

LIBERTY UNIVERSITY  
JOHN W. RAWLINGS SCHOOL OF DIVINITY

RESTITUTION IS A NECESSARY PART OF BIBLICAL FORGIVENESS:  
A LOOK AT HOW THE BIBLE PROVIDES A LEGAL AND MORAL SOLUTION FOR  
TRANSGRESSIONS COMMITTED

A Dissertation Presented in Partial Fulfillment  
of the Requirements of the Degree

Doctor of Theology

By

Robert Andrew Pannier

Liberty University, Lynchburg, VA

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## ABSTRACT

The purpose of this dissertation is to examine the principle of restitution and how it is an essential part of biblical forgiveness. What makes this principle so important is that God wanted to ensure that there was no barrier to the unity of the body of Christ and unforgiveness related to a transgression can be a huge barrier as it creates resentment and anger. Since the ultimate goal of God is the unity of His creation, God provided a system where true forgiveness could be achieved, both from a legal standpoint, where a debt was repaid, and from a moral standpoint, where the person recognized his or her transgression, sought to remedy the matter, and was forgiven so that forgiveness was granted and the relationship restored.

The dissertation examines the concept of restitution, providing an analysis which concludes that this is a principle that is taught from Genesis through the New Testament. This was not a concept that was for the Israelite people or the Jews during Jesus' time, but was one that God expected believers to follow even today. This work evaluates how the different societies of the ancient Near East included restitution as part of their law codes and how that differed in focus from what God viewed as the purpose for restitution. The work also examines how theologians throughout the Christian age saw the necessity for restitution and how it is included as a solution for correcting a wrong in the doctrine of many of the Christian denominations.

*Keywords:* restitution, Mosaic Law, Law of Moses, body of Christ, restoration, forgiveness, unity

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## **Dedication**

To the God of heaven and earth, who saved my life and inspired my purpose. To Dr. Stephen E. Jones and Dr. H. Wayne House for being the inspiration and guides for this dissertation. To my beautiful daughters – Ashley and Amber – my friends – Jason, Signe, and Irina – and for my beautiful niece, Lizabeth, thank you for your support. Mostly, I want to dedicate this to the most amazing woman on earth who truly is an angel on earth, my beautiful wife Lori.

## **Acknowledgements**

It was 25 years ago that the greatest tragedy of my life occurred – the loss of my freedom. For five years I was imprisoned, feeling very much as Joseph did in Genesis. Yet, God did not allow this to be a time of sorrow, self-pity, or frustration. Instead, He used it to give me the greatest learning experience of my life, where I had five years to study about God and His Word develop a faith that continues to grow.

It was the brothers in prison who helped keep me on the right path (Gary Wirta, Mark Miller, Rich Williams, Freddie Crandall, Rico Woodard, Mark Davis, Chris Clennon, and Steve Johnson in particular) and amazing mentors and teachers from the outside who taught me the true ways of God. Upon my release, I was blessed to work for the smartest man I ever met, Dr. Stephen Jones, who opened my eyes to the love and righteousness of God in a way that I had never imagined. He taught me so much and deserved so much better from me, and I hope this work is a testament to his faith in me, and his dedication to loving me and showing me grace.

In 2014, I sought to pursue my academic career, but many colleges would not even consider allowing me to attend their program. Grand Canyon University blessed me with the opportunity to not only study from an incredible group of professors, but to earn a Bachelor's in Christian Theology and a Master of Divinity. Liberty University then found a way for me to have a pathway to pursue my lifelong ambition of becoming a doctor by offering the Bible Exposition program. I have been blessed by many great professors, but I want to single out two in particular. Dr. Jennifer Jones pushed me to better myself academically more than any other professor, and I thank her for never allowing me to be lazy (which I am prone to do). I also want to thank Dr. H. Wayne House, who not only led me to my dissertation topic, but who has been such a blessing to

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To my parents and brothers, I want to acknowledge your part in my maturation as a person. To my amazing sister Lisa Baranczyk and to the godliest woman I know, my beautiful niece Lizabeth Baranczyk, I want to thank you for never giving up on me and showing God's grace in ways that still touches my heart today.

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## Introduction

*“I’m sorry.”*

These two simple words have become the solution to the offenses and egregious acts that one has committed against another. It seems so simple. All one has to do is apologize for what has been done, and the problem is resolved. A simple “I’m sorry” is all that is needed to reconcile two parties over an act that has been committed by one or both parties.

Many believe that through this act of contrition some form of empathy and remorse is demonstrated.<sup>1</sup> In saying these two simple words, it is believed that a person has proven that he or she is truly apologetic for the actions. However, some recognize that a simple apology is insufficient in resolving an offense. Instead, there is a proper procedure that must be followed for the matter to be resolved. Kenneth Acha explains that there is an art to the forgiveness process. This includes such things as using forgiveness words, demonstrating regret for the suffering that has been caused, requesting forgiveness, and revealing the errors committed. The final piece is to acknowledge that a change in behavior needs to be achieved so that the act will not be committed again.<sup>2</sup>

While Acha concludes that one should include the request for forgiveness, there are those who argue against this. Ann Gold Buscho explains that by asking for forgiveness, this puts the focus back on the person who committed the offense instead of focusing on the one who has

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<sup>1</sup> Rune Moelbak, “The Art of the Apology: How to Achieve True Forgiveness,” *Better Couples Therapy* (N.D.).

<sup>2</sup> Kenneth Acha, “Forgiveness SPEECH: How to Give an Effective Apology,” *Kenneth Acha Ministries*, May 29, 2016. Dr. Acha explains that a person who genuinely apologizes for their actions opens the door for broken relationships to be restored. He goes on to describe that there are seven steps to a ‘genuine and effective’ apology. These include asking for forgiveness, being specific about the wrong that has been done, acknowledging the pain caused, removing conditional language in the apology, including all who have been wronged by the transgression, making compensation or providing some form of consequence for the action, and changing one’s life to ensure sins like this are not committed again in the future.

been aggrieved. In this way, she explains, the apology becomes more about the offender than it does about the victim.<sup>3</sup>

Governments and community leaders have developed ideas on how one can truly demonstrate repentance for the sins committed. Centuries ago in England, the Archbishop of Canterbury made it a standard practice that one could be released from prison if the person was able to recite Psalm 51 by heart. Written by David, this was recognized as one of the Psalms of Repentance and so it was believed one must truly be repentant if he or she had learned this Psalm by heart. This demonstrated that a change in the person's heart had occurred, as long as the person did not commit the offense again.<sup>4</sup>

What is often missed in these processes is that the victim, the person who has been wronged by the offense, may have suffered a serious loss as a result of the transgression. A person may have been late for an appointment, suffered serious damage to his or her home or other property, or could have been fired from his or her job as a result of the negligence or malfeasance of another. In instances such as this, a simple apology seems inadequate in remedying the damage caused by the action or actions of the offender.

Throughout the generations, many cultures have tried to find a solution by which a person was able to demonstrate true repentance for the crimes or offenses committed. Laws, penal systems, church rules, mediation, as well as the courts have attempted to resolve these numerous squabbles and offenses between individuals.<sup>5</sup> Yet, rarely, if at all, have these systems

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<sup>3</sup> Ann Gold Buscho, "Apologies and Forgiveness: Do They Go Together?" *Psychology Today* (May 9, 2019).

<sup>4</sup> Chris Burton, "Letter: A Psalm to Get You Out of Jail," *Birmingham Post & Mail* (February 21, 2008).

<sup>5</sup> Stephen E. Jones, *God's Law on Restitution* (Fridley, MN: God's Kingdom Ministries, 2002), 1-2.

been the solution to achieve repentance and forgiveness for an offense.<sup>6</sup>

Most neglect to see that a solution to this problem has been available since God handed down the Law to Moses.<sup>7</sup> God provided a means by which one could resolve a matter so that both the person who committed the offense and the victim found justice. This was established in the principle of restitution.<sup>8</sup> Restitution is a necessary part of Biblical forgiveness, both on a legal and moral level, because it restores the loss of property or labor of another while providing an avenue for forgiveness, repentance, and restoration. Through restitution, both parties are able to find true justice, and a matter is resolved without lingering resentment and bitterness.

### **What Is Restitution?**

To understand the biblical principle of restitution, one must begin by understanding the word itself. It can be helpful to understand the biblical definition in both the Greek and Hebrew if one understands this word and its meaning in English first. The Merriam-Webster dictionary defines restitution as:

1. an act of restoring or a condition of being restored: such as
  - a. a restoration of something to its rightful owner.
  - b. a making good of or giving an equivalent for some injury.
2. a legal action serving to cause restoration of a previous state.<sup>9</sup>

The key part of this definition is the restoring or the condition of being restored. The focus is on ensuring that the victim has not lost anything held as valuable to him or her. Instead, whatever has been lost, damaged, or stolen, has been restored through restitution, thus seeking to

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<sup>6</sup> William R. Kelly, “The Criminal Justice System is a Massive Failure: Here’s a Solution,” *University of Texas Life & Letters* (June 2, 2015).

<sup>7</sup> Through the continuation of this dissertation, when “the Law” is referenced, it is referring to the Law that God gave to Moses.

<sup>8</sup> Avery Dulles, “When to Forgive: Forgiveness Functions Beyond Every Religious Context,” *America* Vol. 187, Issue 10 (October 7, 2002), 5.

<sup>9</sup> Merriam-Webster.com Dictionary, s.v. “restitution,” <https://www.merriam-webster.com/dictionary/restitution>.

create an equilibrium where the previous state has been restored.<sup>10</sup>

Acha recognized the need to pay restitution, explaining that there needed to be some form of consequences as a result of the action. He explained that one should offer to compensate at a commensurate value for the damage that has been caused.<sup>11</sup> Acha is talking about the principle of restitution, however, he chose to use the word compensation. While this may seem like an adequate word to use, it is not. Compensation constitutes paying that which is perceived to be of equal value.<sup>12</sup> For example, a person who has been laid off from his or her job could receive unemployment as compensation for lost wages. While this provides a monetary value that helps to sustain the person until he or she is able to find a new job, it does not restore that person to their previous position. Instead, it is primarily a stop gap solution until another means to resolve the issue is found.

This is why compensation as a term falls short of a proper understanding of restitution. In the case of restitution, one is seeking to restore equilibrium. It is not simply about providing something of value for that which has been lost, stolen, or destroyed, but also provides payment for time or loss incurred.<sup>13</sup> For example, a person who has an ox stolen did not just lose the ox. That person also lost the work the ox would have performed as well as the crops that may not have been sold. In this case, “compensation” must address the entire amount lost, not just the theft of the ox. This is what separates restitution from ideas such as compensation.

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<sup>10</sup> Francois P. Viljoen, “A Call for Peacemaking: A Perspective from the Sermon on the Mount,” *In Die Skriflig* 55 (2): 7.

<sup>11</sup> Kenneth Acha. Dr. Acha points out that a simple apology is not accepting responsibility for one’s actions. Instead, restitution is necessary to demonstrate that one is truly sorry. However, where he misses the mark is by believing that a punishment or other similar form of consequence is satisfactory. Punishment is not the Biblical remedy for correcting a wrong.

<sup>12</sup> David Pearce and Roger Halson. “Damages for Breach of Contract: Compensation, Restitution and Vindication,” *Oxford Journal of Legal Studies* 28, no. 1 (2008): 73–75.

<sup>13</sup> Dietrich Bonhoeffer, *The Cost of Discipleship* (New York: Touchstone, 1995), 67-68.



## Restitution in the Hebrew and Greek

The word for restitution in the Hebrew is שָׁלַם (pronounced ‘shalam’), which means completed, make amends, finish, give again, make good, pay again or re-pay, to be at peace, to make prosper, recompense, render, make restitution, restore, reward, or to perfect.<sup>14</sup> This word is found in over one-hundred places in the Old Testament.<sup>15</sup>

The first instance is in Genesis 44:4 where the story of Joseph and his brothers is told. In this verse, Joseph sent his brothers back home to their father. The brothers were still unaware of Joseph’s true identity, but it is approaching the time where he revealed himself to them.<sup>16</sup> He instructed his steward to return the money the brothers paid to him for grain, putting it in his brother Benjamin’s bag (Gen. 44:1-4).

The brothers left the next morning. After they left, Joseph told his steward to ride out after them and stop the group (Gen. 44:3-4). Since the steward had put the money into their bags unknowingly, the brothers found the money. When they did, Joseph told the steward to ask the brothers, “Why have you repaid [שָׁלַם] evil for good?” The clear understanding of this usage is that Joseph showed them favor but, in return, they restored or repaid him with evil.

In this instance, שָׁלַם means a direct exchange. One gives money and receives grain in

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<sup>14</sup> Francis Brown, C. Briggs, and S.R. Driver, *The Brown-Driver-Briggs Hebrew and English Lexicon* (Lancaster, TX: Snowball Publishing, 2010). 1022-23.

<sup>15</sup> *Ibid.*

<sup>16</sup> The story of Joseph is told in Genesis 37 through Genesis 50. In this account, Joseph, the 11<sup>th</sup> son of Jacob and the favorite, has a dream where he would rule over his brothers and they would kneel before him. The brothers were upset at hearing this and threw their brother into a pit. Their plan was to kill him, but they opted to sell him to a traveling caravan that took Joseph to Egypt where he was sold into slavery to a man named Potiphar.

Sometime later, Potiphar’s wife attempted to seduce Joseph, but he refused to have sexual relations with her. She accused him of attempting to rape her and Joseph was imprisoned. After many years he was able to interpret the dream of Pharaoh. This dream was about seven years of great harvests and then seven years of famine. As a result of his ability to interpret the dream, Joseph was put in a high position and was placed in charge of collecting grain for the time of the famine. During the famine, his brothers came to Egypt looking to buy grain. They did not recognize Joseph, but he recognized them.

return. That is the exchange. The steward used the word in this way as well, but he is using it from a moral standpoint – that the brothers were given kindness but repaid him with evil and deceit.<sup>17</sup>

This Hebrew word is used quite extensively in Exodus, Leviticus, and Deuteronomy. These are three of the five books of the Pentateuch, which contain much of the Law that God provided to the Israelite people. There are 22 instances where the Hebrew word is used in these three books,<sup>18</sup> starting in Exodus 21-23 where laws are provided which are directly related to property and restitution. For example, Exodus 21:35-36 addresses when a person has an ox that attacks another man’s ox, killing it. This law established that if the offending ox has been known to gore other animals, that the owner of that ox was required to repay “ox for ox.” The owner of the ox was required to restore the ox that was killed by providing an ox of equal value. In this way, the person whose ox was killed suffered no loss because he or she was compensated with an ox of equal value.<sup>19</sup>

Throughout the Old Testament, the way this word is used is always related to the repayment, restoration, or means to bring about peace with others.<sup>20</sup> In 2 Kings 4:7, Elisha told the widow to sell oil and “pay your debts [חָלַם].” Even the Lord is One who provided restoration. In Ruth 2:12, Boaz was speaking to Ruth, telling her that he knew of the loss of her husband, yet she still chose to leave her homeland to remain with her mother-in-law. As a result, Boaz explained that Yahweh would “repay” her for what she had done, giving her a full reward. She may have lost her husband and been separated from her family, but the use of חָלַם demonstrates

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<sup>17</sup> Bryan D. Estelle, “Motifs and Old Testament Theology,” *Unio Cum Christo* 5 (1) (2019): 36.

<sup>18</sup> Francis Brown, C. Briggs, and S.R. Driver, 1022-23.

<sup>19</sup> Jakobus M. Vorster, “The Ethics of Land Restitution,” *Journal of Religious Ethics* 34 (4) (2006): 689-90.

<sup>20</sup> Francis Brown, C. Briggs, and S.R. Driver, 1022-23.

that God would provide a wage for her faithfulness. Her righteousness and commitment to Yahweh, even in the face of losing her husband, was credited to her by God and He restored that which was lost.<sup>21</sup>

While the principle of restoration is established in the Old Testament, it is not exclusively an Old Testament idea. The New Testament also establishes the importance of the principle of restitution. In Luke 19, the story of Zacchaeus is told. He was a tax collector who had made false accusations against others to steal their property. After accepting Jesus, he promised he would restore [ἀποδίδωμι] fourfold what he had taken. This Greek word has the same meaning as that of the Old Testament word מָלַץ, meaning to deliver, give, repay or make payment of, render, recompense, restore, sell, or reward.<sup>22</sup>

The Greek word ἀποδίδωμι (apodidomi) is found extensively in the New Testament, particularly in the Gospels.<sup>23</sup> One such example is in Matthew 5:21-26, where Jesus is talking about a brother holding something against another. He explained that one should pay [ἀποδίδωμι] the last penny to avoid an accusation in court. That which is owed must be restored so that legal action is not brought against them.<sup>24</sup>

### **What Is the Purpose of Restitution?**

The need for restitution is made clear throughout the Bible. When one understands the legal and moral basis for restitution, then it is easier to understand the overall purpose for this

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<sup>21</sup> Tzvi Novick, "Wages from God: The Dynamics of a Biblical Metaphor," *The Catholic Biblical Quarterly* 73 (4): 709-11.

<sup>22</sup> Walter Bauer, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*, 3rd Edition, Frederick William Danker, Editor (Chicago, IL: University of Chicago Press, 2001), 90.

<sup>23</sup> *Ibid.*

<sup>24</sup> This teaching by Jesus is explained more fully in Chapter 6.

principle – to bring about forgiveness and the unity of the body of believers under God.<sup>25</sup>

One way to view the idea of sin or transgression is that it is an injustice. When one steals from another, an injustice has been perpetrated. A person used his or her money or possessions to purchase an item, then another took or destroyed that item unlawfully. As a result, an injustice has occurred. The Law provided restitution as a means to bring about justice from an unjust act.<sup>26</sup>

In doing so, not only was the injustice remedied, but two additional actions occurred as well. The first was that the person who committed the offense reached a level of repentance by paying the debt. By restoring that which was lost, damaged, or stolen, the offender became responsible for his or her offense, taking ownership for the actions by restoring or repaying the individual for the damage caused.<sup>27</sup> This becomes one of the most important aspects of restitution, namely a recognition that one's actions affect others and that there is a need to take responsibility through repayment or remission.<sup>28</sup> What makes this principle so essential is that it helps the one who has committed the offense to be able to identify with the victim. The individual recognizes that actions have real consequences and he or she is able to bring about justice through compensating the one who has been victimized.<sup>29</sup>

In addition, the victim of the offense is provided a true measure of justice. The matter is not turned over to the penal system where no real justice is provided at all. Instead, the individual has what is lost, damaged, or stolen returned through full restoration by the person who

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<sup>25</sup> Charlotte vanOyen Witvliet, Nathaniel G Wade, Everett L Worthington, Lindsey Root Luna, Daryl R Van Tongeren, Jack W Berry, and Jo-Ann C Tsang, "Apology and Restitution: Offender Accountability Responses Influence Victim Empathy and Forgiveness," *Journal of Psychology & Theology* 48 (2) (2022): 90-91.

<sup>26</sup> Stephen E. Jones, *God's Law on Restitution*, 5.

<sup>27</sup> Sandra DeGidio, *Reconciliation: Sacrament with a Future* (Cincinnati, OH: St. Anthony Messenger Press, 1985), 54-55.

<sup>28</sup> Charles Colson and Daniel Van Ness. *Convicted* (Westchester, IL: Crossway Books, 1989), 80-81.

<sup>29</sup> Everett L. Worthington, *Dimensions of Forgiveness* (Philadelphia, PA: Templeton, 1998), 48.

perpetrated the offense. That person does not suffer any real loss because what has been taken from them has been restored.<sup>30</sup> With the individual acknowledging their actions and repenting of them and the victim being compensated for his or her loss, forgiveness is now able to be achieved. No one is harboring any resentment or anger. Instead, both parties find themselves in a situation where they can renew their acquaintance, restoring the unity of the body of believers.<sup>31</sup>

This is where restitution is fulfilled from both a moral and legal stance. The legal focuses on justice. One person has committed an unjust act through the theft, loss, or damage he or she caused to another's property. That person can then remedy the situation by restoring the property or paying the cost in accordance with the dictates of the Law.<sup>32</sup> The moral aspect is focused on the ethical, where one recognizes that he or she has committed a transgression against another. In other words, he or she sees that harm was done. As a result, the person repents of the actions committed, seeking to remedy the error so that the restoration of the relationship can be achieved. While the legal aspect has requirements that must be met, the goal of restitution is to move beyond feeling obligated to restore that which has been lost as a result of the transgression, moving toward a genuine desire to "make things right."<sup>33</sup>

H. Wayne House provides another way to look at the moral and legal aspects of restitution. In Micah 6:8, the prophet asked the people what the Lord required of them. He then told them to "do justice, and to love kindness, and to walk humbly with your God?" As House explains, the purpose of restitution is to demonstrate that mercy and justice are attained when both parties embrace this principle. This creates a situation where conciliation is accomplished

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<sup>30</sup> Stephen E. Jones, *God's Law on Restitution*, 8.

<sup>31</sup> Anthony Bash, *Forgiveness and Christian Ethics* (Cambridge, Cambridge University Press, 2007), 58.

<sup>32</sup> Stephen E. Jones, *God's Law on Restitution*, 5-6.

<sup>33</sup> Charles Colson and Daniel Van Ness, 81-82.

while also providing a means of justice for both the victim and the accused.<sup>34</sup> Once again, the legal aspect of restitution is to provide for justice – the victim being repaid for what was lost. However, as House reveals, the moral aspect of restitution is also fulfilled. It is not enough for the offender to seek to repair the damage of their transgression out of a genuine feeling of repentance. It is also necessary for the victim to demonstrate forgiveness and mercy. To harbor resentment toward someone who has made amends according to the Law does not demonstrate justice, a love of kindness, or a desire to walk humbly. Therefore, for restitution to accomplish its primary goal – the unity of the body of Christ – both the one who has committed the offense and the victim of the offense must embrace the principle of restitution as the means to remedy the offense.

### **Why Forgiveness Matters?**

The Hebrew word for restitution [שָׁלוֹם] is the same root for the Hebrew word shalom [שָׁלוֹם].<sup>35</sup> This word means peace, emphasizing the most important aspect of restitution – creating peace.<sup>36</sup> One person has been victimized and is angry, depressed, and frustrated by his or her loss. That person has no peace as a result. However, when the property is restored or justice is attained in accordance with the Law, that person gains peace.

In the closing of his second letter to the Corinthians, Paul told them to “aim for *restoration*, comfort one another, agree with one another, live in peace, and the God of love and peace will be with you (2 Cor. 13:11).” In this case, Paul used the word καταρτίζω (katartizō), which means command, restore, create, or strengthen.<sup>37</sup> His prayer was that peace, shalom,

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<sup>34</sup> H. Wayne House, *Christian Ministries and the Law* (Grand Rapids, MI: Kregel Publications, 1999), 82.

