humanity. If his discipline was overly severe, and resulted in the loss of eyesight, the loss of a tooth, or any part of their body, then he was to let the servant go free. He would lose his investment. This provision of the law was a major incentive to a master to treat his menservants and maidservants with care and compassion, as fellow human beings.

In the same manner the general equity of this law requires human judges today to order punishments that *fit the crime*—no more, no less. Justice must prevail.

Punishments must be proportionate to the crime. If human law requires thirty years in prison for robbing a Holiday Inn but only seven years for the crime of murder, the law is disproportionate, and therefore unjust. Here are plain instructions for human judges—instructions which must always be followed. Jesus plainly said, “Judge righteous judgment” (John 7:24). This is a requirement obligating every man, woman and child on the face of the earth, not just civil judges—but it certainly obligates civil judges. The punishment must fit the crime. The punishment must be proportionate. The punishment must be just. This is an aspect of God’s moral law, written in men’s hearts, rooted in the character of God himself, who does not change. Psalm 82 reminds us that “God stands in the congregation of the mighty; He judges among the gods. How long will you judge unjustly, and show partiality to the wicked? Defend the poor and fatherless; do justice to the afflicted and needy.” The human judge’s obligation is to “do justice.” At the final day, every human person will receive perfect justice at the hands of the Judge of all the earth.

So here we have: (1) Assuming responsibility for unintended consequences of our actions; (2) Assuming responsibility for protecting human life; and (3) Proportionality. Let us consider some practical applications.

Consider warfare. As Christians we pray that God would keep us out of unjust wars. One theologian has observed that “While a nation has the right to defend itself and protect its people, such actions must remain within the bounds of justice, *proportionality*, and moral law.”<sup>8</sup> God’s law does not allow the indiscriminate killing of civilians, including women and children. Such indiscriminate killing is cold-blooded murder, often facilitated by *our* tax dollars. Each missile launched, each bomb dropped, is payed for by you and me, and has our name on it. War cannot be waged without regard for the innocent.

Last August 24, a four-year-old girl in a war zone was standing outside her family’s tent, clutching a sandwich her mother made for breakfast, when a bullet struck her in the head. Witnesses said the little girl was fired at by a military drone armed with a gun. Her father rushed her to two hospitals, carrying her in his arms on the back of a stranger’s motorbike. On the way, the little girl was all but gone. The first hospital could not treat her, but when they arrived at the second hospital, she was triaged and labelled *black*—no hope for life. An American emergency-medicine physician was volunteering at the ER that morning. When the little girl came under the physician’s care, she noticed some faint movement. “I started to examine her and one of my colleagues came and said, ‘No, don’t waste your time,’” she recalled later in an interview. But what she noticed about the little girl was that she was still moving. The doctor felt she could still save her. She

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<sup>8</sup> <https://www.lifesitenews.com/opinion/bishop-strickland-publishes-open-letter-to-trump-on-war-in-the-middle-east/> accessed 3-28-25

intubated the little girl and began surgery. The bullet was eventually removed from the little girl's skull and, against all odds, she survived.

Whoever operated the drone had a sharp enough image to aim the deadly bullet. Whoever that was—his identity is known positively to God—could certainly see that his target was a small child. Whatever prompted him to shoot? His action was certainly the opposite of that of our Lord Jesus, who took little children up into his arms to bless them. Our Lord Jesus is the giver of life who values little children made in the Father's image. The killer, operating a deadly drone, was following *his* father the devil, who was a murderer from the beginning.

Christian, your God is a God of perfect justice who values human life. Your God is pro-life! Your Savior, the eternal Son of God who became man, taking our humanity upon himself so he could save us, is committed to bring all those who put their trust in him to be with him in heaven forever.

“The thief cometh not, but for to steal, and to kill, and to destroy: *I* am come that they might have life, and that they might have it more abundantly.”<sup>9</sup> Amen.

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<sup>9</sup> John 10:10