<sup>35</sup> Francis Brown, C. Briggs, and S.R. Driver, 1022.

<sup>36</sup> *Ibid.*

<sup>37</sup> Walter Bauer, 417.

would be achieved. He recognized there were divisions within the Corinthian church. There were those who were harboring resentments because of transgressions committed against them by others. Paul encouraged them to restore themselves to one another so that peace could be achieved. This is one of the primary goals of restitution, to ensure that there is no harboring of unforgiveness so that peace with one another is attained.<sup>38</sup>

This Greek word [καταρτίζω] is only used twice in the New Testament, both in this final chapter of Paul's second letter to the Corinthians. The first use is found in verse 9, when Paul told them that the "restoration" of the Corinthian church was what they were praying for. Paul was providing final warnings to the Corinthians, and he prayed that they would be fully restored in their faith and trust in Jesus and in one another. He then explained in verse 11 that they should aim for restoration and the comfort of one another.

The use of the word for restoration implies that there was something that was broken between them. There was a need for conciliation or reconciliation between them. While not directly referencing restitution itself, Paul made it clear that there needed to be a unity among believers. They needed to be restored to one another so they could live in peace.<sup>39</sup> Paul presented a direct correlation between restoration and peace. When there is division, there is no peace as bitterness and resentment become roadblocks to true unity.<sup>40</sup> The solution to breaking down that barrier is restitution, where one makes amends for transgressions so that restoration can be achieved and peace restored.

When there is resentment, mistrust, or bitterness that occurs among believers, it is

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<sup>38</sup> James O. Baird, "The Trademark of Paul's Epistle," *Restoration Quarterly* 21 (2) (1978): 79-80.

<sup>39</sup> Eugene Richard Schlesinger, "The Fractured Body: The Eucharist and Anglican Division," *Anglican Theological Review* 98 (4) (2016): 641-42.

<sup>40</sup> James O. Baird, 79-80.

impossible for the unity of the body to be maintained. Bitterness and resentment do not allow believers to work with one another. It also presents an embarrassing picture of what Christianity is about, especially to unbelievers. They witness Christians declaring the forgiveness of the Lord but will not forgive one another. Christians challenge each other in court, acting as adversaries, instead of reconciling to each other.<sup>41</sup>

Forgiveness matters because unforgiveness is a tool that Satan uses to destroy the unity of the body of Christ. When individuals are harboring resentment against one another, Satan is able to create divisions, diminishing the power of the body of Christ. Therefore, God calls upon the believer to reconcile to one another, and restitution is an important means used to bring about that restoration.<sup>42</sup>

A forgotten aspect of this is that those who have committed offenses often struggle with the guilt associated with their transgressions and crimes. By providing restitution, the person who has committed the offense is given the opportunity to be relieved of the guilt and anxiety associated with the damage caused. This is something that can have a dramatic impact on the overall mental health of the offender and the ability to accept forgiveness.<sup>43</sup>

### **A Biblically Based Solution to Bring about Forgiveness and Unity**

This dissertation will provide a complete exegesis of restitution, not only examining what the Old and New Testaments say about the subject, but also looking at how the principle was applied in the cultures of the ancient Near East. The dissertation will also focus on the application of this principle. What makes restitution such an important biblical principle is that

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<sup>41</sup> H. Wayne House, *Christian Ministries and the Law*, 82.

<sup>42</sup> Douglas A. Foster, "The Nature of Christian Unity: Historical Understandings of Churches of Christ," *Lexington Theological Quarterly* 46 (3-4) (2016): 91-92.

<sup>43</sup> Charles Colson and Daniel Van Ness, 80-81.



there are significant theological implications for this principle that stretch across key elements of the Christian faith. This includes such principles as loving one's neighbor, unity, forgiveness, grace, mercy, the Law, and loving God. This is something that was understood by many of the early church fathers who addressed the need for restitution as part of the Christian life. Even many denominations today have included the principle as part of their doctrine of beliefs.

While restitution is a principle that can be examined through an exegetical approach, what makes it so important is that God provided a practical application for it is well. This was not intended to be a theological principle taught "in a vacuum." Instead, it was meant for followers of God to embrace it so that they would repent of transgressions and forgive those who have transgressed against them. This is accomplished through restitution, which provides true justice for both the offender and the victim. Therefore, the ultimate goal of the dissertation becomes the focus on teaching the importance of this principle in the life of a Christian, both from a theological understanding and a practical application.

## **Section I: The Old Testament and Ancient Near East**

To properly understand the principle of restitution, one must begin with an examination of the Old Testament. The Law given to Moses established many of the principles that are found directly related to restitution, but laws related to restitution are not exclusive to Exodus, Leviticus, and Deuteronomy. The principle is taught from the very beginning of the Pentateuch and continues through the historical writings as well as the teachings of the prophets and the poetic books.

It is also important to see that this is not a principle exclusive to the Israelite people. Many of the peoples of the Ancient Near East (ANE) had laws related to restitution. This meant that there had been a long-standing understanding among different cultures across the region that restitution played a significant role in bringing about justice within a society.

Justice is the ultimate goal of restitution. Leaders and governments have wanted to provide justice for their citizens, and restitution is one means that is commonly found throughout the people of the ANE, but their view of restitution and its purpose proved to be quite different than what God sought in the Law.

The next four chapters will look at how the principles of restitution were established in the Law and how they were applied across the Old Testament. Also examined will be how both the moral and legal aspects of the law were fulfilled through restitution, with examples provided in the accounts told in the Old Testament. Plus, an examination will be made of the laws of other cultures of the time, demonstrating that restitution was always viewed as an essential part of the legal system of society. However, what will be demonstrated is that restitution in other cultures of the time had a different purpose than what God sought through the Mosaic Law. These laws were focused mainly on deterrence and punishment, not on restoration and forgiveness.

By understanding the purpose and foundation of restitution established in the Old Testament, the Christian is then able to see how this principle is applicable to the believer today. As mentioned, the ultimate purpose of restitution was to bring about restoration and peace among believers, to ensure that there was no division, bringing about a complete unity of the body of believers. The accounts told in the Old Testament will provide examples that demonstrate how essential this principle is and show that God has always wanted His people to seek justice and unity through a moral and ethical obligation to restore and repair that which is broken, lost, or stolen.

## The Importance of One's Labor

*"It's only money."*

There is a culture within society that has come to see personal property and assets as meaningless or, at the very least, inconsequential. They believe that human life is valued far above the personal property of another.<sup>44</sup> While there is a legitimate argument to be made for this, the reality is that one's personal property is the only thing that one can claim as "theirs."<sup>45</sup>

This is the foundation of the idea of labor. One's individual labor is the work that he or she has performed in return for a "wage." While this may seem like an insignificant concept to some, the Bible makes it clear that labor has a significant value. This makes it an essential part of restitution, because the loss of one's goods, property, spouse, or other asset is a loss of one's labor.

### What Is Labor?

To understand this concept more clearly, the idea of labor must be established. This foundation is laid in Genesis 3. After Adam and Eve have fallen due to Adam's failure to follow the command of God, Yahweh spoke to Adam directly, telling him,

<sup>17</sup> And to Adam He said, "Because you have listened to the voice of your wife and have eaten of the tree of which I commanded you, 'You shall not eat of it,' cursed is the ground because of you; in pain you shall eat of it all the days of your life; <sup>18</sup> thorns and thistles it shall bring forth for you; and you shall eat the plants of the field. <sup>19</sup> By the sweat of your face you shall eat bread, till you return to the ground, for out of it you were taken; for you are dust, and to dust you shall return."<sup>46</sup>

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<sup>44</sup> R.H. Lossin, "In Defense of Destroying Property: We Cannot Conflate the Destruction of Plateglass with the Violence That is Being Protested," *The Nation* (June 10, 2020), <https://www.thenation.com/article/activism/blm-looting-protest-vandalism/>.

<sup>45</sup> Stephen E. Jones, *The Debt Note in Prophecy: Part 3* (Fridley, MN: God's Kingdom Ministries, 2006), 1-2.

<sup>46</sup> The Holy Bible, English Standard Version. ESV® Text Edition: 2016. Copyright © 2001 by Crossway Bibles, a publishing ministry of Good News Publishers. The ESV is the primary version of the Bible used throughout this dissertation. If another version is used, it is noted.

While there are a multitude of important points in these verses, the most essential aspect in terms of this discussion is regarding labor. It was at this point that God told Adam that no longer would Yahweh provide him with all the things that were needed for Adam and Eve to survive. It had been easy for them to live, but not anymore. God would no longer be their benefactor, so Adam had to work so that they could “eat bread.” He had to battle the thorns and thistles, sweat, plant crops in the field, and harvest them to be able to provide nourishment for himself and his family. In other words, he had to labor.<sup>47</sup>

Labor was established as an important principle. If one does not work, then he or she does not survive. God was telling Adam that He had provided for all his needs and made his labor for food an easy one, but that would no longer be the case (Gen. 3:17-19). Now Adam would have to work and do all that was needed so that he and his family could survive. Failing to do so would lead to their deaths.<sup>48</sup>

While the Bible does not specifically address this, it is likely that Adam and his wife had to make tools and pottery so that they could plant and harvest their crops. They also likely made utensils and pottery that were used for cooking. In other words, they had to use their labor to create property. While this is not recorded in the biblical account, numerous artifacts have been discovered that date back to nearly 5000 years ago, revealing that the people of that age used these tools.<sup>49</sup> If one upholds the biblical account of creation as fact, then it would not have been very much earlier that Adam and Eve would have walked the earth. Therefore, it is quite likely that they would have used tools such as these to aid in the planting and harvesting of crops as

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<sup>47</sup> Yasir Saleem, “‘For a Man Is Born to Suffer’: Intertextuality between Job 4–5 and Gen. 2.4b–3.24,” *Journal for the Study of the Old Testament* 46, no. 3 (March 2022): 397-99.

<sup>48</sup> *Ibid.*, 397-98.

<sup>49</sup> Lawrence Barham and Peter Mitchell, *The First Africans: African Archaeology from the Earliest Toolmakers to Most Recent Foragers*. *Cambridge World Archaeology* (Oxford: Oxford University Press, 2018), 74.

well as in the making of food.<sup>50</sup>

When one discounts the value of property, he or she is discounting the value of labor. Adam and Eve created tools out of their own labor so that they could increase the efficiency of their labor when planting and harvesting food. While they still could have planted seeds, watered them, and harvested these fruits and vegetables without using these tools, the tools likely helped to increase the efficiency of Adam, Eve, and their family.

Beyond that, there could have been additional property that Adam and Eve created and came to own. No account is provided of exactly what structure the two lived in, even after Abel and Cain were born. It is quite possible that the family lived in a cave. It is also quite possible that they built a structure, a home that became their property. The Bible recounts how God provided clothing for Adam and Eve when they were banished from the garden. They may have created additional clothing, adding to their property.<sup>51</sup>

They would have also used animals to aid in their survival. Oxen would likely have been used to help with planting and harvesting. Mammals provided milk. All these animals would have been domesticated for the purpose of helping the family to meet their daily needs for survival and would have become part of their property. Their survival depended upon these animals, while also helping to increase the efficiency of their labor.<sup>52</sup> What is important to recognize is that all these items had value. They were the fruits of the labor of Adam, Eve, and their children. Thus, they had essential value to the family.

What is often neglected when it comes to the concept of labor is that this is the only thing

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<sup>50</sup> Eleanor Ferris Beach and Frederic L. Pryor, "How Did Adam & Eve Make a Living?" *Biblical Archaeology Society* (April 1995).

<sup>51</sup> Eleanor Ferris Beach and Frederic L. Pryor; William Lane Craig, "The Historical Adam," *First Things* 316 (October 2021): 44.

<sup>52</sup> Henry M. Morris, "Adam and the Animals," *Institute for Creation Research* (February 1, 1991).

that one can actually claim as his or her own. The fact is that one cannot even claim his or her own life.<sup>53</sup> God makes it clear that He is the Creator of all things, and all things are His.

Deuteronomy 10:14 declares that “Behold, to the Lord your God belong heaven and the heaven of heavens, the earth with all that is in it.” This is reiterated in several places in the Bible, including in Psalm 89:11, where David declares of the Lord, “The heavens are Yours; the earth also is Yours; the world and all that is in it, You have founded them.”

What this makes clear is that nothing, including the life of the individual, is one’s own. All things that are naturally made on heaven and earth come directly from God. In Exodus 19:5, God declares that He is the Owner of all things when He states, “Now therefore, if you will indeed obey My voice and keep My covenant, you shall be My treasured possession among all peoples, for all the earth is mine.” In Psalm 139:13, David writes, “For You formed my inward parts; You knitted me together in my mother’s womb.” What God reveals is that one’s own life is truly not his or hers to claim. Since each individual is created and formed by God, each person has become His possession. He is the rightful Owner of all of mankind. Thus, all of humankind cannot claim their own lives as theirs.<sup>54</sup>

However, their individual labor is the one thing that they can claim is completely theirs. It is the work they have performed. It is the time and effort they have devoted to accomplishing some task. It is the creative ideas and concepts that they have developed that have led to something occurring or an innovation being created.<sup>55</sup>

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<sup>53</sup> Carly Lorraine Crouch, “Genesis 1:26-27 as a Statement of Humanity’s Parentage,” *Journal of Theta Alpha Kappa* 31 (1) (2017): 2,5.

<sup>54</sup> Henry M. Morris, *The Beginning of the World: A Scientific Study of Genesis 1 – 11* (New Leaf Publishing Group, 1991), 28-30.

<sup>55</sup> Stephen J. Porth, “Spirit, Religion and Business Ethics: A Crossroads?” *Journal of Human Values*, 3 (1) (1997), 33-36.

The Ten Commandments are important in relation to the holiness and righteousness of God and His expectation for His people. When one applies the concept of labor, it is easier to see how labor plays a part in each of the commandments. Six of these commandments directly relate to one's labor or the inability to perform labor. This starts with the idea of honoring one's father and mother, the fifth commandment given by God (Ex. 20:12). One's parents helped to bring life to the individual. God is the ultimate Creator of the children (Psalm 127:3, 139:13), but parents play a significant role in the development and rearing of their children. They devoted their time, protection, and resources to help nurture and lead their children to maturity. In essence, they have labored as part of caring for each child. As a result, God is making it clear that the children are to honor and respect their parents because they devoted their labor to helping their children to reach a level of maturity.<sup>56</sup>

Murder is a sin against God as the Creator.<sup>57</sup> This will be discussed more in the next section, but it is also a sin against the individual. The taking of a life denies that person the ability to perform labor. A parent who has been murdered will no longer be able to care for his or her spouse or children. This puts the survival of the family in jeopardy.<sup>58</sup>

Committing adultery may not seem like a sin against labor, but it is. Ask any married couple and they will assure you that it is a great deal of work to keep a marriage happy and loving. It is clearly not always rainbows and unicorns. As a result, there is a great deal of labor that goes into maintaining and continuing the marriage covenant.<sup>59</sup> It starts with either the man or

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<sup>56</sup> Edwin Zulu, "Reverence for Ancestors in Africa: Interpretation of the 5th Commandment from an African Perspective," *Scriptura* 81 (2002): 477-78.

<sup>57</sup> Henry M. Morris, *The Beginning of the World: A Scientific Study of Genesis 1 – 11*, 28-30.

<sup>58</sup> Rolf A. Jacobson and Karl N Jacobson, "The Old Testament and the Neighbor," *Word & World* 37 (1) (2017): 17-18.

<sup>59</sup> Susan Heltier, "Marriage Problems? Here's an 8-Step Rescue Plan," *Psychology Today* (March 18, 2013).



woman making the initial steps to capture the attention of the other. This takes time, money, and other assets. In the time of Moses, brides received a dowry from the husband's family as part of the covenant agreement. There was labor involved in this as well, as the family of the husband had to work to acquire the assets to receive agreement from the parents of the bride to accept the marriage covenant.<sup>60</sup> During the marriage, a large amount of time, assets, ideas, and sweat are poured into that covenant agreement to maintain its sanctity.<sup>61</sup> When one violates that agreement by committing adultery, he or she has committed a sin against the labor of the other spouse.

It is clear how theft is a sin against labor, as it is the coveting of the property of another. In desiring the property of another, one is contemplating violating the labor of that person.<sup>62</sup> While coveting may not turn into direct action, Jesus made it clear that one who is lusting after that of another has clearly violated the Law, thus violating that person's labor (Matt. 5:27-30).

That leaves one last commandment regarding the individual and labor, namely bearing false witness against one's neighbor (Ex. 20:16). This may not seem like a violation either, but one works to develop a reputation. Bearing false testimony or spreading gossip about another can have an array of negative effects on that person and his or her ability to perform labor. A person may go to jail if another provides false testimony about him or her in a court proceeding, denying that person the ability to care for his or her family.<sup>63</sup> One who spreads false accusations about another may cost that person a job. Spreading a false rumor about the chastity of a woman may force the one to whom she is betrothed to choose another, abandoning her, thus denying her the

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<sup>60</sup> Gordon Paul Hugenberger, *Marriage as a Covenant a Study of Biblical Law and Ethics Governing Marriage, Developed from the Perspective of Malachi* (Leiden: E.J. Brill, 1994), 168-70.

<sup>61</sup> Jakobus M. Vorster, "Marriage and Family in View of the Doctrine of the Covenant," *Hervormde Teologiese Studies* 72 (3) (2016): 2-3.

<sup>62</sup> Rolf A. Jacobson and Karl N Jacobson, 18.

<sup>63</sup> Rolf A. Jacobson and Karl N Jacobson, 17-18; Joe M. Sprinkle, "Law and Narrative in Exodus 19-24," *Journal of the Evangelical Theological Society* 47 (2) (2004): 240-41.

ability to be provided for and to care for her future family.<sup>64</sup>

### **God as Laborer**

One of the casualties of the false teaching of evolution is that God is no longer viewed as the Creator of all things. The reality is that atheists want to remove God from the equation altogether, and believing in a non-theistic creation helps them to deny God His rightful place in all of creation.<sup>65</sup>

It is essential that one see God as the Creator of all things, because this gives Him His rightful place as the Laborer of all that exists. The biblical account makes it clear that God created all things (Genesis 1-2). As mentioned in the previous section, this gives Him the rightful claim to His labor. Since He is the One who created everything on the earth and in the heavens, He can claim that everything belongs to Him. In 1 Corinthians 10:26, Paul agreed, declaring, “the earth is the Lord's, and the fullness thereof.” Everything belongs to God because He is the One who labored to create it all.

When God is seen as the Laborer of all things, then the first four commandments provided to Moses become clearer in understanding. The first commandment declares that the people were to have no other god before Yahweh (Ex. 20:3). An acknowledgment of another God is the denial of Yahweh as the Supreme One, the One who created all things. It is falsely recognizing some other deity, or some other series of gods, as the creator or laborer.

To understand this more fully, one must go beyond the simple truth that God is the Creator of all things. God is also the Sustainer of all things as part of His labor. In Hebrews 1:3, the author declared that Jesus is “the radiance of the glory of God and the exact imprint of His

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<sup>64</sup> Jakobus M. Vorster, 4.

<sup>65</sup> Richard Dawkins, *The God Delusion* (Boston: Houghton Mifflin, 2006), 33.

nature, and He upholds the universe by the word of His power.” Jesus is the One who upholds the universe and all that is in it through the power of His Word.<sup>66</sup>

In Job 38-33-37, God admonished Job, explaining,

<sup>33</sup> Do you know the ordinances of the heavens? Can you establish their rule on the earth?  
<sup>34</sup> “Can you lift up your voice to the clouds, that a flood of waters may cover you? <sup>35</sup> Can you send forth lightnings, that they may go and say to you, ‘Here we are’? <sup>36</sup> Who has put wisdom in the inward parts or given understanding to the mind? <sup>37</sup> Who can number the clouds by wisdom? Or who can tilt the waterskins of the heavens, <sup>38</sup> when the dust runs into a mass and the clods stick fast together?

God is asking Job a rhetorical question related to His powers. He is explaining that He brings the floodwaters, brings forth lightning, and gave people their brains so that they could have an understanding mind. The truth is that He not only created these things, but still sustains them. God made clear to Job that He had created all these things and still maintains them throughout the existence of the universe.

When one acknowledges another god above Yahweh, he or she is believing that it is that deity that is bringing forth blessings. It is Ba'al, Allah, or some other god that is healing, bringing the rains to nurture the crops, or forming life in the womb. This is a denial of God's proper place as Creator and Sustainer, denying His labor. In essence, it is a violation of two commandments, as it is also bearing false witness about who is the real creator and provider of all things.

The second commandment prohibits the making of idols (Ex. 20:4-6). In the ancient Near East, idols were created to be worshiped. They were often used in religious ceremonies and at the altars, once again putting them in the place of the true God. These idols would be prayed to, supplications would be brought, and sacrifices would be offered. These idols were put ahead of

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<sup>66</sup> Albert J. Coetsee, “‘By His Word?’ Creation, Preservation and Consummation in the Book of Hebrews,” *Hervormde Teologiese Studies* 74 (4) (2018): 2-3.

Yahweh, regarding them as the sustainer(s) of life and the provider(s) of good fortune.<sup>67</sup> God makes it clear that all things good come from Him (Psalm 16:2). It is His labor that brings about good things, and to seek the guidance of false deities through these idols, believing that these false idols have provided good fortune, is a denial of God and His place as Laborer.

The third commandment bars people from using the Lord's name in vain (Ex. 20:7). The word translated as vain is the Hebrew word שווא (shevaw), which means useless, lying, or vain.<sup>68</sup> The sense of this word is that it is being used in an evil or destructive way. The Old Testament provides many verses that clarify what it means to use the Lord's name in vain. One such example is Leviticus 24:16, where it states, "Whoever blasphemes the name of the Lord shall surely be put to death." The word for blaspheme is נָקַב which means to curse or blaspheme.<sup>69</sup> God is making it clear that those who would curse Him deserve the punishment of death.<sup>70</sup> In Leviticus 19:12, the Lord declares that no one should falsely swear an oath by His name. This would be to profane or use the Lord's name to make a false declaration.<sup>71</sup> Jeremiah 23:25 adds an additional instance, where God talked about how prophets have told the people that God had revealed something to them when He had not. They had lied about what God had said.<sup>72</sup>

These verses teach us a lot about what it means to use the Lord's name in a vain or in an evil way. Most important of which is that they relate directly to the ninth commandment against

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<sup>67</sup> Christopher B. Hays and Peter Machinist, *The World around the Old Testament: The People and Places of the Ancient Near East* (Grand Rapids, MI: Baker Academics, 2016), 68-73.

<sup>68</sup> Accordance XII, Version 12.2.8. (2018). Oak Tree Software, Inc. [www.accordance.bible](http://www.accordance.bible).

<sup>69</sup> Francis Brown, C. Briggs, and S.R. Driver, 666.

<sup>70</sup> Bernon Lee, "Leviticus 24:15b-16: A Crux Revisited," *Bulletin for Biblical Research* 16 (2) (2006): 345-46.

<sup>71</sup> Will Bankston, "'You Shall Be Actualized, for I Am Pure Actuality': Holiness and the Perfecting Relation of Grace," *International Journal of Systematic Theology* 23 (2) (2021): 172-74.

<sup>72</sup> Dalit Rom-Shiloni, "Prophets in Jeremiah in Struggle over Leadership, or Rather over Prophetic Authority?" *Biblica* 99 (3) (2018): 352-54.

bearing false witness. To declare that God has said something that He did not say is to lie about God. It is to bear false testimony against Him. To curse God in a way that presents Him as wicked is also bearing false testimony. God is good. God is love. He is not wicked, but one who curses God is declaring that He is.<sup>73</sup> This deprives God of His labor. God has proven Himself to be good. He has shown unbelievable mercy and grace upon His creation, a “work” of His who have openly rebelled against Him, yet, He has shown love for those who openly hate Him.<sup>74</sup> God has proven through His work, His labor, that He is loving, merciful, and righteous, and to curse or bear false testimony about God deprives Him of His reputation.<sup>75</sup> That is a crime against His labor and a slanderous act against His character.

One who declares an oath that they are swearing to do something before God but do not do so is another example of bearing false testimony. One has declared in the Name of God that he or she has committed himself or herself to this act. The person has made a covenant agreement with God, but has failed to abide by the commitment.<sup>76</sup> This is a violation of labor. It not only breaks a covenantal agreement, something that is willingly made by the person who swears the oath, but is also making a declaration that he or she will perform an act or that testimony provided is the truth. That person is making this declaration using the good Name of Yahweh or Jesus as proof of the statement.<sup>77</sup> This is bearing false witness against the Name of God. When one has made an oath before God and then breaks it, he or she is declaring that God

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<sup>73</sup> Will Bankston, 157-60.

<sup>74</sup> James M. Howard, “Re-Examining Romans 1-8 with the Pentateuch,” *Bibliotheca Sacra* 177, no. 705 (January 2020): 75-76.

<sup>75</sup> Will Bankston, 157-60.

<sup>76</sup> Lucas G. Freire, “Foreign Relations in the Ancient near East: Oaths, Curses, Kingship and Prophecy,” *Journal for Semitics/Tydskrif Vir Semitistiek* 26 (2) (2017): 664-65.

<sup>77</sup> Bernon Lee, 345-46.

does not care about the individual oath that is made. It presents a negative, distorted impression of Yahweh, defiling the true image of God. After all, He is One who does what He says, so He expects that those who make a commitment in His name to do so as well.<sup>78</sup> God makes it clear that His name is to be exalted, and to use it vainly, whether through a false oath, a curse, or any other means that reduces His Majesty, is a crime against the work God did to establish His righteousness and greatness.<sup>79</sup>

Finally, the fourth commandment deals with the Sabbath. God instructed the Israelite people that they were to honor the Sabbath and keep it holy. He told them that they could labor for six days, but that they were to rest on the seventh just as the Lord had done (Ex. 20:8-11). This seems to be a complete contradiction to labor, as this is about rest and not about work. However, suppose one looks at all the laws given to the Israelite people regarding sabbaths. A clear understanding is then presented that reveals the importance of the Sabbath in the context of labor. It begins with the fact that all things belong to God. This includes all the earth and everything in and on it, including all people. Since everything is God's property, He has the right to declare how that property is to be used.<sup>80</sup> The Sabbath is a commandment provided by God to ensure maximum efficiency and success of labor, not only by people but by the land and animals as well.<sup>81</sup>

For example, in Leviticus 25:4, God told the Israelites that they could work the land for six years, but on the seventh they were to give the fields and vineyards a year of rest. They were not to sow the fields and they were not to prune the vineyard or gather the fruits. The reason was

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<sup>78</sup> Carly Lorraine Crouch, 4-6.

<sup>79</sup> Will Bankston, 157-60.

<sup>80</sup> Carly Lorraine Crouch, 4-6.

<sup>81</sup> Bonnie Honig, "Is Man a 'Sabbatical Animal'?" *Political Theology*, 20:1 (September 21, 2018); 4-7.

that the land needed a rest as well. Several studies conducted by biologists and agriculturalists have proven this concept to be true, as it is essential that land has a rest period to ensure that the nutrients can be refurbished in the soil and so that crops that are produced are much healthier and better for those who eat it. Failing to do so yields a weakened crop, and continuous failure to honor the Sabbath in this way produces weaker and weaker crops with each generation.<sup>82</sup>

The same is true of people. God understood that people needed a rest. In fact, scientific testing has proven that the biological clock of people points to a need to rest on a regular basis. This is not the sleep cycle that occurs at night,<sup>83</sup> but is a weekly cycle that has been scientifically proven to exist as part of the biological clock of human beings. God demands the need for rest one day a week in accordance with the biological clock inside each person.<sup>84</sup>

The outcome of this is obvious. When people and the land can rest, they are both more efficient. Failing to do so makes them less efficient. God recognized this, commanding a Sabbath rest, making it holy. He is sanctifying each person and the land for the work that is needed to maintain the life of each person by instituting the Sabbath rest.

Colossians 3:23 declares that “Whatever you do, work heartily, as for the Lord and not for men.” What this commandment is teaching is that you should also rest heartily for the Lord and not for men. One should follow the command of God so that the work is sanctified and made holy because that person has followed the commandment of God, which then makes the

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<sup>82</sup> USDA, “Soil Tillage and Crop Rotation,” *USDA Economic Research Service* (April 28, 2020); Noam Yehuda Sender, “Jewcology: Let the Land Rest,” *The Jerusalem Post* (November 15, 2012).

<sup>83</sup> Each person undergoes four stages of sleep during the night. Scientists and sleep researchers assert that these stages are essential for the physical, mental, and emotional health of the individual, as several restorative processes occur during the stages of sleep. When one fails to get the proper amount of sleep and to undergo these four stages at night, they can undergo physical and emotional illnesses. This information was retrieved from the National Heart, Lung, and Blood Institute (NIH) website: <https://www.nhlbi.nih.gov/health/sleep/stages-of-sleep>.

<sup>84</sup> Jerry W. Lee, Devon J. Superville, and Kenneth I. Pargament, “Sabbath Keeping and Its Relationship to Health and Well-Being: A Mediatonal Analysis,” *International Journal for the Psychology of Religion*, 24(3) (2014); 254-56.

individual better for their labor.

These four commandments deal specifically with God's labor. However, there are other commandments that are relevant to both people and God. The first of these is murder. As mentioned, murder is a crime against the potential labor of another. A person is not able to do work that can be used for the care of the person and his or her family (regardless of whether the person has a family at the time or would have one later), and so it violates the ability to do work. Murder is a crime against God's labor as well. Since God creates and forms each one of us, He is the Laborer as well. When one kills another, that person has not only defaced the image of God, but has also destroyed God's property. All of humankind is owned by God, so He has the right to claim all as His.<sup>85</sup>

Adultery is also a crime against God's labor. In Mark 10:9, Jesus is talking about divorce, telling the people, "What therefore God has joined together, let no man separate." God does not just bless a marriage; He joins a man and a woman together. He labors in creating the unity of the marriage.<sup>86</sup> There are many theological implications to this verse related to marriage, however, what is important for this discussion is to recognize that God has a stake in the marriage between a man and a woman. He joins that marriage through His work and when one violates the marriage covenant by committing adultery, they are also sinning against the labor of God.<sup>87</sup> Again, there are many theological and practical implications, with the impact on labor being one of them.

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<sup>85</sup> Albert J. Coetsee, 2-3.

<sup>86</sup> Toshi Shichida, David C. Dollahite, and Jason S. Carroll. "How the Perception of God as a Transcendent Moral Authority Influences Marital Connection among American Christians," *Journal of Psychology and Christianity* 34, no. 1 (Spring, 2015): 40-41.

<sup>87</sup> Miguel A. Endara, "Imaging God through Marital Unity," *The Heythrop Journal*, Vol. 56, Is. 5 (September 2015), 728-730.



Dishonoring one's mother and father is also a transgression against Yahweh. God is the Creator of all children, forming them in the womb. He also gives parents the special responsibility of raising and caring for them.<sup>88</sup> What is important to this principle is that God gave the parents the special responsibility of caring for their child. Therefore, God expects those who have been tasked with this responsibility by Him to be honored for the finances and effort they have provided.

### **You Have the Right to Your Labor**

The Bible makes it clear in both the Old and New Testaments that the worker is entitled to the wages that he or she has earned. In Deuteronomy 24:14-15, God told the Israelite people that they were not to oppress the hired servant for he (or she) was entitled to his (or her) wages before the sun sets. Leviticus 19:13 reaffirmed this, declaring that the hired man should not have his wages held until the next morning.

In Jesus' parable of the laborers in the vineyard (Matthew 20:1-16), He explained that each day the master came out and gave the workmen their wages, regardless of the time they had begun their work. The master understood the need to pay for the work that his workers had performed. Paul reiterated this point as well, quoting the Scripture directly in 1 Timothy 5:18 when he explained that "You shall not muzzle an ox when it treads out the grain and the laborer deserves his wages." What is made clear in these verses is that all have the right to their labor. They have a right to whatever their labor has produced as long as that labor did not break a commandment of God and did not violate the labor of another.<sup>89</sup>

When one examines the Law, the focus is on the righteousness and holiness of God and

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<sup>88</sup> Gordon D. Fee, "The Cultural Context of Ephesians 5:18-6:9," *Priscilla Papers* 31 (4) (2017): 5-6.

<sup>89</sup> Stephen E. Jones, *The Debt Note in Prophecy: Part 3*, 2-3.

His desire for a holy people, but it is easy to see how these laws were written with the idea that labor had an important role within them. For example, some have come to understand the restriction against murder as a prohibition against killing at all.<sup>90</sup> This is not the case. In fact, there are specific laws that permit the killing of another, such as when someone breaks into the house of another during the night and was struck, leading to death (Ex. 22:2). This law reveals that when a person breaks into the home of another to steal property or to cause injury, the offender has committed a sin against labor. The property and life of that individual are valuable, and the homeowner has a right to protect his or her labor, both past and future.

What God made clear through these laws was that He valued the work that one performs to be able to care for himself or herself and the family, should they have one. One could argue that these laws do not have as much value today, as the survival of most does not depend upon the property he or she owns,<sup>91</sup> however, that is not the case. The theft of a car could mean that a person is unable to get to work. That could mean the loss of a job, which leads to an inability to feed, clothe, and house his or her family. When one has his or her identity stolen, it could lead to massive credit card debt, which could lead to a poor credit report rating. That could lead to an inability to get a home, or to a need to pay significantly higher interest rates to purchase a home or car, denying that person the full return on his or her labor.<sup>92</sup>

As explained, the earth and everything in it belongs to God. That means that the fields, the raw materials, the sunlight, the wind, rains, and the plants and animals belong to God. He is the Laborer who created all these things. People only have the right to one thing – their labor. It

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<sup>90</sup> Wilma Ann Bailey, “‘You Shall Not Kill’: The Meaning of RṢḤ (Rtsh) in Exodus 20:13,” *Encounter* 65 (1) (2004): 41-42.

<sup>91</sup> R.H. Lossin.

<sup>92</sup> Bruce L. Benson and Marvin E. Wolfgang, *To Serve and Protect: Privatization and Community in Criminal Justice* (New York: NYU Press, 1998), 240.

is the only thing that a person can claim as his or her own, and the Bible makes it clear that one's labor is to be honored.<sup>93</sup>

Society attempts to make property and money an insignificant thing in the big scheme of life,<sup>94</sup> but the Bible makes it clear that this is the most important thing that a person can claim as their own.<sup>95</sup> It is the one right that is specifically laid out in the Bible. One has worked and deserves the wages from the work. The person can then buy property and has the right to keep that property because he or she worked to earn it.

One must also understand that God has the right to His labor as well. If God owns all things and He is the Creator of all things, then people are simply leasing the land where they build their homes, sow and plow their fields, and fish in the waters. This is why God could demand a tithe of ten percent (10%) be paid to compensate Him for His labor. If one is a farmer, hunts or fishes, or uses the natural resources as part of his or her labor, then God is entitled to a portion of whatever is earned. After all, He created all these things. It was His labor.<sup>96</sup>

### **Labor and Restitution**

With this understanding of labor and its importance to the individual and to God, it is now possible to fully appreciate the purpose of restitution, not only from a legal standpoint, but from a moral one as well. As mentioned, when a person has his or her car stolen, this is an incredible hardship. It is not only a loss of work that enabled the person to be able to purchase that car, but is also depriving him or her of the possibility of continuously working to care for his or her family. The thief has deprived that person of his or her labor and potential labor, and God

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<sup>93</sup> Bruce L. Benson and Marvin E. Wolfgang, 239.

<sup>94</sup> R.H. Lossin.

<sup>95</sup> Stephen E. Jones, *The Debt Note in Prophecy: Part 3*, 2-3.

<sup>96</sup> Stephen E. Jones, *The Law of the Tithe* (Fridley, MN: God's Kingdom Ministries, 2001).

recognized the thief had violated the rights of that individual. As a result, He created laws that specifically mandated what one must do to restore that which was taken, destroyed, or lost.<sup>97</sup>

The reality is that sometimes property may have simply been misplaced or damaged in some way. It could be that the negligence of the individual may have led to the death of a horse, ox, or other farm animal, which was essential to the labor of another. That loss of labor needed to be restored. God provided an equitable situation where restitution was to be provided to ensure that labor was replaced. This was the legal side of it.<sup>98</sup>

The moral side of it was that God wanted people to understand through the principle of restitution how they had violated the labor of another. That their actions had caused potentially irreparable harm, maybe even led to the death of another. As a result, God required a restitution to remedy the situation so that forgiveness could be achieved.<sup>99</sup> God understood that one who has lost property is going to hold a grudge. He or she is going to want vengeance or to see the other person harmed in some way because of the loss at the hands of the offender.<sup>100</sup> However, if the person recognized his or her wrong, remedied the situation, and restored all that was lost, forgiveness could be achieved for both parties.<sup>101</sup>

God even made it clear that one's state of mind played a part in the restitution process. One who is negligent in his or her actions was not held to the same level of restitution as one who has maliciously taken the property. Legally, property damaged through negligence has the same value as that which was stolen or purposefully destroyed. However, morally the culpability

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<sup>97</sup> Duke L. Kwon and Gregory Thompson, *Reparations: A Christian Call for Repentance and Repair* (Grand Rapids, Michigan: Brazos Press, 2021), 139-40.

<sup>98</sup> Stephen E. Jones, *The Debt Note in Prophecy: Part 3*, 2-3.

<sup>99</sup> Stephen E. Jones, *God's Law on Restitution* (Fridley, MN: God's Kingdom Ministries, 1983), 17.

<sup>100</sup> Murray Rothbard, *For a New Liberty* (New York: MacMillan, 1973), 191.

<sup>101</sup> Stephen E. Jones, *God's Law on Restitution*, 17-18.

of the person is different depending upon how the property was lost or destroyed. In response, God provided different levels of restitution to reflect the intentions of the person that led to loss of labor.<sup>102</sup>

The purpose of restitution was to accomplish two things: to restore “labor” that is lost, the legal side, and to bring about repentance and forgiveness, the moral side. This will be addressed more later, but restitution opens the door to the greater possibility that one will admit to his or her mistakes.<sup>103</sup> Instead of using some period of punishment as a form of “debt” payment, restitution actually brings about the restoration of that which was lost, damaged, or stolen as well as the restoration of the relationship. The offender is restored to society while the victim has his or her property and dignity restored as well, opening the door for him or her to feel that justice has been achieved. This removes a desire for revenge and creates true forgiveness.<sup>104</sup> The moral side of restitution serves the ultimate goal of God – the unity of God’s creation to one another.

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<sup>102</sup> Bruce. Wells, “What Is Biblical Law? A Look at Pentateuchal Rules and Near Eastern Practice,” *The Catholic Biblical Quarterly* 70 (2) (2008): 236-39.

<sup>103</sup> Stephen E. Jones, *God’s Law on Restitution*, 14-16.

<sup>104</sup> Bruce L. Benson and Marvin E. Wolfgang, 240.

### **The Legal Establishment of Restitution**

“At least you have your health.”

The loss of property seems insignificant to some. It can easily be replaced is what many conclude. However, the Bible makes it clear that one’s labor is the one thing that can be claimed as his or her own. As a result, the loss of property is a significant issue. This is why many of the commandments that God gave to the Israelites dealt directly with labor and property.

The laws of the Old Testament are often divided into three classes: civil, ceremonial, and moral.<sup>105</sup> While this is an adequate way to classify the Law, it is also important to understand that the vast majority of these laws deal with labor in some form or another. In the case of God, His labor surrounds the creation of the universe, the forming of each individual, and the sustaining of life. Thus, laws were provided that related to denying God the fruit of His labor and to paying restitution for the sins that one had committed against God.<sup>106</sup>

In the case of the individual, laws were provided to seek restitution for the loss of property. Property is extended beyond such things as a house, farm animals, or crops, and included such things as children, wives, and servants. While people were in no way viewed as “property,” they fell under the civil law simply because they were part of the labor of an individual.<sup>107</sup> As mentioned in the last chapter, one performs a great deal of work to find the right person to marry, then devotes even more work to sustaining that marriage.<sup>108</sup> Parents spend a great deal of their wealth and time, their labor, caring for their children. In this way, God added

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<sup>105</sup> Robert L. Hubbard, “‘Law Is Grace--At Least Sometimes’: Theological Reflections on Old Testament Redemption Laws,” *The Covenant Quarterly* 57 (1) (1999): 4.

<sup>106</sup> James A. Greenberg, *A New Look at Atonement in Leviticus: The Meaning and Purpose of Kipper Revisited* (University Park: Penn State University Press, 2020), 15-16.

<sup>107</sup> Olusayo B. Oladejo, “Labor Related Laws in the Covenant Code and Their Implications for Sustainable Economic Development,” *Journal of Biblical Theology* 2 (3) (2019): 80.

<sup>108</sup> Jakobus M. Vorster, 2-3.

these forms of labor under the Law.<sup>109</sup>

Before continuing, it is important to understand that while much of the laws related to labor and restitution are specified in Exodus, Leviticus, Numbers, and Deuteronomy, the idea of restitution is expressed throughout the Bible. It began with God removing his benevolence on Adam and Eve, requiring them to labor for their survival. From that point on, each individual has been responsible for his or her own survival. Thus, the Bible reflects this reality.<sup>110</sup>

### **All Sin Is Reconciled as a Debt**

To understand the principle of restitution, it was necessary to establish the importance of labor. It is also important to understand how sin was viewed in the Bible. In 1 John 3:4, the apostle wrote, “Everyone who makes a practice of sinning also practices lawlessness; sin is lawlessness.” Paul explained this a little differently when he wrote in Romans 4:15, “For the law brings wrath but, where there is no law, there is no transgression.” There is a Law, however, which means that a violation of any of the laws is a transgression.<sup>111</sup>

Augustine of Hippo explained that sin is “a word, deed, or desire in opposition to the eternal law of God.”<sup>112</sup> While his explanation is solid, the Bible makes it clear that it is not just an action in opposition to the Law. Augustine’s explanation seems passive in nature, where one is simply acting in a way that is contrary to the Law, like one may be in opposition to a particular point of view but without passion or a willful attitude of opposition. Instead, sin should be viewed as an individual purposefully choosing to do something in violation of the Law of God.

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<sup>109</sup> Edwin Zulu, 477-78.

<sup>110</sup> Yasir Saleem, 397-99.

<sup>111</sup> Nicholas Thomas Wright, “Paul and the Patriarch: The Role of Abraham in Romans 4,” *Journal for the Study of the New Testament* 35 (3) (2013): 213-14.

<sup>112</sup> Augustine, “Contra Faustum, Book XXII, 27,” *Nicene and Post-Nicene Fathers, First Series, Vol. 4*. Translated by Richard Stothert. Edited by Philip Schaff (Buffalo, NY: Christian Literature Publishing Co., 1887), <https://www.newadvent.org/fathers/140622.htm>.

The Bible is emphatic that sin is a transgression of the Law. In verse Romans 4:15, Paul used the word παράβασις (parabasis), which is translated as transgression by the ESV translators. The word itself literally means disobedience. So, one who has broken the Law has been disobedient to it. This was not a mistake, but a willful act to violate the Law.<sup>113</sup> John used the word ἀνομία (anomia) which the ESV translators labeled as lawlessness. This word means lawless, unrighteous, or a violation of the Law.<sup>114</sup> What these verses teach is that when one breaks a law, he or she has gone far beyond being in opposition to the law. Instead, the person has chosen an action which violated that law and has likely violated the labor of another, including God's.

Why it is important to establish this principle first is that there needs to be a recognition by the person who has committed the offense that he or she has wronged another. If one is going to be truly forgiven, then it starts with recognizing that he or she has done something wrong.<sup>115</sup> Out of that recognition becomes a desire to rectify the situation. This is done through the principle of restitution.

To fully understand how restitution is established, one must then grasp that all sin was reconciled as a debt in the Bible. This is why Paul explained that the “wages of sin is death (Rom. 6:23).” The word for wages is ὀψώνιον (opsónion), which is a ration, stipend, or something that one has earned, like a debt.<sup>116</sup> Paul is making it clear that the debt that one ultimately earns for their disobedience to the Law is death.

When one sins, he or she earns a liability. The Law established that those who have

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<sup>113</sup> Walter Bauer, 611.

<sup>114</sup> *Ibid.*, 71.

<sup>115</sup> Stephen E. Jones, *Creation's Jubilee* (Fridley, MN: God's Kingdom Ministries, 1991), 36-37.

<sup>116</sup> Walter Bauer, 602.



committed a sin have now incurred a debt.<sup>117</sup> This is very clearly explained in the prayer that Jesus taught His disciples, when he told them that they should pray, “and forgive us our debts, as we also have forgiven our debtors (Mat. 6:12).” The word Jesus used here is ὀφειλήματα (opheilēmata), which means debt, something that is owed or a due.<sup>118</sup> Jesus did not ask that God forgive sins as we forgive others. This is often how people recite this prayer.<sup>119</sup> He also did not say to ask for forgiveness of the trespasses that one has committed against God as that person has forgiven those who have trespassed against him or her. This is the other common way that this prayer is recited, especially within the Catholic Church.<sup>120</sup> Instead, he asked that the debt that each individual owes be forgiven in the same way that the person who is owed a debt forgives the debts of others.

While forgiveness, transgression, and trespasses are all part of that, the foundation of His prayer is related to debt. One has incurred a debt when he or she sins against another. That person owes a restitution as a result of that debt. Jesus is saying to show the same level of forgiveness of debt as God demonstrated when He forgave the debt of all of mankind through the death of Jesus on the cross.<sup>121</sup> This will be examined more in Chapter 6.

This Greek word [ὀφειλήματα] is only used in one other instance in the New Testament. In Romans 4:4, Paul is discussing how Abraham was justified by faith. He wrote, “Now to the one who works, his wages are not counted as a gift but as his due [ὀφειλήματα].” Paul explained

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<sup>117</sup> Stephen E. Jones, *God's Law on Restitution*, 6.

<sup>118</sup> Walter Bauer, 598.

<sup>119</sup> N.A., “Prayers for Forgiveness - Forgive Others and You Shall Be Forgiven,” i (April 28, 2020). <https://www.christianity.com/wiki/prayer/prayers-for-forgiveness.html>.

<sup>120</sup> “The Lord’s Prayer” is part of the Catholic Catechism and is included in Part Four, Section Two, Article 1 of the Catechism. [https://www.vatican.va/archive/ENG0015/\\_P9Y.HTM](https://www.vatican.va/archive/ENG0015/_P9Y.HTM).

<sup>121</sup> Hans M. Moscicke, “Jesus, Barabbas, and the Crowd as Figures in Matthew's Day of Atonement Typology (Matthew 27:15–26),” *Journal of Biblical Literature* 139, no. 1 (2020): 128.

that Abraham was not blessed by God because of his own works, because that would have meant he was receiving his due, what he was owed. If that was the case, God would have blessed Abraham because Yahweh owed a debt to him because of his works.<sup>122</sup> Thus, in understanding what Paul is writing about, it reveals Jesus' words more clearly. He is telling His followers to pray that God would remove the debt that we owe to Him as we have forgiven the debt that others owe to us. While forgiveness is the essential element of this prayer, it is the focus on the forgiveness that is often misunderstood. Jesus is not telling His followers that the act itself is forgiven. Instead, He is saying that the debt incurred from the act was forgiven.<sup>123</sup>

This is an extremely important distinction, because there is no biblical passage that proposes that transgressions are reversed. The responsibility is on remedying the transgression in such a way that whatever damage has been caused has been fixed and forgiveness and restoration can be achieved through the restitution. That is why it is essential to understand transgressions in terms of debts.

### **Restitution of Lost or Destroyed Property**

As mentioned, the Law can be broken down into three primary classes. The one that seems most relevant to restitution is civil law. So, this is the place where the discussion and exegesis of restitution and the Law will begin.

The focus begins in Exodus 21:33-22:15. These laws deal specifically with property that is lost or destroyed by another. What the Law recognized is that there are degrees upon which someone is culpable for the damage to property. For example, Exodus 21:33-34 begins with the loss of an animal due to the negligence caused by a person who dug a pit and neglected to cover

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<sup>122</sup> Nicholas Thomas Wright, 215-16.

<sup>123</sup> David A. Fiensy, "Jesus and Debts: Did He Pray about Them?" *Restoration Quarterly* 44 (4) (2002): 235-37.

it. This is not an intentional act, and the Law recognized that. As a result, the one who dug the pit was responsible for paying for the loss of the dead animal. In return, the dead animal was given to the one who dug the pit. This is a simple exchange between the two. It would very much be like a person going to the grocery store and purchasing three pounds of ground beef, giving money to pay for the meat. The difference is that the negligence of the person led to the transaction. However, what is important to see is that God provided a remedy by which the debt could be paid. The person who dug the pit was ultimately responsible for the loss of the animal. The person was negligent for not covering the pit. He or she earned a debt and the way that it was paid was by compensating the person for the lost animal.<sup>124</sup>

The next two verses deal with an animal, such as an ox, that kills another animal. While one can claim that a person should not be held responsible for the actions of an unpredictable animal, the reality is that someone owned the ox that caused the death of another animal. That person has incurred a debt because that ox was his or her property. The Law stipulated that people are responsible for the actions of their animals. As a result, the Law demanded that the person pay a restitution for the mauling of another animal.<sup>125</sup> In this case, God recognized that this was not an intentional act. As a result, the person was required to sell the ox that caused the death and the two parties then split the money from the sale of that ox as well as the money from the sale of the dead animal. God recognized that it was not fair to completely blame the person for the actions of their animal. Therefore, He allowed for compensation to be given to the owner of the offending animal as well.<sup>126</sup>

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<sup>124</sup> Daniel R. Schwartz, "Rabbinic Law between Biblical Logic and Biblical Text: The Pitfalls of Exodus 21:33-34," *Harvard Theological Review* 107 (3) (2014): 317-319.

<sup>125</sup> M. A. Katz, "Ox-slaughter and Goring Oxen: Homicide, Animal Sacrifice, and Judicial Process," *Yale Journal of Law* 4 /2 (1992): 249-54.

<sup>126</sup> Robert L. Hubbard, 5-7.

God recognized that there were instances where the loss of an animal may be due to negligence or an unforeseen circumstance. They were not intentional at all. However, there were circumstances where a person intentionally committed a transgression. As a result, God provided laws directly related to the intentional acts of the offender.

This starts in Exodus 22:1. In this verse, a person has stolen or killed the ox or sheep of another. Because of the intentional act, the debt became bigger. The person was not just paying ox for ox or sheep for sheep. Instead, he or she was required to pay five oxen for each ox stolen and four sheep for each sheep that was killed or stolen. This was a much more serious offense, and God reconciled the situation between the two parties by requiring a greater restitution.<sup>127</sup>

Exodus 22:2-3 deals with a person breaking into a house. If it was at night, the owner of the home had the right to kill the thief to protect himself and his family. The reason why the homeowner was able to take the life of another for a property offense was that the homeowner would have been unable to determine the intention of the person if they broke into the home at night. The thief may have intended to cause the owner bodily harm, and was not there simply to steal property. God allowed a person to take the life of another in this instance because of the lack of knowledge of the intent of the person.<sup>128</sup>

Should the thief survive until the next day, or should he break into the home during the day, then he was to pay for his crime. If the animal that was stolen was discovered, then the thief was required to pay twice what he had stolen. So, two oxen for one ox stolen, two donkeys for one donkey stolen, etc. The Law even stipulated that if he was unable to pay for his crimes, then he was to be sold into slavery, a topic which will be discussed more later in this chapter.

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<sup>127</sup> Stephen E. Jones, *God's Law on Restitution*, 6-7.

<sup>128</sup> Herschel Wayne House, "Using Deadly Force to Protect Property at Night," *O. W. Coburn School of Law* (October 31, 1983), 3.

The beauty of the Law was that it provided restitution regardless of the circumstance. For example, one might ask what the restitution would be if a person stole a donkey and it was discovered that he or she had done so, but the donkey had already been sold. That was dealt with in the first verse of this chapter, where God required that four or five animals be paid as restitution for the loss of one.

Next, Exodus 22:5-6 deals with the destruction of someone's vineyard. Verse 5 addresses a situation where the ox or other animal of one person leaves the owner's property and eats in the vineyard or farm of another. God required that the owner of the animal make restitution by providing an equal amount of what was lost and to do so from the very best of his field. In this way, not only was the man required to restore that which was lost, but to also make sure that he recognized the transgression by paying the restitution with the very best of his own vineyard or field.

Verse 6 deals with one man causing a fire that destroys the grain or field of another. In this case, the person was required to make complete restitution for everything that was lost. This would mean that if the house was burned down, the crops were destroyed, animals were killed, and tools were burnt, the person who caused the fire was required to cover any and all damages related to the fire. No additional compensation was required, as this was a simple matter of replacing all that was destroyed. This law does not cover how the loss of a life would be dealt with if it occurred during a fire. How it may be viewed is dependent upon if the fire was deliberately set. If it was determined that the fire was deliberately set, then the law regarding murder would likely be applied.

The next section of laws deals with a situation where a person has entrusted property to

another.<sup>129</sup> This could be a situation where one asks another to hold onto money or other property for safekeeping or where the other party borrowed something from the owner. In the first instance (Ex. 22:7-9), one man has turned over his money or other goods to another for safekeeping. If that property is then stolen and the thief is caught, the thief is required to pay double the amount that was stolen. If the thief is not caught, then both parties were to go to God. The person who had been entrusted with the property was to swear under oath before God that he had not stolen or lost the money himself. If God found that this man was telling the truth, the accuser paid him twice the amount for falsely accusing him.<sup>130</sup> If the man entrusted with the property was lying, he was to pay double the amount. God set a standard where the restitution paid in either situation was double the amount of that which was given for safekeeping.

The important part of this, beyond restoring that which was stolen, is about integrity. A thief is wrong for stealing money that has been entrusted to another. He should pay the cost for his theft, plus show his repentance by doubling the amount paid. If the man who had given the money to the neighbor for safekeeping falsely accused the neighbor of stealing the money, then he should show his repentance by paying double the amount. If the neighbor had acted without

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<sup>129</sup> The legal term for this relationship is bailment, which Black's Law Dictionary describes as "A delivery of goods or personal property, by one person to another, in trust for the execution of a special object upon or in relation to such goods, beneficial either to the bailor or bailee or both, and upon a contract, express or implied, to perform the trust and carry out such object, and thereupon either to redeliver the goods to the bailor or otherwise dispose of the same in conformity with the purpose of the trust." (*Black's Law Dictionary*, Deluxe 8<sup>th</sup> Edition, Bryan A. Garner, Editor (St. Paul, MN: West Group, 2004), 151.)

<sup>130</sup> One aspect of the Law that is not specifically addressed is how one would 'know' from God that a person was lying or presenting false testimony. This is the main factor in determining whether one is guilty of this offense or not, and nothing specifically addresses how the judge or arbiter was to find the answer. Assnat Bartor provides one compelling argument. In discussing the sin of David in committing adultery with Bathsheba and then having Bathsheba's husband (Uriah) killed to conceal the offense, God sent the prophet Nathan to expose the sins David had committed (2 Samuel 12). Bartor points out that God exposes sin and reveals truth through men and women He has called for this purpose. This is seen in the accounts of the Judges where Yahweh chose 15 separate individuals to act on His behalf to free the people. While not implicitly stated in the Law, the choosing of Moses, Joshua and, later, Judges, such as Deborah, Gideon, and Samson, reveals that God specifically chose those who would be entrusted with hearing from God to determine the outcome of disputes. (Assnat Bartor, "Reading Biblical Law as Narrative," *Prooftexts* 32 (3) (2012): 294-97.)

integrity, then he was responsible for paying double. God provided a fair means to ensure that each party in this situation properly restored that which was lost.<sup>131</sup>

Now, one could say that the neighbor had no reason to be paid a debt. It may seem odd that he would receive restitution for a false accusation being levied against him. However, this returns to the commandment against bearing false witness against thy neighbor. To accuse the neighbor of stealing when there is no proof that he had not done so is an attack on his reputation, an attack on his labor. He is entitled to compensation.<sup>132</sup> Plus, God wanted to ensure that there would be no resentment between the neighbors. If a person has been falsely accused of stealing and has been proven by God that he or she did not do so, then there should be an act of repentance which compensates the person for the false accusation levied against him.

The next situation is when a person has been entrusted to watch the animal of another (Ex. 22:10-15). If the animal dies, is injured, or is driven away, the neighbor would give an oath before God that he had not done anything to cause the animal harm. In this case, no restitution was required. This returns to the commandment regarding using the Lord's name in vain. If a person is swearing an oath before God that he or she had not caused the animal harm, then this was to be considered a very serious proof that no such harm had occurred.<sup>133</sup> However, if the animal is stolen, then the person who was charged with keeping the animal safe was required to make restitution. The specific amount of restitution is not set within this verse (Ex. 22:12), but the amount is provided in Leviticus 6:5, where it states that he or she shall "restore it in full and shall add a fifth to it." There was a high expectation that one would have enough integrity to

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<sup>131</sup> Raymond Westbrook, "The Deposit Law of Exodus 22,6-12," *Zeitschrift Für Die Alttestamentliche Wissenschaft* 106 (3) (1994): 391-94.

<sup>132</sup> Rolf A. Jacobson and Karl N Jacobson, 240-41.

<sup>133</sup> Lucas G. Freire, 664-65.

protect an animal from being stolen. Failure to do so was a breach of confidence and integrity.<sup>134</sup>

Verse 13 explains that if a wild animal killed the beast and there was ample evidence to prove this to be true, then no restitution was required. The Law added this provision understanding that a person was not required to risk his or her own life against a wild animal, such as a lion. That would be dangerous.

Finally, Exodus 22:14-15 deals with any other circumstance where something is borrowed by a neighbor. Because these two verses use the phrase, if it is “injured or dies,” one can assume that the verses are talking about an animal that is lent to a neighbor, likely for plowing a field or for doing some other type of work. The Law stipulates that if the animal is injured or dies while doing the work and the owner of the animal is not present, then full restitution is to be made. However, if the owner is present while the work is being done and the animal is injured or dies, then no restitution is necessary. The verse assumes that if the owner of the animal is present, then it is likely that the animal and its owner were hired to do a job on the property. Thus, the owner of the animal is responsible for any injury or death that occurred, because he or she was using the animal in the course of performing the task.

While the injury or loss of an animal is inferred by the verses, it is also clear that verses 14-15 are talking about any item that is borrowed. So, if a farm implement, for example, is borrowed and becomes damaged or broken, the person who borrowed the farm implement would incur a debt to pay for the damaged equipment. However, if the person hired the individual to use the farm implement on the land and it was damaged or broken, then no restitution was necessary. After all, the person who owned the farm implement damaged it in the course of the work being done, so he or she should not be compensated for something broken by the owner.

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<sup>134</sup> Raymond Westbrook, 391-92



Leviticus 6:1-7 elaborate on the laws provided in Exodus 21-22. The first portion of these verses deals with a person who has committed a breach of faith or has acted deceptively. Exodus 23:7-9 addresses a situation where a person had asked another to safeguard money for them. The money was stolen and the person who had been entrusted to safeguard the money swore that he or she was not the one who had stolen it. Should it be discovered later that the person had lied and openly confessed to the truth, then he or she would be required to pay restitution with an additional fifth added to the amount to be paid. That person had “committed a breach of faith” by making a false oath. Much of this section of verses deals specifically with someone swearing that he or she had not committed an act when the person actually had. Thus, the penalty for making a false oath was a fifth added to whatever restitution was required to be paid.

While many of these laws are specifically geared toward property related to farming, such as oxen, donkeys, fields, or vineyards, what is clear is that the principle can be cast across all property. The goal was to ensure that the victim gained proper justice through the restoration of the property while, at the same time, the offender repented of what he or she had done and showed remorse by restoring that which was taken, lost, or destroyed. Thus, the laws related to restitution could easily transition across any situation, including damaging another’s pottery, breaking a door, or losing a garment. God was setting a standard of what was expected to remedy a situation where any type of property is lost, stolen, or destroyed.

### **Property Loss or Unsolved Matters**

There is a cliché that says, “finders’ keepers, losers’ weepers.” The sentiment is that a person who finds something that is lost by another is entitled to keep that property for him or herself. This mentality has been codified in laws, such as those found in the common law of England, where a person turns in something that is lost and, if the item is not claimed within a

certain period of time, then that item becomes his or hers.<sup>135</sup> The sentiment is that the person tried to find the rightful owner but was unsuccessful. Therefore, it should belong to him or her.<sup>136</sup>

This may work within statutory codes in a community, but it is not supported in the Law of God. This is still an issue related to labor. There was a person who worked to buy some type of property, such as a farming tool. The person who finds this tool performed no labor to acquire the tool. He or she simply found it. In the eyes of God, this does not belong to the finder at all, and the Law completely supports this belief.<sup>137</sup>

This idea is taught in a few places, starting in Deuteronomy 22:1-4. In v. 1-2, God commanded that if a person saw the ox or sheep of a brother going astray, that person was obligated to bring the animal back to the owner's house if it was not late at night. If it was later in the evening, then he or she was to bring the animal to the owner's home the next day, caring for the animal in the meantime. What God makes clear is that people were responsible for ensuring that the property of others was not lost.<sup>138</sup>

Some would argue that this requirement relates only to a "brother" or other close family member. It may even extend to a neighbor, but it is not intended to be an overall guiding principle for any situation. God disagrees. In Exodus 23:4, God commanded that if one came across a stray ox or donkey of an enemy, he or she was still required to return the animal to its

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<sup>135</sup> Rebecca F. Wisch, "Summary of State Lost Property Statutes," *Animal Legal & Historical Center* (2006). <https://www.animallaw.info/article/summary-state-lost-property-statutes>.

<sup>136</sup> In California, for example, a person is required by law to turn over any money or property valued at \$100 or more to the local sheriff's office or police department. If it is not claimed within 90 days, then the money or other property is turned over to the finder. This according to West's Ann. Cal. Civ. Code § 2080 – 2082.

<sup>137</sup> David L. Baker, "Finders Keepers? Lost Property in Ancient Near Eastern and Biblical Law," *Bulletin for Biblical Research* 17 (2) (2007): 209-210,

<sup>138</sup> *Ibid.*, 210-212.

rightful owner.<sup>139</sup> When combining the two sections of verses, God makes it clear that each individual is entitled to his or her labor, and the loss of an animal does not mean that one can keep it or even ignore the fact that it is lost. Whether friend, family, or enemy, the animal is to be returned.<sup>140</sup>

Deuteronomy 22:3 explains that this principle extends beyond animals. If anyone were to find the garment of another that is lost, the person was not to ignore it. He or she was to return it to the person who lost it. In addition, verse 4 explains that if one saw the animal of her brother and the animal had fallen or was hurt, she was required to help it.<sup>141</sup>

The Law even dealt with a situation where one finds property and has no idea who the owner is. In the secular laws of many communities, the person can turn it into local officials for a certain duration of time. If it is not claimed within the statutory time frame, then the person is able to keep it.<sup>142</sup> This is not the Biblical Law. Deuteronomy 22:2-3 addresses the situation where something is found and it is not known who it belongs to. In this case, the Law demanded that one bring the property to his or her home and keep it until the person who owned the property came to claim it. The person who found it is required to store it.<sup>143</sup> The reason behind this is simple. Just because one discovered property does not make it part of his or her labor. Because one does not know who owns the property does not remove the person's necessity to

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<sup>139</sup> One could make the argument that this is what the Good Samaritan did in the parable told by Jesus in Luke 10:25-37. The Samaritan, who may not have even known the Law, felt obligated to care for a "stray" he had found, one that he could have considered to be his enemy. He chose to care for the injured man, bandaging his wounds and taking him to an inn to heal until the man was able to return on his journey. While this story does not fit the description in this law code, it demonstrates that the principle should be extended beyond finding a stray ox or donkey.

<sup>140</sup> David L. Baker, 211-212.

<sup>141</sup> This is exactly what the Good Samaritan did. He did not ignore the injuries of the man who had been robbed and beaten. Instead, the Samaritan cared for the man. The Samaritan fulfilled the principle of this law.

<sup>142</sup> Rebecca F. Wisch. <https://www.animallaw.info/article/summary-state-lost-property-statutes>.

<sup>143</sup> Assnat Bartor, 298-99.

protect that property and to return it to its rightful owner.<sup>144</sup>

These laws may not seem related to restitution, but they are. God had an expectation that one would safeguard the property of another, even if he or she did not know who that property belonged to. The person was to safeguard it even if the property belonged to a person that was considered an enemy. While it may not seem fair, the truth is that the Law made it so that a person incurred a debt by finding the property. He or she became responsible for that which was discovered, and was required to safeguard, even to store the property for the person who lost it. Failing to do so would be a breach of trust.<sup>145</sup>

This idea relates to one of the most important questions that is asked in the Bible. In Genesis 4:9, God was looking for Abel. He asked Cain where his brother was and Cain responded, “I do not know; am I my brother’s keeper?” The Hebrew word used is שֹׁמֵר, which means keeper or to preserve.<sup>146</sup> The Law answers this question. One is responsible for caring for the property of others, preserving it, and ensuring that it is properly restored to the rightful owner.<sup>147</sup> Failing to do so would then be a violation of the Law. That would be like losing or destroying someone else’s property.<sup>148</sup>

This seems to be putting an unfair burden on someone to care for the property of another, but two elements must be considered. The first is that the safeguarding of another’s property does not require a request to do so. God is making it clear that a person gains a liability to protect the property of another simply by discovering it. It would be as if the person had been asked to

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<sup>144</sup> David L. Baker, 213.

<sup>145</sup> *Ibid.*, 212-13.

<sup>146</sup> Francis Brown, C. Briggs, and S.R. Driver, 668.

<sup>147</sup> David L. Baker, 213.

<sup>148</sup> Assnat Bartor, 298-99.

do so. Thus, failing to do so would earn a debt, because that individual had been tasked with safeguarding the property, but did not do so.<sup>149</sup>

In addition, if one were to find that his or her lost property had been returned, it would bring that person a great deal of joy. That person probably thought the property was lost forever, but the loving act of another to return the property brought great rejoicing. While clearly not on the same scale, Jesus explained in Luke 15:7 that all heaven rejoices when one sinner repents. The returning of one's property is not on that grand scale, but it is a significant event to the person who lost the property.<sup>150</sup> Most have been in a circumstance where he or she has found something that another has lost and returned it to that person. The person was overjoyed, maybe even ecstatic at the return of his or her property. God recognizes that one could turn a loss of labor into a restoration. He also made it clear that failing to do so was akin to stealing or losing the property that one has been entrusted to protect.

### **Restitution for Murder, Kidnapping, and Adultery**

One thing that is important to understand is that there was a form of restitution that was required for any transgression that a person has committed. Sometimes that restitution could be quite severe. This included when a person committed very serious crimes, such as murder, kidnapping, and adultery.

When the Israelite people received the Ten Commandments from God, one commandment strictly prohibited them from committing murder (Ex. 20:13). As described in the last chapter, each individual is part of the labor of God. He is the One who created all, forming each person in the womb (Psalm 139:13-16). Therefore, murdering another is depriving God of

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<sup>149</sup> Chaya T. Halberstam, "The Art of Biblical Law," *Prooftexts* 27 (2) (2007): 347-48.

<sup>150</sup> Vicki L. Pedersen, "Restoration and Celebration: A Call for Inclusion in Luke 15:1-10," *Currents in Theology and Mission* 41 (2) (2014): 113.

His labor.

The penalty for murder had been made clear almost from the start of the Bible. In Genesis 9, God blessed Noah and told him that he had dominion over the earth. In verse 5, God explained that He would require a reckoning for one who took the life of another person. Verse 6 states, “Whoever sheds the blood of man, by man shall his blood be shed, for God made man in his own image.” People are not just the image of God; they were made by God. Thus, He is making it clear that it is through His labor that each individual is made. As a result, the one who takes the life of another is required to pay with his or her own life, because that person destroyed the creation of God. While there are clear moral issues related to the taking of another person’s life beyond labor, and many of those are far more important than the loss of labor, it is still important to see that God has a rightful claim to each person as the One who created all of mankind.

There are several laws that deal with the taking of another’s life that are related to a specific situation. For example, a person who killed a slave was executed, because the slave was a person who was simply paying off a debt and was not to be considered property (Ex. 21:20).<sup>151</sup> A person who killed the baby inside the womb of a pregnant woman was to be executed (Ex. 21:23).<sup>152</sup> The taking of a life was viewed by God as one of the most serious offenses that a

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<sup>151</sup> The laws related to slaves and servants will be discussed in more detail later in this chapter.

<sup>152</sup> One should note that this law could very well go beyond causing a miscarriage. The legal standard revealed here could just as well apply to those who have aborted the baby of another, regardless of if the woman sought the abortion. This was the belief of the early Christian fathers who taught that abortion was a sinful act on par with all the other commandments. In the *Didache*, it states that thou shalt not use *philtres* [love potion; magic potion; drug]; thou shalt not procure abortion, nor commit infanticide (*Didache*, Translated by Kirsopp Lake (London: William Heinemann Ltd. 1912), 11). In the Epistle of Barnabas, the disciple agreed with this as well, stating, “Thou shalt not murder a child by abortion, nor again shalt thou kill it when it is born.” (Barnabas, *The Epistle of Barnabas*, Translated by J.B Lightfoot (Edinburgh: CrossReach Publications, 2022) <http://www.earlychristianwritings.com/text/barnabas-lightfoot.html>). The argument could be made that those who commit abortion are guilty under this law.

person could commit. As a result, since this was a crime directly against the labor of God, the person was required to pay the steepest of restitution – the loss of his or her life.

Kidnapping was also considered an extreme violation. In Exodus 21:16, the Law demanded that one who kidnaps a man and sells him or is found to have that man in his possession was to be put to death. This is reiterated in Deuteronomy 24:7 where it says that one who has kidnapped one of his countrymen and deals with him violently or sells him to another was to be executed. These two laws deal with labor and restitution in a very unique way. By kidnapping another, not only is the person denied the ability to perform labor, but kidnapping is usually a situation where one asks for money or property in return for the person who has been kidnapped. That may not always be the case, however, as seen in the story of Joseph, but this is often one of the reasons why a person or group of people kidnap another - they are looking for a ransom. This is a denial of someone's labor as well, as one is stealing the property or money of another through the demand for ransom.

Even if the person was found alive or was returned, the penalty for kidnapping was death. That would seem excessive in relation to how God dealt with other transgressions. For example, a person who struck another during an argument and injured the other but did not kill him or her was not put to death (Ex. 21:18-19). He could have even been the one who initiated the fight but was still not put to death. Therefore, it would seem incongruent to execute someone for kidnapping. However, this teaches an important biblical principle related to freedom. The forced taking of another is considered as egregious as taking the life of that person. God gave individuals freedom of mobility to work, love, move, and care for their families with complete freedom, as long as it did not violate the life and labor of another.<sup>153</sup> The forced denial of that

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<sup>153</sup> Stephen E. Jones, *The Struggle for the Birthright* (Fridley, MN: God's Kingdom Ministries, 2002), 57.

liberty was viewed by God as an extreme attack against the individual's rights, the individual labor.

Adultery is another crime that was viewed by God as deserving of death. This may seem like an extreme form of restitution as well, as it did not take anyone's life or impede the ability to perform labor. However, the consequences of adultery are quite severe. Adultery not only affects the married couple, but their children and extended families as well. Ultimately, the entire community is affected by this transgression.<sup>154</sup>

All these are severe consequences of adultery. They are not only a violation of God's labor, but this sin also violates God's holiness and is a violation of the covenant relationship that God created between Himself and the couple. One is making an oath before God and the community to honor the "marriage bed (Heb. 13:4)" and adultery is a sin against all these elements. God has brought two people together in a covenant relationship with Him, and to commit adultery is an affront to God and the holiness that He expects in one's marriage, a holiness that is founded upon God.<sup>155</sup> In Mark 10:9, Jesus declared that what God has brought together no one should separate or divide. What this teaches is that it is through the labor of God that two people are brought together. It is an oath before God that these two people have committed themselves to one another. When one has broken that covenant, destroying the labor

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<sup>154</sup> Susan Wise Bauer, *The Art of the Public Grovel: Sexual Sin and Public Confession in America* (Princeton, NJ: Princeton University Press, 2008), 32-36.

<sup>155</sup> While there is an aspect of labor related to God and marriage, one must recognize that the overarching component related to this sin is twofold: the breaking of the covenant between God and the couple as well as the complete unrighteousness of the act. Any form of sexual immorality is to degrade the temple of God (1 Cor. 3:16). Adriani Rodrigues explains that adultery is a direct attack on the Christian virtue. God's people are supposed to be ones who are separated from the world in deeds and actions and to commit adultery is not only a denial of the covenant relationship but also sets a stain on the entire community. Christianity is a pure, undefiled religion. The act of adultery stains that image and stains the innocence of Christ and His purity. Therefore, while God's labor plays a part in how adultery offends God, it is how this sin violates the holiness of Jesus and the purity of the Christian faith that must be seen as the most egregious part of the the act (Adriani Milli Rodrigues, "Marriage and the Theology of Hebrews: A Theological Reading of Heb 12:28-13:6 with a Focus on Marriage," *Franciscanum* 60 (170) (2018): 142-47).



of God, then the ultimate punishment is required as part of restitution.<sup>156</sup>

What one will often find is that when the restitution is death, it is because this violation is directly against the labor and holiness of God. One who cursed his or her father or mother was to be put to death (Ex. 21:17). The reason is that God entrusted and tasked the care of children to the parents. An attack on the parents is an attack on the people that God entrusted to care for them.<sup>157</sup> God told the Israelite people that using His Name in vain would not go unpunished (Deu. 5:10-11) and that those who took His Name in vain would not be held guiltless (Ex. 20:7). God's labor was not to be infringed upon, including making oaths in His Name or using His Name in a derogatory or demeaning way.<sup>158</sup> This may seem like an extreme punishment as well, especially from a loving God. However, one must also consider that Yahweh is a righteous God and that a failure to acknowledge His righteousness, established through His labor, deserves a severe punishment. God does demonstrate His mercy and grace in that Jesus died on the cross to pay the restitution required for our violations of the Law, including our misuse of the Lord's Name. Therefore, He demonstrates His righteousness, love, and mercy at the same time.

### **Restitution for Other Crimes against People**

Not all forms of restitution dealt with property. Many laws dealt with other types of transgressions committed against individuals beyond adultery, murder, and kidnapping. This was the case when a person was injured or harmed in a way that affected their ability to perform labor.

For example, if one man strikes another and the second man is hurt so that he is unable to

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<sup>156</sup> Laura Rademaker and Cristina Petterson, "What God Has Joined Together: Histories of Religion and Marriage," *Journal of Religious History* 43 (2019): 145.

<sup>157</sup> Olusayo B. Oladejo, 70-71.

<sup>158</sup> Bernon Lee, 345-46.

work, the man who committed the offense was required to pay for the loss of time, his inability to perform labor (Ex. 21:18). If a man were to strike a slave and cause an eye to be damaged or a tooth to be lost, he was to let the slave go free (Ex. 21:26-27). The principle involved here is that when one has caused injury that denies a person the ability to do work, the restitution is to pay for their care or to grant freedom should he or she be in servitude.<sup>159</sup>

There were instances where one committed an offense that did not cause an “injury” but still injured the person. Taking a virgin who was betrothed to another and having sexual relations was one such example. Because the betrothed man would likely no longer want the woman to be his wife, the father of the bride had lost the price he would have received for giving his daughter in marriage. As a result, the man who had sexual relations with the woman was required to pay the bride price and take the woman as his own wife (Ex. 21:16).

This ordinance is a great example of how the Law was provided so that forgiveness and restoration were the ultimate outcome of an offense. Consider that a man who took the virginity of a woman betrothed to another was then required to marry that woman. The father of the woman had already made an agreement with the other man’s family to let his daughter marry their son.<sup>160</sup> The actions of the second man ended that agreement. This would likely make the father of the bride angry, maybe even pushed him to seek revenge. Yet, God had a remedy to resolve the situation. The one who committed the offense was required to pay the bride price the other family was going to pay and he would have to marry and care for the girl as his wife, ensuring that no loss was incurred by the girl’s family.<sup>161</sup>

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<sup>159</sup> Olusayo B. Oladejo, 70-71.

<sup>160</sup> Gordon Paul Hugenberger. “Marriage as a Covenant: A Study of Biblical Law and Ethics Governing Marriage Developed from the Perspective of Malachi,” *Supplements to Vetus Testamentum* (Leiden: Brill, 1994), 243-44.

<sup>161</sup> *Ibid.*, 247, 259.

What these laws teach is that there is a remedy for any situation. Whether one has damaged, lost, or stolen the property of another, or he or she has caused injury of some other type, even unto death, God had a restitution plan that ensured that forgiveness and justice could be achieved.

### **Servitude as Restitution**

This is a system that is eloquent in its simplicity. A person has damaged or lost the goods of another. He or she simply replaces that which was lost, even paying an additional amount beyond that which was taken depending upon the circumstances of the transgression. The legal and moral aspects of restitution open the door for forgiveness and restoration of the individual who has transgressed the labor of another.

This seems like a perfect system, but there is one instance where the system would seem to break down. That is when the person who committed the offense is unable to pay the restitution that is required. The reality is that many would steal or defraud another because they did not have money or property of their own. Therefore, it would be impossible for a person to pay for the loss when he or she committed the crimes out of a need for money. This is when servitude is introduced as a remedy to resolve the issue.

When many think of servitude they quickly equate this with the idea of slavery. In fact, the Bible makes it clear that a person could be sold if he was unable to pay the restitution that was required of him (Ex. 22:2-3). Exodus 21:1 teaches about a person becoming a slave to another. The Hebrew word used is עֶבֶד (ebed) which means servant or slave.<sup>162</sup> One of the criticisms of the Bible has been that it seems to condone the concept of slavery, which is inaccurate. Condoning is not what it does it all. In fact, it openly expresses that slavery is

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<sup>162</sup> Francis Brown, C. Briggs, and S.R. Driver, 799.

permissible. What is misunderstood is that the Bible does not support slavery as many have come to understand the relationship.

Most view slavery through the lens of how blacks were treated in the colonial times up through the Civil War in the United States or in similar situations in other countries throughout history. However, this was not the biblical concept at all. This was not forced servitude. In fact, the Bible clearly condemns much of the practices that occurred in the pre-Civil War United States. For example, the Law made it clear that one could not kidnap another and sell him or her. The Law made it clear that a person could not be taken and held against his or her will.<sup>163</sup> Thus, the Bible in no way condones slavery as it has been practiced in many countries around the world throughout history.

In this case, the idea behind slavery, or servitude if you will, was that one owed a debt and paid that debt through servitude to another. This was done in one of two ways. The first was that an agreement was made between the person who owed restitution and the victim on the amount of time a person would serve in order for the restitution to be paid. The person became a slave for a certain amount of time before he was set free, and that time could not exceed six years. Regardless of how much was owed, the person would reach a time when he was released, and no further amount was required to be paid (Ex. 21:2).<sup>164</sup>

The second instance was when a person was sold so that the restitution was paid. One such example of this was seen in Exodus 22:3, where a person who had broken into a home, was captured, and could not pay for the damages or theft. In this instance, the Bible explains that he could be sold to pay for the theft. The difference between the first and second situation is related

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<sup>163</sup> Dennis Prager, *The Rational Bible: Exodus* (Washington, DC: Regnery Faith, 2018), 187-88.

<sup>164</sup> This is the concept of the Jubilee, which will be discussed more fully in Chapter 8.

to the need of the victim. In the first instance, a person could become a slave to the victim, working for the injured party until the debt was repaid. In this instance, the victim was not put into a financial hardship by the transgression. The person could afford to be repaid through the work performed over a period of time, maybe as long as six years.<sup>165</sup> However, this was not always the case. There were instances where the theft or damage of property created an immediate financial hardship. The victim needed the restitution now, so he or she could sell the person who had been put into servitude to recoup the amount of the restitution.<sup>166</sup>

There are two important aspects of this regardless of which option the victim chose. The first was that, regardless of the amount owed, the person was released after six years. He or she would no longer be bound to be a servant when the seventh year was reached. The second was that these men and women were treated well. The Law prohibited the harsh treatment of servants. In fact, the Law even recognized that many would find it preferable to stay as a servant and could choose to do so (Ex. 21:5-6).<sup>167</sup>

This is the Biblical concept of slavery. The goal was to ensure that the restitution owed was paid. In doing so, it permitted the person who owed the restitution to use his or her labor to directly compensate the victim for the transgression he or she had committed. This made it an amenable situation for both parties. In addition, once the debt was repaid, the person was to be completely restored to his or her original position.<sup>168</sup> If that person was married and had children when he entered into servitude, the wife and kids left with him (Ex. 21:3).

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<sup>165</sup> David J. Fuller, "Debt-Slavery Passages in the Tanakh as a Lens for Reading Joseph's Enslavement of the Egyptians in Genesis 47:13–26: Explorations in Canonical Hermeneutics," *Biblical Theology Bulletin* 46, no. 4 (2016): 180-81.

<sup>166</sup> David J. Fuller, 181.

<sup>167</sup> Olusayo B. Oladejo, 71-73.

<sup>168</sup> *Ibid.*, 72-73.

Many theologians have also concluded that this agreement would likely lead to a restored relationship between the victim and the transgressor. If the person who owed the restitution was treated well, which was required by the Law, he soon found himself feeling true remorse for his actions. He got to know the one he had harmed, and a relationship built between the two parties so that, once the payment was fulfilled, there was a genuine feeling of admiration for each other.<sup>169</sup> This was the ultimate benefit of this relationship. It wasn't one where a cruel master was beating his servants. Instead, it was one where the servants became a part of the family, eating with the family, participating in their activities, worshiping Yahweh together. This is why it was not surprising that the Law permitted slaves to commit themselves permanently to the one they owed money to (Ex. 21:5). Slaves often found this relationship to be ideal for them and felt a part of something very important for them emotionally.<sup>170</sup>

### **Restitution to Yahweh**

Incorporated within the Law was a number of offerings that the Israelite people were to bring to God. This included the Guilt, Sin, Peace, Burnt, and the Meat offerings (Lev. 1-6:7). Each of these served a particular purpose, but the primary focus of the offerings was to pay a form of restitution.

Without diving deeply into each of the offerings, something that would take several more chapters to elaborate upon, what one can see through each of these offerings was that they were based upon a need to recognize the transgressions that one had committed against God. For example, the Sin Offering was brought before Yahweh to pay for breaking commandments (Lev. 4-5:13). The Guilt Offering was similar to the Sin Offering, but was brought before Yahweh

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<sup>169</sup> J. A. Motyer, *The Message of Exodus* (Downers Grove, IL: InterVarsity, 2005), p. 239

<sup>170</sup> Olusayo B. Oladejo, 72-73.

when one had caused loss or damage to another party, especially when he or she had done damage or caused loss to something of God's (Lev. 5:14-6:7). The Law set the restitution one was required to bring through the sacrifice.

These offerings help support the prayer that Jesus taught to His followers. When one sins against God and does damage to a "possession" of God, he or she is unable to replace that in most instances. How does one replace what God has made? That person cannot remove the transgression and God did not say that he or she could. Instead, what He required of that individual was that he or she pay a restitution. In this case, the person was required to bring a ram without blemish. If he or she had lost or damaged the property of another, there was still a requirement to bring a ram to the altar and, in addition to paying restitution to the victim, the person was required to pay a fifth of the amount of the restitution to the priest. The Law then declared that he or she would be forgiven (Lev. 5:16).

The sacrificing of the ram did not compensate either the individual who was victimized or Yahweh. Its intent was not to do this. Instead, the purpose was to bring about a true sense of remorse. It is likely that most did not have a spare or unneeded ram to sacrifice on a continual basis. This would be quite costly, far too costly for most Israelites. To bring this offering would have been an extreme hardship for many and would have revealed to him or her the consequences of the actions. It cost that person one of his or her prized animals, which would have brought about a desire to avoid committing that offense again in the future.<sup>171</sup>

While one may cause damage to the life and property of another, the Bible makes it clear that all sin is against God. In Genesis 39:9, Joseph is tempted by Potiphar's wife to have an adulterous affair with her. Joseph declared that doing such a thing would betray the trust of his

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<sup>171</sup> James A. Greenberg, 15-18.

master and would “sin against God.” Even Pharaoh declared this to be true. In Exodus 10:16, he told Moses and Aaron that he had “sinned against the Lord your God.”

All sin is ultimately a transgression against God. Therefore, a restitution is owed to God for the transgression. In response, God provided a means by which the Israelite people could be forgiven for their sins. This did not remove the stain of their sin, but paid the debt according to the statutory requirements set by God.<sup>172</sup> It is essential to understand that the ultimate purpose for God was to restore the Israelite people to Himself. To do so, He wanted them to see the error of their ways and to be truly repentant for the sins they had committed. This was what God told Solomon that He hoped for when He declared that if the Israelite people would “humble themselves and pray and seek My face and turn from their wicked ways, then I will hear from heaven and will forgive their sin and heal their land (2 Chr. 7:14).” The purpose of these offerings was to help bring about a feeling of remorse. Where a person would see their prized ram, lamb, or other animal pay for the sins that he or she had committed.

The Law was designed to do two things: to establish a system by which sin could be quantified and to establish a way by which one could be restored and forgiven for the sins that he or she had committed. Labor is lost when one sins against another, even against God. God wanted to ensure that the things that were lost, stolen, or destroyed were replaced, so He designed the Law in such a way as to establish what it meant to sin. This was quantified through the debt one incurred as a result of his or her transgression. This created a legal standard. God also wanted them to see how this affected the person they had victimized and to feel a genuine sense of remorse to restore that which had taken or destroyed. This became the moral side. With this understanding, one can see how the principle was lived out in the Old Testament.

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<sup>172</sup> James A. Greenberg, 15-16.



### **The Moral Establishment of Restitution**

*“All I need to do is apologize and the other person should just forgive me.”*

The concept of restitution is foreign to many Christians because there are far too many who have come to believe that the Law of the Old Testament is irrelevant to them. There is a belief that the new covenant spoken of by Jesus and Paul is completely unique to any previous one.<sup>173</sup> The belief is that this new covenant is focused on the forgiveness of God rather than on the need to follow rules and commandments, even if those rules and commandments are contained within the Bible.<sup>174</sup>

Many point to verses like Hebrew 8:13 as a support for the belief in a new, unique covenant. In this text, the writer declared that there is a “new” covenant, where the first one is obsolete and outdated. However, a false interpretation is being applied. The writer is specifically addressing the priestly covenant of God and how one can garner justification and forgiveness from the Father.<sup>175</sup> One still needs forgiveness under both covenants. This means that there is still a concept of sin and transgression, which means that the Law is the standard upon which sin is established.<sup>176</sup>

The Law is still applicable to the Christian believer. The Ten Commandments laid the foundation upon which the Law is built.<sup>177</sup> These commandments are summarized in the words

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<sup>173</sup> Rodney Petersen, “Continuity and Discontinuity: The Debated Throughout Church History,” *In Continuity and Discontinuity: Perspectives on the Relationship Between the Old and New Testaments: Essays in Honor of S. Lewis Johnson, Jr.*, ed. John S. Feinberg (Westchester, IL: Crossway, 1988), 17-18.

<sup>174</sup> Bruce A. Ware, “The New Covenant and the People(s) of God” in *Dispensationalism, Israel and the Church: The Search for Definition* (Grand Rapids, MI: Zondervan, 1992), 68-97.

<sup>175</sup> Gareth Lee Cockerill, “Structure and Interpretation in Hebrews 8:1-10:18: A Symphony in Three Movements,” *Bulletin for Biblical Research* 11 (2) (2011): 184-85.

<sup>176</sup> Joseph Lam, “The concept of sin in the Hebrew Bible,” *Religion Compass*, Vol. 12, Issue 3-4 (February 19, 2018) (2018): 3.

<sup>177</sup> Stephen E. Jones, *The Ten Commandments* (Fridley, MN: God’s Kingdom Ministries, 2013), 3.

Jesus told to His followers when He explained, “‘Love the Lord your God with all your heart and with all your soul and with all your mind.’ This is the first and greatest commandment, and the second is like it: ‘Love your neighbor as yourself.’ All the Law and the Prophets hang on these two commandments (Matt. 22:37-38).” People demonstrate that they love the Lord God with all their heart when they follow the commandments contained in the Law. They uphold the righteousness and faithfulness of God by believing and following these commandments as a show of love for the Father.<sup>178</sup> Following the final six commandments demonstrates a love for others. When one does not steal, hurt, lie about, murder, defile the spouse of, or covet that of another, he or she is demonstrating true love.<sup>179</sup> This reveals to us that there is a need for the Law to set a standard upon which believers are to behave. If one is going to demonstrate love for another, then following this set of laws demonstrates a true commitment to building and edifying each other.

### **An Uncomfortable Truth about Forgiveness**

In the same way, the Law provides a means by which one is able to rectify a wrong that he or she has committed. However, for many, the concept of forgiveness or restoration is often rooted in a simple apology. When one examines the sermon messages and teachings that are provided from the pulpit and online it becomes clear that this is the primary means by which many pastors and religious leaders expect forgiveness to be achieved.

As an example, Troy Dorrell, the Senior Pastor of Eastland Baptist Church in Tulsa, Oklahoma, provides four components of an effective apology – remorse, responsibility,

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<sup>178</sup> N. Blake Hearson, “And with All Your Strength? A Reassessment of the Translation and Meaning of Deuteronomy 6:5,” *The Unfolding of Your Words Gives Light*. Edited by Ethan C. Jones, (University Park, PA Eisenbrauns, 2018) 7-8.

<sup>179</sup> Andrew E. Hill and John H. Walton, *Survey of the Old Testament*, 2nd ed. (Grand Rapids, MI: Zondervan Publishing House, 2000), 140.

reconciliation, and repentance. To Dorrell, the simple act of asking for the forgiveness of another is all that is required for reconciliation. Dorrell recognizes that there is a need for reconciliation, but his way is not through restoring or paying restitution for what one has harmed or destroyed. Instead, his form of reconciliation is to simply ask the other person to forgive the offense.<sup>180</sup>

Brad Hambrick provides the seven marks of a good apology.<sup>181</sup> This list is a great example, as he is pulling his “marks” from a number of teachings that provide a very similar approach to forgiveness, teachings such as what are found on BibleTruths.org<sup>182</sup> and BiblicalCounselingCoalition.org.<sup>183</sup> Hambrick states, in the seventh step, one must apologize for the transgression. He explains that it is not acceptable enough to simply say, “I’m sorry,” but clarifies that one must ask for forgiveness. In Step 5, he does explain that one must accept the consequences of the transgression, which includes some means to remedy the situation. However, his approach to how these consequences are to be viewed is missing the point. Hambrick describes how the person who committed the transgression is to ask the victim if there is any way that he or she can resolve the matter so the person can show “sincerity” to change or make the other person feel honored.<sup>184</sup>

This description leads to one of the aspects of apologies that makes this a meaningless

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<sup>180</sup> Troy Dorrell, “Biblical Apology: 4 Elements of an Effective Biblical Apology,” *Ministry127* (January 16, 2019). <https://www.ministry127.com/christian-living/biblical-apology>.

<sup>181</sup> Brad Hambrick, “7 Marks of a Good Apology (and 8 Marks of a Bad One),” *Crosswalk.com* (April 11, 2022). <https://www.crosswalk.com/family/marriage/7-marks-of-a-good-apology-and-8-marks-of-a-bad-one.html>. Hambrick is the Pastor of Counseling at Summit Church in Durham, North Carolina and is an instructor in biblical counseling at Southeastern Baptist Theological Seminary.

<sup>182</sup> No author is provided for this post, but this article addresses the seven characteristics that one would find in a real, genuine, sincere apology. The seven characteristics are very similar to what Hambrick provides, but are given in a different order. “7 Characteristics of a Real, Genuine, Sincere Apology,” *BibleTruths.org* (October 12, 2016). <https://www.bibletruths.org/7-characteristics-of-a-real-genuine-sincere-apology/>

<sup>183</sup> This article is provided by Lucy Ann Moll but is almost identical to the teaching provided at Bible Truths. Lucy Ann Moll, “The Art of an Apology,” *BiblicalCounselingCoalition.org* (June 1, 2020). <https://www.biblicalcounselingcoalition.org/2020/06/01/the-art-of-an-apology/>

<sup>184</sup> Brad Hambrick.

exercise – the sincere apology. How is one to determine if an apology is truly sincere? This is all a matter of perception, where one decides that someone seems sincere in their apology.

However, the perception does not provide any true indication of actual remorse.<sup>185</sup>

There are many teachers, both in the Christian and secular worlds, who attempt to quantify what a sincere apology looks like. The author at Bible Truths did this, providing seven characteristics of a genuine, sincere apology. These included such things as a recognition of what one did wrong, taking responsibility, showing regret, doing so without reservation, being repentant, and attempting to make right whatever was done.<sup>186</sup> Elizabeth Scott quantifies this with many of the same principles, including taking responsibility, expressing regret, and making amends. She adds owning up to one's own part, apologizing for the "right reasons," and choosing an appropriate method of apology.<sup>187</sup>

The sincere apology has become such an important standard that it is even taught at one etiquette school. Maralee McKee of the Etiquette School of America provided seven steps to a sincere apology. This is as much about showing proper manners as it is resolving a conflict between two people. In fact, McKee begins by explaining that one should ask for permission to apologize before even trying to do so. She adds that one should send a handwritten note after formally apologizing and being granted forgiveness, making it a type of "forgiveness promissory note."<sup>188</sup> Clearly, an apology is only truly sincere when one has followed the proper etiquette.

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<sup>185</sup> Michael Hugh, 207-09.

<sup>186</sup> "The 7 Characteristics of a Real, Genuine, Sincere Apology," *BibleTruths.org*.

<sup>187</sup> Elizabeth Scott, "Apologizing Sincerely and Effectively: Apologizing Can Be Intimidating, But It Is the First Step to Rebuilding Trust," *Very Well Mind* (September 8, 2022). <https://www.verywellmind.com/how-to-apologize-more-sincerely-3144467>. Dr. Elizabeth Scott is described as an award-winning blogger who has written several articles on subjects related to psychology, stress management, relationships, and emotional well-being.

<sup>188</sup> Maralee McKee, "How to Apologize: The 7 Steps of a Sincere Apology," *Maralee McKee Etiquette School of America* (N.D.). McKee has become a consultant for businesses across the globe, and has written several children's books.

For some, the sincere apology has become the standard for true forgiveness. When one comes with a contrite heart, humbles him or herself before the person that has been wronged, and apologizes in a manner that seems sincere, then true forgiveness can occur. The interesting thing about this is that the Bible never requires or even insinuates that an apology is what is necessary to bring about forgiveness. This is a bold statement, but one that is completely supported.

The Bible demands that all people repent of the things that they have done wrong. For example, in Jeremiah 31:19, God is speaking about Ephraim. He explained that there would be a point where the people would acknowledge that they had strayed and “repented.” The Hebrew word is נָחַם (naham) and is frequently found throughout the Old Testament, often translated as repent, repented, or repentance.<sup>189</sup> The word means to be sorry, repentant, regret, be comforted, to console oneself, or to ease oneself.<sup>190</sup> The focus is on the action of the individual. He or she is having a change of heart where the transgressor is truly remorseful for the things that have been done. In this way, repentance leads to a change in one’s ways.

As mentioned previously, 2 Chronicles 7:14 gives a perfect summary of what repentance looks like. While the word נָחַם is not used in this verse, the principle taught is a perfect description of repentance. It is a turning away from the wicked ways or views that people may have, humbling themselves before God, and seeking after Him as the right pathway.<sup>191</sup> This is what repentance is all about. It is not about a sincere apology, but having a change of heart regarding the sins that have been committed. This is how God’s people are able to truly express their sorrow at the things they have done. This is where they can ease their own hearts by being

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<sup>189</sup> Francis Brown, S.R. Driver, and Charles A. Briggs, 636.

<sup>190</sup> David J. Clines, *The Concise Dictionary of Classical Hebrew* (Sheffield, England: Sheffield Phoenix Press, 2009), 108.

<sup>191</sup> Jonathan G. Taylor, “The Application of 2 Chronicles 7:13-15,” *Bibliotheca Sacra* 168 (670) (2011): 149-51.

renewed in their minds (Rom. 12:2).<sup>192</sup>

This meaning is confirmed in the New Testament. In Matthew 3:2, John told the people to repent for the kingdom of heaven is near. The word for repent is μετανοέω (metanoēō), which means to change one's mind about one's actions or deeds.<sup>193</sup> Bauer goes even further by describing it as "to amend with abhorrence of one's past sins." One is to look on his or her past transgressions with great disgust, wanting to correct him or herself and the attitudes he or she has toward past sins.<sup>194</sup> It is through the changing of a person's heart and mind that he or she is then able to seek true forgiveness. There is a desire to fix that which he or she has damaged, stolen, or betrayed. In this way, repentance is the action that spurs one toward seeking forgiveness, which is accomplished through restoration.<sup>195</sup>

Sadly, the idea of repentance has been replaced by the act of apologizing. One is viewed as truly repentant when he or she apologizes instead of when that person has a complete change of heart. While this may seem like focusing on a minor difference, the reality is that repentance and the act of restoration are two totally different things. Returning to Jeremiah 31:19, God said there would be a time where Ephraim would repent because the nation had strayed. That they would come to understand and acknowledge their failures and shortcomings. It was the changing in their hearts, sorrowful for the sins that they had committed which demonstrated repentance. However, God did not declare that they would follow a series of steps to demonstrate their repentance for what they had done. Instead, it was simply a recognition that their actions were

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<sup>192</sup> Mireia Ryšková, "Holiness as a Process of Growing into Spiritual Adulthood (Rom 12:1-21)," *Communio Viatorum* 61 (1): 15–27 (2019): 16-18.

<sup>193</sup> Walter Bauer, 511.

<sup>194</sup> Mireia Ryšková, 17-18.

<sup>195</sup> Charlotte vanOyen Witvliet, Nathaniel G. Wade, Everett L. Worthington, Lindsey Root Luna, Daryl R. Van Tongeren, Jack W. Berry, and Jo-Ann C. Tsang, 90-91.

wrong, recognizing how disgraceful those actions were.<sup>196</sup>

### **Forgiveness Falls upon the Victim**

The problem with all these procedures is that the burden for forgiveness is often placed upon the victim. The victim of these transgressions is often told that he or she must simply forgive the wrong committed. Televangelist Joyce Meyer is one of a large number of pastors telling followers that they should forgive those who committed the offense, regardless of whether the person has apologized or taken any measure to demonstrate any type of remorse.<sup>197</sup>

Teachers like Meyer put the burden of forgiveness on the victim. In fact, what is often taught is that when the person does not forgive, it is the lack of forgiveness that leads to a multitude of other problems. The victim will get eaten alive by bitterness and anger, which will lead to high blood pressure, gastro-intestinal issues, depression, anxiety, even heart disease. So, that person must forgive if he or she is going to remain healthy.<sup>198</sup>

There is no call for justice. In fact, far too many teachings about forgiveness seem hostile to one who expects some form of restitution or justice for the wrong that has been committed. Earnest Easley, in teaching about forgiveness, explains, “Now that I have your attention, let me tell you this: There is Freedom in Forgiving! Freedom! And on the other hand, there is bondage in not forgiving! Refusing to forgive will quench the Spirit of God, dull your prayer life, and rob

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<sup>196</sup> Phillip Michael Lasater, “Law for What Ails the Heart: Moral Frailty in Psalm 86,” *Zeitschrift Für Die Alttestamentliche Wissenschaft* 127 (4) (2015): 661-62.

<sup>197</sup> Joyce Meyer, “The Poison of Unforgiveness,” *Everyday Answers* (N.D.).  
<https://joycemeyer.org/everydayanswers/ea-teachings/the-poison-of-unforgiveness>.

<sup>198</sup> Several prominent medical institutions have found that unforgiveness and bitterness can have a profound impact on the health of the individual. This includes such institutions as the Mayo Clinic (<https://www.mayoclinic.org/healthy-lifestyle/adult-health/in-depth/forgiveness/art-20047692>) and Johns Hopkins (<https://www.hopkinsmedicine.org/health/wellness-and-prevention/forgiveness-your-health-depends-on-it>). Both address the profound affect that can occur to one’s health when the individual is holding anger, resentment, and unforgiveness.

the church of what God wants for it.”<sup>199</sup> To Easley, not only is the victim hurting him or herself but, by not forgiving, that person is actually hurting the entire church. Shame on them!

It is true that there is great blessing that comes in forgiveness.<sup>200</sup> A person can be overwhelmed and make him or herself physically and mentally ill when the person lets unforgiveness fester. However, God is not calling for one to build up so much animosity that all he or she can think of is how to get even. God declared that vengeance is His and His alone (Deu. 32:35). However, God also made it clear that a person is entitled to be compensated for the damage that another has committed. A simple apology, no matter how sincere, is neither called upon in the Bible, nor it is even proposed. Instead, God provided a means by which one could find justice and a forgiving heart through the act of restitution.<sup>201</sup>

### **How Being Sorry Became the Way to Forgiveness**

Before diving more fully into the need for restoration as part of forgiveness, it is important to examine why an apology became the solution to correcting an offense. The word apology comes from two Greek words, *απο* (apo), which means “away from,” and *λόγος* (logos), which means “word.”<sup>202</sup> The word originally meant a person defending his or her words or actions to others, either through vocalizing or writing a defense, just like an attorney would defend the actions of his or her client. This is the same word behind apologetics, which is a

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<sup>199</sup> Ernest Easley, “The Freedom in Forgiving,” Preaching.com (ND). <https://www.preaching.com/sermons/the-freedom-in-forgiving/>. Dr. Easley is described as very “influential in the Southern Baptist Convention,” and served for 31 years as a senior pastor. At the time of the posting of this article, he was serving as a teaching pastor at FBC Cleveland, Tennessee.

<sup>200</sup> It should be noted that the victim should have forgiveness for transgressions committed against him or her. In fact, the Bible does require that the victim forgive and restore the person when the restitution is paid. This concept will be more fully discussed in the final chapter of this work.

<sup>201</sup> Stephen E. Jones, *God’s Law on Restitution*, 1-2.

<sup>202</sup> Harper Douglas, “Etymology of Apology,” *Online Etymology Dictionary*, <https://www.etymonline.com/word/apology>.



branch of theology that defends the biblical worldview and Christian doctrines. Thus, the apology was about defending one's actions, not about expressing any sorrow at the actions that were committed.<sup>203</sup>

This is seen in the Greek tragedy, *The Apology of Socrates*, documented by the Greek philosopher Plato. In his defense against accusations of corrupting the youth, Socrates provided his "apologetic," the defense of his actions.<sup>204</sup> This is what apologizing was initially about. This interpretation of the word is also seen in the *Apologye of Syr Thomas More Knyght*, which is one of the earliest documented uses of the word (in 1533 CE).<sup>205</sup>

It was during the early 17<sup>th</sup> century that a new meaning was recognized for the word. The change is most often attributed to William Shakespeare who used the word in one of his plays as an act of sorrow for the offense a character had committed. In the span of a few decades, a group of British writers turned the act of an apology from defending one's position to seeking the forgiveness of another.<sup>206</sup> It is not likely that Shakespeare is the actual creator of this idea, but he is simply the first to make a written documentation of it. However, it appears that, around this time, the concept of the apology moved from a defense of one's actions to expressing remorse for those actions.<sup>207</sup>

While there is nothing wrong with asking for the mercy or forgiveness of another, the biblical concept is to make amends through restitution for the wrongs that have been done. This

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<sup>203</sup> Reinhold Niebuhr, *Faith and History* (New York: Scribners, 1949), p. 165.

<sup>204</sup> Mark S. McLeod-Harrison, "Socrates and St. Paul: Can Christian Apologetics Be Public Philosophy?" *Essays in Philosophy* 15 (1) (2014): 118.

<sup>205</sup> Michael G. Moran, "Ralph Lane's 1586 Discourse on the First Colony: The Renaissance Commercial Report as Apologia: TCQ," *Technical Communication Quarterly* 12, no. 2 (Spring, 2003): 134.

<sup>206</sup> Andrew Escobedo, "On Sincere Apologies: Saying 'Sorry' in Hamlet," *Philosophy and Literature* 41, no. 1 (07, 2017): 155-56,

<sup>207</sup> Halford Ross Ryan, "Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set," *Quarterly Journal of Speech* 68 (1982): 254-58.

is not just a concept that is taught in the Law. In fact, there are many examples and teachings provided throughout the Old Testament that support this as a means to bring about forgiveness and healing.

### **The Restitution Offering**

Leviticus 7:1-10 provides the requirements for the Guilt Offering. This was one of the five offerings required by God in the Law, specifying the people bring a burnt offering to be slaughtered by the priest and for the blood of the animal to be sprinkled on the altar. Verse 7 goes on to explain that this is like the Sin Offering (Lev. 6:24-30), in that it is required to make atonement for one's sins.

Both relate directly to sins that the individual committed, but how the sacrifice is viewed in these offerings is what makes them different. The word used in the Hebrew for the Sin Offering is חַטָּאת (chatta'ah), which means sin, condition of guilt, sin offering, or punishment for sin.<sup>208</sup> The Hebrew word for the Guilt Offering is אֲשָׁם (āšām), which means guilt, offense, trespass offering, or compensation.<sup>209</sup> It is what one pays for the sins he or she has committed, with God being the “Victim” of the offense. What is interesting is that the Holman Christian Standard Bible (HCSB) translates this word as the “Restitution Offering.” This was an offering brought to God to compensate Him for the sins that a person had committed.<sup>210</sup> This offering was established so that the Israelite people had a means to restore their relationship with God through

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<sup>208</sup> Francis Brown, S.R. Driver, and Charles A. Briggs, 308.

<sup>209</sup> *Ibid.*, 79.

<sup>210</sup> *Holman Standard Bible* (Nashville, TN: Holman Bible Publishers, 2009). Brown-Driver-Briggs point out that one of the primary definitions of חַטָּאת is compensation, a synonym for the word “restitution.” In essence, when one comes to God to bring his or her offering, the person is recognizing one's guilt. From a legal standpoint, one who pleads guilty is accepting the punishment or restitution that is required of them as part of their plea. When a person brings an offering as part of the Guilt Offering, he or she is not only pleading for the mercy of Yahweh at the temple altar, but also acknowledging that God is sitting on the judgment seat, while he or she is providing the compensation that He required in the Law.

the restitution they paid through the sacrifice. God made it clear that there had to be the shedding of blood for there to be forgiveness (Heb. 9:22), and this sacrifice was a temporary means by which a person could approach God, paying his or her debt to Him, so that forgiveness would be granted.<sup>211</sup>

### **Solomon's Words of Wisdom on Restitution**

In Proverbs 6, Solomon provides a warning against adultery. As part of this admonition, he explained that there is an understanding for the thief who steals when he is hungry, but “he must pay seven times” of what he has stolen (Prov. 6:31). What is interesting about this proclamation is that nowhere in the Law did it demand that a person pay seven times the amount stolen. While his words appear to be a command, some scholars have concluded that Solomon is not necessarily making a point about the amount of restitution that is to be paid, nor is he creating a new law regarding stealing. Instead, he is making the point that one can have understanding for the thief when he is acting out of desperation. For this person, there is a means where he can be redeemed. However, the one who has committed adultery has brought such wrath upon himself that there is no restitution that can be paid to forgive that sin.<sup>212</sup> The essential part of the analogy is that there is a means by which one can be forgiven for the sins that have been committed. Through the act of restitution, a person is able to be redeemed and restored.

There are those who refute this, even mock the idea of restitution. This was true in Solomon's time as well. In Proverb 14:9, he explained that “Fools mock at making amends [תַּטְּוּ] for sin.”<sup>213</sup> This is the same Hebrew word from Leviticus 7:1, תַּטְּוּ, which the NIV

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<sup>211</sup> Christian A. Eberhart, “‘The Lamb of God That Takes Away the Sin of the World’: Reflections on Atonement in the New Testament,” *Touchstone* 31 (2) (2013): 33-36.

<sup>212</sup> Baris, Michael L. 2015. “Iniquities Ensnare the Wicked: The Ethical Theory of Proverbs 1-9,” *Hebrew Studies* 56: 129-44.

<sup>213</sup> Holy Bible, New International Version (NIV) (Grand Rapids, MI: Zondervan, 1984).

translators choose to translate as amends.<sup>214</sup> The King James Version translates this as “sin,” which appears to make no sense. It is declaring that fools make a “mock at sin.”<sup>215</sup> The HCSB translates this word as restitution, which seems to be the appropriate way to recognize this word, especially in light of the fact that restitution is a means to make amends.

In many instances, translators in the KJV, ESV, and NIV choose to translate this word as trespass or guilt. However, what seems to be clear is that it is the guilt or remorse which is intended to lead to an action that will correct the situation. This is the type of guilt and grief that Peter felt at denying Jesus. Matthew 26:75 explained that after he heard the cock crow three times, he remembered the words of Jesus and he “wept bitterly.” The word for bitterly is πικρῶς (pikrōs) which means bitterly or remorsefully.<sup>216</sup> One who is torn with guilt feels a need to correct what has been done wrong, which leads to a desire to make amends. It leads to restitution. In Peter’s case, it led to him making an affirmation to Jesus three times that he loved Him and would care for His followers.<sup>217</sup>

### **When We Create the Restitution Standard**

God established what constituted sin. He also established how one can rectify the transgressions that have been committed. This gave the legal basis for restitution, but there is a moral basis for it as well. God wanted people to see how sins affected others, including God, and what should be done to bring about peace. He wanted His people to sense within their own hearts

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<sup>214</sup> This is the same word that is used in Lev. 7:1 which is translated as the “Guilt Offering.” The HCSB chose to translate this word as “Restitution Offering,” and that translation seems to be further supported in the fact that several translations of the Bible, including the ESV and NIV, choose to translate this word in Prov. 14:9 as “amends.”

<sup>215</sup> King James Version (KJV) (Nashville, TN: HarperCollins, 2017).

<sup>216</sup> Walter Bauer, 657.

<sup>217</sup> Marion Carson, “Feed My Lambs: Some Pastoral Implications of a Biblical Metaphor,” *Baptistic Theologies* 7 (2) (2015): 13-14.

that they needed to rectify a situation where they had hurt another.

The Law established standards of restitution where one could receive forgiveness by restoring that which he or she had destroyed, damaged, or stolen. However, God was not legalistic about restitution either. He did not mandate how every transgression was to be rectified. Instead, He provided a principle that set the foundation upon what should be done to correct the wrong. He wanted the people to see that they should have a heart driven to restore what had been broken or taken. In seeing the moral need for restitution, people could work out a solution to rectify the damage caused.

### **David and the Gibeonites**

There are instances in the Bible where a person's words or the requirements of the victim established the restitution that was necessary to resolve the matter. One such example is in 2 Samuel 21. To understand the situation, a little background is required. When the Israelite people entered the Promised Land, the Gibeonites sent representatives to Joshua telling him that they would serve the Israelites if they were allowed to live peacefully among them (Jos. 9:1-27). They lied to Joshua, telling him that they were a destitute group from far away who simply wanted to serve the Israelites because they had heard of God's power. They were not destitute and they did not live faraway, however, Joshua made an agreement with them without consulting God. Because they had made this covenant, Yahweh expected the Israelites to uphold this agreement and so the people continued to protect the Gibeonites.

This relationship lasted for centuries, but it is during a three-year famine that David inquired of the Lord as to what led to the drought (2 Sam. 21:1). God revealed to him that Saul, the king who ruled Israel prior to David, had killed many of the Gibeonites without cause (2 Sam. 21:2). Instead of protecting them, he had persecuted them and executed many. This brought

a stain upon the nation of Israel because Joshua had made a vow that Israel would always protect the Gibeonites. Saul had not only failed to do this, but had unjustly murdered many.<sup>218</sup>

As a result, David went to the Gibeonites to ask what they required as atonement for the actions of Saul. In this case, David deferred to the Gibeonites to set the restitution that would bring peace between them and the nation of Israel, removing the judgment that God had brought upon the Israelite people (2 Sam. 21:3). The Gibeonites demanded that “seven sons of Saul” be handed over to them to be hung, and this is what David did (2 Sam. 21:6). Saul was already dead, but a restitution was still required. The Gibeonites set that restitution, as they likely lost large numbers of people to the betrayal of Saul.<sup>219</sup> What this tells us is that the victim or victims can set the standard for restitution. David could have rejected this and negotiated for another option. However, he willingly approached them and left it to the Gibeonites to determine what restitution they required. They set the standard. Morally Saul had stained all of Israel. As a result, a debt had to be paid for his sins to have this curse removed.

### **David and Bathsheba**

One other example of restitution that is different from the requirements set in the Law is seen in the relationship that David had with Bathsheba. A little background is necessary for this as well. In 2 Samuel 11, the story is told of how David saw Bathsheba, invited her to his home and began an adulterous relationship with her. She became pregnant and he was worried that his sin would be exposed. To try to cover the iniquity, he recalled Bathsheba’s husband, Uriah, who was out with the Israelite army. His plan was for Uriah to have sexual relations with Bathsheba, making it would look like this was Uriah’s child. However, Uriah was a faithful man. He was so

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<sup>218</sup> Judith E. McKinlay, “Biblical Entanglements: Reading David’s Killings in 2 Sam 21.1-14 alongside Those of Te Kooti at Matawhero in Aotearoa New Zealand,” *The Bible & Critical Theory* 13 (1) (2017): 44-45.

<sup>219</sup> *Ibid.*, 46-47.

honored that the king had specifically recalled him that he refused to return to his home, sleeping outside the door of David's palace (2 Sam. 11:9).

David did not want his sin exposed, so he sent Uriah back to the battle. The king commanded his general, Joab, to put Uriah on the front lines and, when the battle began, call for a retreat by the rest of the army, leaving Uriah alone to be killed (2 Sam. 11:15-17). David then welcomed Bathsheba into his home, looking like an honorable man for taking the widow of one of his fallen soldiers into his home.

David believed he had gotten away with committing adultery and murdering the husband of Bathsheba. Bathsheba mourned the loss of her husband and then David welcomed her into his home as his new wife (2 Sam. 11:26-27). It looked like David had gotten away with his transgressions, but God was angered by his actions. So, He sent the prophet Nathan to confront David. The prophet told a story of a poor man who had one female lamb. It was all he had. A rich man, who had much, welcomed travelers to his home and wanted to serve them a meal. Instead of taking from his own cattle, he took the lamb of the poor man and cooked it for his visitors (2 Sam. 12:1-4). David was outraged by the story, declaring that the rich man should "pay four times the price for the lamb because he did this terrible thing and because he had no mercy (2 Sam. 12:6)." It is at this point that Nathan revealed to David that the parable was about him. David was exposed and acknowledged that he had sinned against the Lord. Nathan told him that he had been forgiven by God and that he would not die (2 Sam. 12:13).

Was David forgiven? Yes, and God did not directly hold his sin against him. However, David set a restitution standard. His words were that the rich man should pay four times for what he had done. As a result, four of his sons died. The baby that Bathsheba carried died shortly after he was born. The Bible explained that "the Lord afflicted the child that Uriah's wife bore to

David, and he became sick” (2 Sam. 12:15), dying seven days later. During the period where the baby was sick, David refused to eat or drink, laying on the ground grieving (v. 16). Clearly, he understood that the baby’s illness was a result of his sin.<sup>220</sup> The Lord had brought about the first part of the restitution set by David.

This was the first of David’s sons who died prior to Solomon taking the throne. Amnon was killed by Absalom after he had raped Absalom’s sister, Tamar (2 Sam. 13:23-38). Absalom would later rebel against David, dying in battle (2 Sam. 18). The fourth son, Adonijah, attempted to usurp the throne before Solomon became king. He was executed by order of Solomon (1 Kings, 2:19-25). Just as David had proclaimed, he paid for his sin four times over. God had told him that he would not directly pay for his transgressions, but he lost four of his sons as a result of them.

This demonstrates two things regarding restitution. The first is that the victim, transgressor, or both can set the restitution standard. While biblical law does provide a standard for most situations, it does not mean that this is the only standard that is to be followed. If there is an agreed upon alternative, this meets the moral requirements of the Law. God seemed satisfied with the standard that David set, so He chose to implement it. It also shows that restitution does not have to occur all at one time. It took many years for the four sons of David to pay for his sins. David recognized that he had sinned against God (2 Sam. 12:13), and so God had the right to determine whether the restitution that David set was acceptable and when it would be implemented.

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<sup>220</sup> Jacqueline Grey, “A Prophetic Call to Repentance: David, Bathsheba and a Royal Abuse of Power,” *Pneuma* 41 (1) (2019): 22-23.



## God Pays Restitution to Job?

One of the more interesting examples of restitution in the Old Testament is in the story of Job. In this account, the angels of God came to present themselves before Yahweh and, on one occasion, Satan accompanied them (Job 1:6). When Satan appeared, God pointed out the righteousness of Job to him. In essence, he taunted Satan with the righteousness of Job. Satan told God that if He removed His protection from Job, that Job would curse Him (Job 1:9-11).

God allowed Satan to do anything he wanted to Job as long as he did not kill him (Job 1:12). As a result, Satan unleashed a stream of catastrophic events. All the servants were killed, the sheep were burned, the camels were raided, his sons and daughters died, and he was left with numerous sores. The only thing not taken from Job was his wife (Job 1:13-19). Job had not done anything to earn this “punishment.” Instead, God had given permission to Satan to destroy everything that Job had. What one must realize is that God had allowed Satan to unlawfully take, kill, steal, and destroy everything that Job had. Job is truly the victim in this story.<sup>221</sup>

Over much of the remainder of this story, his three friends – Eliphaz, Bildad and Zophar – accused Job of committing some atrocious sin that led to this catastrophe. Not only accusing him of committing the sin, but for being prideful in his sins. In essence, they were accusing him of crimes that he did not commit.<sup>222</sup> One knew that Job was completely innocent – Yahweh. He later chastised Job for challenging His authority and sovereignty (Job 40), but He had declared Job blameless and upright (Job 1:8). God had allowed Satan to take away everything that Job owned. The cattle, property, crops, and children were all part of the labor of Job. They were part

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<sup>221</sup> Don Flowers, “When Bad Things Happen: Blame God!: Job 1:1; 2:1-10,” *Perspectives in Religious Studies* 46 (2) (2019): 143–44.

<sup>222</sup> Ken Brown, “How to Charge God with Murder: The Role of the ‘Witness in Heaven’ in Job 16,” *The Catholic Biblical Quarterly* 81 (1) (2019): 22-23.

of his property and they were taken away from him without cause.<sup>223</sup>

Once the Lord corrected Job for his pride and attitude, He acknowledged that an unlawful act had occurred against Job and his property. In fact, the action of God reveals that He recognized that a “breach of trust” against Job had occurred. Job had followed in the ways of God and had not earned a “debt” according to the Law. Yet, Satan took everything from Job except his wife. Job could lawfully claim a violation of the Law had occurred because he had trusted that following God would lead to His protection, but Satan had violated that trust.<sup>224</sup> Exodus 22:9 dictated that the party who had created the breach was responsible for paying double the amount lost to the victim of the offense. God is so righteous that He ultimately takes responsibility for the actions of all His creation, a concept which will be fully discussed in the Chapter 6.<sup>225</sup> In response, He restored to Job twice what had been taken from him (Job 42:10-17).<sup>226</sup>

A theological argument arises as to the culpability of God in this story. Did God sin? Of course not. God is completely sinless, however, He is also One who takes responsibility for the actions of the things He has created. For now, it is important to recognize that God created the

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<sup>223</sup> Paul Kang-Kul Cho, “The Integrity of Job 1 and 42:11-17,” *The Catholic Biblical Quarterly* 76 (2) (2014): 243-45.

<sup>224</sup> While the Law did not exist at the time of Job, God still always followed the Law He would later give to Moses. In fact, it would be reasonable to conclude that people knew of the Law long before it was given to Moses. Cain was accused by God of killing Abel (Gen. 4:8) and God confronted Abimelech of adultery for his relationship with Sarah (Gen. 20:3). In Genesis 19, God brought the destruction of Sodom and Gomorrah because of their depravity. While there was not a written Law provided by God which declared these acts to be sinful, it was clear that the people knew that God had a standard and that they had broken it.

<sup>225</sup> The principle of personal responsibility is established in Exodus 21:33-34, something that will be thoroughly explained in Chapter 6. In relation to God paying restitution to Job for what Satan had brought upon him, God recognized that Job had not committed an unrighteous act that deserved this type of punishment. Satan had broken the Law but he was not about to pay the debt for his sin. Satan is a liar, a murderer, and a thief after all (John 8:44). So, as the Creator of all things, God took responsibility for the actions of His creation, paying this restitution to Job.

<sup>226</sup> Sihun Jang, “A Study on the Twofold Restoration in the Epilogue of Job (42:7-17),” *Korean Journal of Christian Studies* (2019): 113: 51-53.

Law is such a way as to make Himself completely liable for all the actions of His creation. It is one of things that makes Him truly amazing, in that He created the Law understanding that human beings would fall short in every instance, but He still bound Himself to be one-hundred percent responsible for all of the ordinances, principles, and laws.<sup>227</sup> As a result, God took responsibility for what Satan had done to Job, paying a restitution of twice that which Job lost. Job had been declared “innocent” at the beginning of this book, righteous in his ways. Yet, he suffered an incredible amount of calamity. God could not let this wrong go without a just resolution, so He paid the restitution to Job.

### **If God Provides Restitution, Why Doesn't His Creation?**

This story tells us a lot about the character of God as well as about the necessity for restitution. Throughout the Old Testament, it is made clear that the way that one resolves a transgression is through restitution. Even when God is the One who can be accused of breaching the trust of another (Job 30:16-18), He demonstrates His righteousness by paying the restitution for the debt that His creation (Satan) had earned. Job had labored to earn his property, the one thing he could claim as his own. God allowed Satan to take that away from him. Because Yahweh is sovereign, He accepted responsibility for the actions of Satan because nothing can happen beyond His rule.<sup>228</sup>

While one may argue against God needing to “pay” restitution to Job, the fact that He adhered to this portion of the Law demonstrates that if God is willing to honor a debt by paying a restitution, then He expects the same thing from His people. If He is accepting the responsibility,

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<sup>227</sup> Stephen E. Jones, *Free Will Versus Ownership* (Fridley, MN: God's Kingdom Ministries, 2001), 19-20.

<sup>228</sup> Blessing Onoriode Boloje and Alphonso Groenewald, “‘I Know You Can Do All Things’ (Job 42:2): A Literary and Theological Analysis of Job's Testimony about Yahweh's Sovereignty,” *HTS Theological Studies* 72 (1) (2016): 2-3.

paying the debt, then the same obedience is required of His creation. This is demonstrated as a standard throughout the Old Testament, not only in the words of Solomon, but in the Bible stories as well.

An apology may seem to be a suitable solution to a transgression, but the Bible disagrees. In fact, it does not demand that an apology be made at all. While an apology may be something one can offer for an offense, God's Word requires that a person compensate the one who has been victimized. This demonstrates a truly sincere heart because the person is willing to correct and replace or provide compensation for what has been lost, damaged, or stolen. This is what brings about true forgiveness, which is revealed in the Law as a necessary means to help bring about forgiveness.

## **Restitution in the Law Codes of the Ancient Near East**

*“You’ll pay for what you did!”*

What is important to understand about restitution is that this is not an idea that is exclusive to the Bible. Many of the cultures of the Ancient Near East (ANE) had laws dedicated to compensating those who had been wronged by the action of others. These laws stretched across vast areas of the region, including the Babylonians, Hittites, Assyrians, Egyptians, and many others. All these cultures developed a legal system for providing restitution for one who had been wronged. What generally made their laws different from what one finds in the Bible is that they often focused more on punishment than providing compensation. Where God’s Law was focused on restoring the individual back to the community, laws found in other cultures were focused on punishing the individual, often taking his or her life for offenses where the Bible would have never suggested such a thing.

Punishments often focused on mutilation of the individual for acts such as theft. When one understands the cultural ideology related to these types of punishments, it is easy to see why some punishments carried over into Islam, where theft can lead to the loss of a hand as punishment.<sup>229</sup> Other laws focused on the government compensating a person for his or her lost property when the offender was not found. In this way, the government ultimately accepted responsibility for the damage caused by an individual. Because many of these law codes were written hundreds of years before Moses documented the Law of Yahweh, many have concluded that the biblical laws were taken from the codes of the ANE. While ideas related to restitution are

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<sup>229</sup> This punishment is provided in Surah 5:38-39 of the Qur’an where it states that a male or female thief should have their hand cut off from the wrist joint as “recompense” for the crime (The Noble Qur’an: English Translation of the Meanings and Commentary (Madinah, K.S.A: King Fahd Complex for the Printing of the Holy Qur’an, N.D.), 149). It also states that this is a punishment that is set by Allah as an example. The Arabic word translated as recompense is *أُجْرَتُهُمَا*, which means reward, replacement, substitute, compensation, or remuneration. Translation taken from <https://en.bab.la/dictionary/english-arabic/recompense>.

similar to biblical codes, one of the primary differences is in the fact that restitution laws of the ANE often focused on punishment and deterrence rather than on forgiveness and restoration. Punishments were often quite excessive, where mercy and forgiveness played no part in the creation of the law.

What is clear is that restitution laws across cultures of the ANE had areas of similarity to each other, regardless of whether one culture had influence on that of another. Many focused on the same types of categories of laws, such as murder, rape, theft, personal injury, false testimony, and adultery. Many even had similar details in terms of the description of how the law was to be applied. For example, one could find across various law codes that body parts, such as eyes, teeth, hands, and legs, were frequently used as part of the law to describe an injury.<sup>230</sup>

There were several laws in the ANE covering a pregnant woman who lost her baby through a fight or whose baby was intentionally aborted. In ancient Babylon, one who struck a freewoman who was pregnant, causing a miscarriage, would lose his or her own daughter as punishment. In Assyrian law, a person who induced an abortion was tortured to death.<sup>231</sup>

However, a significant difference between the law codes of the Sumerians, Babylonians, Assyrians, Hittites, and other cultures of the Ancient Near East and that of the Israelite people was that the Law of Moses was specifically provided by God. Therefore, a transgression against the Law was a transgression directly against God. One who transgressed the laws of other cultures of the time was seen as committing violations against the state.<sup>232</sup> The Israelites were in a

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<sup>230</sup> Idan Breier, "Animals in Biblical and Ancient Near Eastern Law: Tort and Ethical Laws," *Journal of Animal Ethics* 8, no. 2 (2018): 169-71.

<sup>231</sup> H. Wayne House, "Miscarriage or Premature Birth: Additional Thoughts on Exodus 21:22-25," *Westminster Theological Journal*, Vol, 41, No. 1 (Fall 1978): 114.

<sup>232</sup> Alan Lenzi, "How Does the Hebrew Bible Relate to the Ancient Near Eastern World?" *Bible Basics* (December 6, 2022). <https://www.bibleodyssey.org/tools/bible-basics/how-does-the-hebrew-bible-relate-to-the-ancient-near-eastern-world>

covenantal relationship with Yahweh, which included adhering to His laws as part of that covenant, while peoples in neighboring nations were following the laws of the land because they lived or were traveling through that land.<sup>233</sup> In addition, some scholars have concluded that law codes of the ANE were likely traditional laws that had long been accepted by the people of these cultures before they became codified in law.<sup>234</sup> Therefore, these codes were created more out of traditional norms than the expectation of their god or gods.

### **The Sumerian Law Code**

The first documented law code that has been discovered is from the Third Dynasty of Ur (2060-1950 BC). While there may have been a law code prior to this time, most notably the Urukagina (2380-2360),<sup>235</sup> this is the first written law code that has been discovered by archaeologists. This law code is also known as the Code of Ur Nammu.<sup>236</sup> Since it is the first written code to be discovered, it means that many of the principles discussed within the laws were the first to be established, including the idea of requiring people to pay fines as a type of punishment. Crimes such as murder and rape were capital offenses under the Code of Ur Nammu.

The code begins with a prologue, then establishes thirty-two laws. There are similarities between the Code of Ur Nammu and the Mosaic Law, including that a person found guilty of murder was executed, but there are significant differences between the two as well. This includes compensation for injuries. The biblical idea, which will be discussed more fully in a later

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<sup>233</sup> David P. Wright, *Inventing God's Law: How the Covenant Code of the Bible Used and Revised the Laws of Hammurabi* (Oxford: Oxford University Press, 2009), 4-7.

<sup>234</sup> Stanley A. Cook, *The Laws of Moses and the Code of Hammurabi* (New York: Cosimo Classics, 2010), 52-53.

<sup>235</sup> Jack Finegan, *Archaeological History of the Ancient Middle East* (New York: Routledge, 2018), 46.

<sup>236</sup> Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor* (Atlanta, GA: Scholars Press, 1995), 13-14.

chapter, was an eye for an eye.<sup>237</sup> In this law code, a person who damaged the eye of another was required to pay half a mina of silver and to pay 10 shekels if he or she cut off the foot of another. A person who knocked out the tooth of another was required to pay two shekels of silver. In this way, a monetary form of compensation was seen as an acceptable means to compensate for the injury.<sup>238</sup>

This law code covered such things as perjury, withdrawing an oath, and laws regarding virgins and marriage. Under the Sumerian law code, a person could get out of a marriage by divorcing his wife and giving her one mina of silver. It did not matter how long he was married to her or what amount of property they had accumulated, this is what she would receive. A father who decided to terminate a betrothal covenant and opted to have his daughter marry another man was required to pay twice the bride dowry that the first man paid.<sup>239</sup>

A man who forced himself on a virgin was to be executed. If a married woman pursued another man and had sexual relations with him, she was to be executed but the adulterous man was to be set free. This was in complete contradiction to the biblical code, which established that both persons caught in adultery were to be executed (Lev. 20:10). Interestingly enough, there is not a law within the Code of Ur Nammu that provided for a situation where a married man was chasing after another woman and had sexual relations with her.<sup>240</sup>

These laws did not have an equal form of justice for men and women, and they also had excessive punishments for certain types of offenses. For example, one who had committed robbery was to be executed. Instead of paying a restitution for the amount of the property that

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<sup>237</sup> See Appendices A-D, which provide a comparison of common law codes of the Ancient Near East, comparing four different sets of laws.

<sup>238</sup> Martha T. Roth, 17-29.

<sup>239</sup> *Ibid.*, 18-19.

<sup>240</sup> *Ibid.*, 17-18.



was taken, he or she was to be executed.<sup>241</sup>

In this law code, there were three forms of punishment for an individual who had violated the law: pay a fine, go to prison, or execution. Kidnapping was one such crime where a person was imprisoned. The punishment for robbery, murder, and rape was death. Most other crimes were resolved through a fine. These amounts were set regardless of the amount of damage a person may have caused.

For example, Law 32 provided a situation where a landowner rented his land to another to cultivate it, but the second man did not do so, allowing it to turn into a wasteland. All he was required to pay was 720 silas of grain per 100 sars regardless of how much loss there may have been.<sup>242</sup> In this way, there is a recognition that some form of compensatory damages should be paid for the loss that one has suffered, however, one must consider that this may not have fully compensated or may have overly compensated the victim in the situation. However, this is what the Sumerian law code required. Justice was not set based upon the amount that was lost, stolen, or damaged, but on a set amount established by law.

### **Laws of Eshnunna**

The Laws of Eshnunna are a set of two tablets that were discovered in 1945 and 1947 in Baghdad, Iraq. These are the second oldest set of written law codes, believed to date back to 1930 BC, and are part of the Babylonian period.<sup>243</sup> These law codes deal with five primary areas,

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<sup>241</sup> Martha T. Roth, 17.

<sup>242</sup> *Ibid.*, 21. The sila was a measurement of volume in ancient Sumerian lands and was equal to a bowl, but the exact capacity of that bowl is not known. The sar was a measurement of area that was equal to one garden or one plot of land. This was equal to 144 square gins. A gin was roughly the distance between steps.

<sup>243</sup> Reuven Yaron, *The Laws of Eshnunna* (Jerusalem-Leiden: The Magnes Press, The Hebrew University, 1969), 19-20.

theft, distraint,<sup>244</sup> sexual offenses, causing bodily injury, and damages caused by cattle. The Laws of Eshnunna were far more extensive than the Sumerian code, as the code begins with an explanation of weights and measures and includes 60 total laws.<sup>245</sup> Several of these laws are similar to that of the Code of Ur Nammu, including one where a man is hired to work the farm of another, but does not do all of the harvesting that is required of him. The owner was allowed to reduce the pay allocated based upon the amount of work that was not completed.<sup>246</sup>

Like the previous code, theft was viewed as a capital offense. For example, a man who was caught taking crops of another during the day was to pay a fine of 10 shekels, but if he was found doing so at night, he was to be executed. The same was true of a man who was found breaking into a home at night.<sup>247</sup> As mentioned in Chapter 3, the killing of a person breaking into another's home at night was allowed because the intent of the offender was not known.<sup>248</sup> The Laws of Eshnunna also demanded that if a man had given his daughter to another and had accepted the bride price, but later found a different man that he wished his daughter would marry, then he was required to pay twice the amount of the bride payment initially paid.<sup>249</sup> Adultery was a capital offense as it was in most of the cultures of the time.<sup>250</sup>

These laws also concerned such issues as a woman providing suckling, helping with the

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<sup>244</sup> Distraint is a process where property is seized from an individual to pay a debt that is owed. According to Black's Law Dictionary, distraint refers to distress, where the definition is "the seizure of another's property to secure the performance of a duty, such as payment for overdue rent. (Black's Law Dictionary, Deluxe 8<sup>th</sup> Ed. Bryan A. Garner Editor (St. Paul, MN: West Group, 1999), 508.) This is a practice that is rooted in common law in many countries, even today, and was permissible at this time as well.

<sup>245</sup> Martha T. Roth, 59-69.

<sup>246</sup> Reuven Yaron, 49.

<sup>247</sup> *Ibid.*, 51.

<sup>248</sup> Herschel Wayne House, 3.

<sup>249</sup> Martha T. Roth, 59.

<sup>250</sup> Reuven Yaron, 63.

upbringing of a son of another family, and how she was to be compensated. She was to receive 10 minas and was required to give the son back.<sup>251</sup> The purpose of these types of laws fit perfectly within the concept of compensation. A woman providing the suckling and upbringing of the infant deserved to be compensated for her “labor,” and so the law stipulated an amount of compensation she was to receive.

### **The Code of Hammurabi**

The most well-known law code prior to the Law of Moses is the Code of Hammurabi. This was a Babylonian legal text composed sometime between 1755-1750 BC and was created by the sixth King of the First Dynasty of Babylon, Hammurabi. The Babylonian Empire expanded greatly during his 42-year reign, and it is believed that the king established a code that would be universally recognized across the Empire. According to the king, his primary reason for creating this law code was to establish “justice in the land.”<sup>252</sup>

This code was the longest and best organized of all the codes of the Mesopotamian region prior to God giving Moses the Law. It contains nearly 300 legal provisions and an epilogue, with many provisions seen in previous codes, including such things as capital punishment imposed on a person who murders another. One who falsely accused someone of murder could also be sentenced to death.<sup>253</sup> In fact, the beginning of the Code of Hammurabi dealt with one who made a false accusation of murder or provided false testimony that someone performed witchcraft. In either case, the person was sentenced to death for providing false testimony.<sup>254</sup> If a judge rendered a guilty verdict against someone but a higher court overturned the conviction, the judge

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<sup>251</sup> Reuven Yaron, 63.

<sup>252</sup> Martha T. Roth, 71-73

<sup>253</sup> *Ibid.*, 72.

<sup>254</sup> *Ibid.*, 81.

could be punished twelvefold for his false judgment.<sup>255</sup> While the laws against false testimony clearly established a principle similar to that found in the Bible (an eye for an eye<sup>256</sup>), punishments against judges who may have made a mistake appear to be more about excessive sentences than about correcting a mistake.

To ensure that the innocent were not wrongfully convicted, Hammurabi required that two or three witnesses were necessary to establish truth about the actions of the accused. This is supported by the Law of Moses. However, Babylonian law allowed for a witness to be tortured until he or she provided a written statement against the accused.<sup>257</sup> This type of conduct was never supported in the Law of Moses.

Punishments for theft under the Code of Hammurabi were often excessive as well. For example, Law 25 addressed a situation where a fire occurred in a man's house. If another man came to help put out the fire but, instead, stole goods from the first man's house, he could be cast into the fire he was attempting to "help" put out.<sup>258</sup> If a man was hired as a soldier or fisherman by the royal government and sent out on a campaign, yet hired someone else to take his place, he would be killed and the state would receive all his possessions.<sup>259</sup> Clearly, there was no desire to create a form of restitution and forgiveness where a person could be restored to the community. Instead, the goal of many of the laws was to scare people from committing offenses in violation of the code.

Not all laws were this excessive in terms of punishment. For example, a man who was to

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<sup>255</sup> Stanley A. Cook, 66.

<sup>256</sup> This concept is referred to as the *lex talionis* and relates to a punishment that is equal in nature to the crime. This will be discussed more fully in Chapter 8.

<sup>257</sup> Stanley A. Cook, 69-70.

<sup>258</sup> Martha T. Roth, 85.

<sup>259</sup> *Ibid.*, 85-86.

cultivate a field but left it fallow, was required to pay the owner of the field an amount equal to that which a neighbor's field had yielded. In that way, the owner of the field received proper compensation for what was lost from the laziness of the one who did not work.<sup>260</sup> Some laws gave compensation without any concept of the actual loss involved. For example, a shepherd who allowed his sheep and goats to graze on the field of another without permission was required to pay 6,000 silas of grain per 18 ikus of field.<sup>261</sup> The law left no room for understanding how many sheep or goats may have grazed on the field and for how long. A very small amount of grain could have been eaten, but a rather large fine may have been imposed.

There was also room for compassion within the Code of Hammurabi. If a man owed a debt to a creditor but a storm devastated his field and he was unable to pay the debt, the creditor was to give him another year and could not charge him additional interest. In this way, the law had understanding for unexpected circumstances and provided a means by which a person could repay the debt.<sup>262</sup>

### **The Hittite Laws**

The Hittites are spoken of frequently in the Bible. At its peak, this empire held a large amount of land along the Aegean coast and into Syria. The first kingdom of Kussara was established in 1750 and, about 100 years later, the first law code of the Hittite people was codified.<sup>263</sup>

Many of the laws were similar to what one would find throughout the ANE. This included execution for a person who committed murder. However, what separated Hittite law

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<sup>260</sup> Martha T. Roth, 89.

<sup>261</sup> *Ibid.*, 90.

<sup>262</sup> *Ibid.*, 90.

<sup>263</sup> Alwin Kloekhorst and Willemijn Waal, "A Hittite Scribal Tradition Predating the Tablet Collections of Hattuša?" *Zeitschrift für Assyriologie und vorderasiatische Archäologie* 109 (2) (2019): 190-92.

from many of the other cultures of the time was the detail provided for injuries caused to another. For example, a person who blinded a free person or knocked out his tooth would be required to pay 40 shekels of silver. Blinding a slave required 10 shekels of silver as payment. Breaking the arm or leg of a slave required a 10-shekel payment, and one was required to pay 10 shekels for breaking the arm or leg of a free person. These are just some of the many laws surrounding injuries or other forms of incapacitation that required payments to be made.<sup>264</sup>

Laws of this nature extended beyond incapacitation or injury to other areas where a person would be unable to complete employment or other type of contract. One such instance was where a person was hired to do a job but was sent out on a military campaign where he was killed. If the person who was hired to do the job had not been compensated before heading off to battle, the person who hired him was required to give one slave to the family of the person who had been killed.<sup>265</sup>

Hittite laws also covered theft or the loss of an animal through other means. One such law explained that there was no compensation for a person who steals because he has been proven to be dishonest, however, there are a number of laws directly related to the compensation required for one who robbed another.<sup>266</sup> For example, a person who stole a wether<sup>267</sup> or ewe had been required before the law was codified to give 12 sheep, but that number was reduced to six as part of the codified law.<sup>268</sup> When an animal came onto the property of another person and died or was injured, the property owner was required to make restitution for the injury or loss of the

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<sup>264</sup> Martha T. Roth, 219-221.

<sup>265</sup> *Ibid.*, 223.

<sup>266</sup> *Ibid.*, 225.

<sup>267</sup> A wether is a male sheep who is castrated prior to it reaching sexual maturity.

<sup>268</sup> Martha T. Roth, 227.

animal, regardless of what the circumstances were surrounding the death or injury.<sup>269</sup>

### **Assyrian Laws**

The first codified laws of the Assyrians date to between 1450 and 1250 BC.<sup>270</sup> Like the Hittite laws, theft was viewed as a serious crime, but not one that required death. For example, if a woman stole something and gave it to her slave, either the husband of the woman or the woman could lose a nose or ear as punishment. If the value of the item stolen was greater than 300 shekels and the man swore that he did not put his wife up to committing the crime, the items were to be returned and she was to have her ears cut off.<sup>271</sup>

Punishments for adultery were quite different than what was seen in other cultures of the time. For example, if a man had sexual relations with the wife of another and was aware that she was married to another man, both were to be executed. However, if the man was unaware that the woman was married and declared so, he was to be set free while the husband could determine what was to happen to his wife. If the husband found his wife having sexual relations with another man and seized them both, several different options were available. If he were to harm the man, no punishment would be brought against him. If he were to bring his wife and the man before the king or other judge, the judge may rule that he could kill his wife and the other man as part of the sentence. The judge could also declare that the wife was to have her nose cut off and the man was to be turned into a eunuch with his entire face lacerated with a mark that revealed his crime.<sup>272</sup>

While many crimes described in the Assyrian law code provided fines or some other form

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<sup>269</sup> Martha T. Roth, 227-28.

<sup>270</sup> Susanne Scholz, *Sacred Witness: Rape in the Hebrew Bible* (Minneapolis, MN: Fortress Press, 2021), 272.

<sup>271</sup> Martha T. Roth, 156.

<sup>272</sup> *Ibid.*, 158.

of monetary compensation, there were also many that provided some form of mutilation or flogging as punishment. For example, one who spread rumors about another, saying, “Everyone sodomizes him,” would be flogged 50 times with rods and would be required to serve the king for one month. He would also be required to pay 3600 shekels of lead and have his hair cut off.<sup>273</sup>

### **Labor Is the Key**

As one reviews these laws, it is easy to see that there are similarities in terms of the focus of what kings and Yahweh felt was essential to establish order. All of them dealt with crimes related to adultery, murder, and theft. Most dealt with issues of marriage contracts, property ownership, and employment agreements.

As these are reviewed, it is clear that law codes were written with a clear understanding that a person had the right to his or her own labor. It seems excessive to most today that a person arrested and convicted of theft would be executed. However, the different cultures in the ancient Near East understood that this was the one thing that a person could claim as their own. Therefore, to infringe upon someone’s labor through theft or fraud was viewed as a very serious crime, as serious as murder or rape.

These cultures also saw rape as a very serious offense, far more serious than most cultures of today view this crime. This is because it not only was a violation of the purity of the woman and possibly her marriage, but it related to labor as well. Parents made agreements with another family to have their daughter marry the son of another family. As part of that agreement, the parents of the bride received a dowry for giving their daughter in marriage. When one raped the daughter, this often led to a breaking of the agreement, as the family of the son wanted a woman who had known no other man. This was a significant loss for the family of the daughter,

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<sup>273</sup> Martha T. Roth, 160.



and laws were provided that punished rapists in an extreme way, recognizing the damage the person had caused to this financial arrangement.

What separated the Law of Moses to that of the other nations of the ANE was that the ultimate goal of Yahweh was to bring about forgiveness and restoration among His people. Babylonian, Assyrian, Sumerian, Hittite, and other ANE law codes dealt with crimes from a punitive approach. In the case of accidents or failure to meet contractual obligations, leniency was shown, however, when one directly violated the rights and property of another, the law was swift and decisive, imposing heavy fines and punishments.

This was not the case for the Israelite people. God wanted His people to be restored to each other. When one wronged another, He wanted him or her to correct that situation and to ensure that any loss incurred was replaced. He did not want this to be burdensome. All cultures of this time recognized a legal necessity for restitution. A person should pay for the crimes that he or she had committed, however, the moral obligation of that was unimportant or at least had far less significance than it did for Yahweh. The goal was not to restore the victim and offender to one another, but to punish lawbreakers and to ensure that people did not commit crimes in the first place. Thus, the moral necessity for restitution was not as highly considered as it was in the Law of Moses.

## Section II: The New Testament and Beyond

What makes the principle of restitution such an important one for the believer is that this is a practice that was taught beyond the Old Testament. Jesus and the disciples included restitution as part of their teaching, and many of the church fathers agreed upon the principle as well. However, it did not end there. Several church denominations include restitution as part of the ordinances of the church. While this principle is not often taught in today's church, it is still viewed as an important principle.

It has been demonstrated that restitution was a legal principle taught and applied throughout the ancient Near East, and this principle is still taught in many cultures today. Legal systems across the globe, including in the United States, attempt to provide some type of restitution. However, the principle is often skewed, confused with reparations or compensation.

One will also find that restitution has often been replaced with imprisonment, believing that this is the way that a "debt" to society is repaid. These types of laws have embraced the idea of some of the cultures of the ANE where crimes were viewed as transgressions against the state. This is not the biblical point of view, and this section will review how restitution was in the time of Jesus and how it should be taught in the church today.

The ultimate goal of restitution is the restoration of the property to the person who has been victimized so that forgiveness and restoration for the person who has committed the offense can be achieved. This is a principle that needs to be embraced in the church today, and this section reviews how Jesus continued to make it an essential part of the way in which to treat and love one another, especially when a transgression against another has occurred. It will show how Jesus lived out a life of restoration Himself, paying the "debt" for all of mankind, and how this has freed believers from the slavery of sin.

Many church theologians wanted believers to see the need for restoration. That forgiveness is more fully achieved when one has recognized his or her transgression, restored what was lost, stolen, or damaged, thus, truly seeking the forgiveness of the other. This is a principle that the church recognizes as important, but fails to embrace it as the true pathway to forgiveness. As believers, it is important to see that this principle is the way that forgiveness can be achieved and the unity of the body of Christ restored.

### **Jesus and His Life and Teachings on Restitution**

*“Jesus said that all I need to do is forgive and I will be forgiven.”*

In Matthew 6, Jesus was teaching one of the most important sermons of His three-year ministry. This teaching not only included the Beatitudes, but He also provided the model for prayer in Matthew 6:5-14. In this teaching, Jesus addressed the idea of forgiveness, explaining that the Father would forgive as one chose to forgive others (Mat. 6:12) and that followers must forgive those who have sinned against them if they expect the Father to grant forgiveness (Mat. 6:14-15).<sup>274</sup>

The Greek word for forgive is ἀφίημι (aphiémi), which is translated as to let go or give up as a debt, forgive, give up something to a person, to leave, to send away as when one is divorcing a wife, or to leave behind.<sup>275</sup> This is a word that has a legal or contractual connotation to it, such as a person sending away his wife after the divorce or a woman forgiving a debt that is owed.<sup>276</sup>

#### **Jesus Forgave Our Sins Through the Debt He Paid**

If one examines these verses, it seems that forgiveness is the responsibility of the one who has been wronged. He or she must simply forgive the other person for the wrongs committed.<sup>277</sup> In this way, it is taught that he or she would be acting as God does. The problem is that God did not simply forgive sins. Jesus had to pay for the sins.<sup>278</sup>

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<sup>274</sup> Ivoni Richter Reimer, "The Forgiveness of Debts in Mathew and Luke: For an Economy without Exclusions," *Voices from the Margin: Interpreting Bible in the Third World* (2006): 151.

<sup>275</sup> Walter Bauer, 125.

<sup>276</sup> Rikard Roitto, 2015. "The Polyvalence of ἀφίημι and the Two Cognitive Frames of Forgiveness in the Synoptic Gospels," *Novum Testamentum* 57, no. 2 (2015): 137.

<sup>277</sup> Mark E. Biddle, "Forgive, Forgiving, Forgiven: Matthew 6:12 and Luke 11:4," *Review & Expositor* 118 (4) (2021): 523-24.

<sup>278</sup> Hannelie J. Wood, "Sketching the Elements of a Christian Theology of Change," *Hervormde Teologiese Studies* 74, no. 3 (2018), 2.

To grasp this more clearly, one must understand the legal relationship of the kinsman-redeemer. One teaching that Jesus wanted to make clear was that He came to fulfill the Law (Matt. 5:17-20). It is significant that Jesus made this statement as part of the Sermon on the Mount (Matt. 5-6). The Law was clearly a major part of what Jesus taught and so this sermon addressed many aspects of the Law. This included the prohibition against adultery, divorce, oaths, and revenge. While many Christians have found the Law to be insignificant in the life of the believer,<sup>279</sup> Jesus made it clear that the ordinances and regulations of God were not only applicable to Christians, but were to be embraced as part of righteous living.<sup>280</sup>

The Law was a significant part of Jesus' ministry, not only because of the teachings He provided, but also because of the way He lived His life and manner in which He died. Part of this is rooted in the kinsman-redeemer relationship. This relationship is established in Leviticus 25:25-26 where it explains that a near kinsman is able to redeem the property of a relative who had sold the property. The near kinsman could also redeem a close relative who had sold himself into slavery by paying the debt that was owed (Lev. 25:47-51). One of the main requirements of these two laws is that only a near kinsman was eligible to pay the debt. This could not be a close friend, neighbor, or even fellow Israelite. It had to be a close relative, such as a father, child, uncle, or cousin (Lev. 25:49).

To understand the redemptive work of Jesus on the cross, one must grasp the kinsman-redeemer relationship and how it directly relates to Jesus. A title that was frequently used to describe Him was "Son of man." While this title was often used with Old Testament prophets as

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<sup>279</sup> R.C.H. Lenski, *Paul's Epistles to the Colossians, Thessalonians, Timothy, Titus, and Philemon* (Minneapolis: Augsburg, 1961), 114.

<sup>280</sup> Vien V. Nguyen, "Matthew and the Torah: An Analysis of Matthew 5:17-20," *Journal of Biblical Theology* 3 (3) (2020): 5-6, 12.

well, its significance related to Jesus was that it established him as a “near-kinsman” to all of mankind.<sup>281</sup> He did not have the lawful right to redeem His creation as God. The Law did not include such a provision. Instead, the Law demanded that a close relative be the one to redeem the debt owed by his or her relative. As a “Son,” Jesus had the lawful right to redeem all of mankind from the debt that each person owed.<sup>282</sup>

In addition, the Bible makes it clear that each person becomes a slave to sin. Jesus explained in John 8:34 that anyone who commits a sin is a “slave to sin.” Paul described how one has been freed from sin through the work of Jesus, freeing all from the “yoke of slavery (Gal. 5:1).” Paul described in Romans how one who is obedient to something becomes a slave to that, so a person who sins is a slave to sin (Rom. 6:16).

As sinners, each person has become indebted to sin. He or she has become a slave.<sup>283</sup> Thus, each person needs a near kinsman to redeem him or her from the debt that has been earned. However, the Bible makes it clear that there is only one payment that can be made for the sins that one has committed – death. Paul described this when he explained that the “wages of sin is death (Rom. 6:23).” Just as a laborer is entitled to the wages that have been earned through his or her labor, a person is entitled to the wage earned from sinning.<sup>284</sup>

The Greek word translated as pay or wage is ὀψώνιον (opsónion).<sup>285</sup> In today’s vernacular, one understands this term as something that is earned for work performed. When a person sins, he or she has earned a death sentence. The only way one can be freed from his or her

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<sup>281</sup> Marius Nel, "'Son of Man' in the Gospel of Mark," *In Die Skriflig*, vol. 51, no. 3, 2017; 1-2.

<sup>282</sup> Stephen E. Jones, *The Law of the Second Coming* (Fridley, MN: God’s Kingdom Ministries, 2005), 162.

<sup>283</sup> Elizabeth W. Mburu, “Jesus, Our Liberator: An Intercultural Dialogue,” *Conspectus* 32 (October 2021): 64.

<sup>284</sup> Stephen E. Jones, *Creation’s Jubilee*, 36-37.

<sup>285</sup> Walter Bauer, 602.

enslavement to sin is if the debt is paid. The Law gives two options for how the debt one owes can be paid. Either the person can pay the debt owed his or herself, or a near relative can do it for him or her. Jesus chose to pay the debt for all of mankind.

What needs to be properly understood is that God did not simply forgive mankind for its sins. He did not wipe the slate clean like the sins never existed. Lawfully He could not do so. Instead, Jesus came and paid the price for the sins of all by dying on the cross, paying the debt in the place of each individual. He redeemed each person, removing them from slavery by being mercilessly tortured and murdered so that the debt that each person earned was paid.<sup>286</sup>

### **God Declares Himself Responsible**

A debt was incurred by each individual the moment that he or she sinned. The debt that needed to be paid was death and Jesus paid that debt. The question many may wonder is why Jesus was responsible to pay the debt for all of mankind. After all, He did not commit any sin (1 Pet. 2:22), yet He took on the sins of the entire world. His perfect nature is part of the reason why He was able to pay for the sins of mankind, a subject that will not be addressed in any detail in this dissertation, but is also an essential element of Jesus' fulfillment of the law.<sup>287</sup>

Jesus made Himself responsible for all the sins that have been and will be committed. Colossians 1:16 explains that all things were created through Him. As the Creator of all things, He is also responsible for everything that is created. This principle is seen in many of the laws that were explained earlier in this work. For example, one who dug a pit and left it uncovered, leading to the death of another's animal, was responsible for the death of that animal. Since he or

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<sup>286</sup> Elizabeth W. Mburu, 64-65.

<sup>287</sup> Jesus was referred to as the Lamb of God who took away the sins of the world (John 1:29). The Law demanded that the lamb that was sacrificed be without blemish or defect (Ex. 12:5). If it had a defect, then it could not be offered before God. Jesus had to be sinless (Heb. 4:15) and was even declared to have no "blemish" by Pontius Pilate (Luke 23:13-16). It was for this reason that He was able to pay the sins of all of mankind, because He was a perfect Lamb, without defect.

she did not take the proper steps to cover the pit, that person became responsible for all calamity that resulted from the uncovered pit.<sup>288</sup>

To comprehend this principle, one must establish the ownership of God. God makes it clear that He is the Creator of all things (Genesis 1-2). As the Creator, He is also the rightful Owner of all things.<sup>289</sup> In the Genesis account, God explained that He made Adam out of the dust of the ground (Gen. 2:7). While God's ownership of all things is important to keep in mind, it is the fact that God created all things that bears the most significance in relation to the kinsman-redeemer relationship.<sup>290</sup> God owns the dust of the ground. After all, He created the entire earth. Since man is created out of that dust, God is the rightful owner of all of mankind as well. As the Owner, He is also responsible for all the actions committed by everything that was done by His creation.<sup>291</sup>

This leads to one of the essential theological arguments that has been debated for thousands of years. That is the question of free will. The question that is raised is how people can have free will yet God is still sovereign and in control of all things. These two positions would seem to contradict one another.<sup>292</sup> The truth is that free will has no bearing on the issue of God's sovereignty when it comes to taking responsibility for the sins of His creation. God is making it clear that, as the Owner, He is ultimately responsible for all that mankind has done. In fact, He made himself legally responsible, binding Himself to the very Law that He created.<sup>293</sup>

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<sup>288</sup> Daniel R. Schwartz, 317-319.

<sup>289</sup> Henry M. Morris, 28-30.

<sup>290</sup> Carly Lorraine Crouch, 2,5.

<sup>291</sup> Stephen E. Jones, *Free Will Versus Ownership*, 19-20.

<sup>292</sup> Jan H. van Wyk, "Predestination and 'pre-Activation': A Theological Reflection on this Famous, Yet often Disputed Doctrine. does Not this Doctrine make People Careless and Profane?" *In Die Skriflig* 54, no. 1 (2020), 1-3.

<sup>293</sup> Stephen E. Jones, *Free Will Versus Ownership*, 19-20.



In Exodus 21:33-34, the person was responsible when he or she dug a pit and did not cover it. God bound Himself to this principle as well, as Satan is a type of “pit”<sup>294</sup> and, because God is a righteous, holy God, He made Himself liable for all the calamity that would befall people because of the actions of Satan. He also made himself responsible for the actions of each individual person.<sup>295</sup> This is the basic principle of Exodus 21:33-34. God is the Owner, putting a “pit” in the garden of Eden – a tree that neither Adam nor Eve was allowed to eat from. He could have covered that tree but chose not to do so. He created the pit, in this case the tree, which mankind fell into because Adam ate from the tree, thus bringing sin upon the whole of mankind. This is not a question of a God who denies people the opportunity to make mistakes but is, instead, about a righteous Owner who accepts responsibility for everything that He has created.

The Bible declares that Jesus is the Creator of all things (Col. 1:16). As a result, He is responsible for the actions of His creation. Therefore, He paid the price for the failings of everyone. It is important to note that God did not simply wipe away the sins of the world. Instead, He created the Law in such a way as to make Himself the One who is ultimately liable for everything that goes on in creation. This means that He chose to accept the responsibility for the sins of the world and paid that debt through the death of Jesus on the cross. The wages of sin is death and Jesus paid that debt with His life.

### **The Lamb of God**

In Chapter 3, it was explained that offerings made to God were a form of restitution. God

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<sup>294</sup> The principle of Exodus 21:33-34 is that one is responsible for things that are created if they can lead to the injury or death of another because the proper precautions have not been taken. The concept of the “pit” does not always have to be a physical pit, but can be something like Satan or the tree in the Garden of Eden, where God could have bound Satan so that he could not trick Adam or Eve or block the tree so that Adam would not eat from it. God allowed for these types of “pits,” and chose to take on the debt incurred as He did when Satan brought great calamity on Job.

<sup>295</sup> Stephen E. Jones, 17-18.

established that there was a need for the person to acknowledge his or her transgressions, specifically that these sins were transgressions against God. As a result, God demanded a payment to be made for the sins committed. This was remedied through the sacrifices that were offered.

The ultimate form of sacrifice was paid through the death of Jesus on the cross. A lamb was frequently used in the five sacrificial offerings required in the Law.<sup>296</sup> Jesus became the complete sacrifice required of the Law by being the Lamb of God (John 1:29, 1:36). He was considered the perfect guilt offering, fulfilling the prophecy of One whom the Lord would crush so that the will of God would prosper through His labor (Isaiah 53:10).<sup>297</sup>

There is no denying that Jesus' death on the cross was about bringing forgiveness for the sins of the world, but it is more than that. Paul explained that just as sin entered the world through one man, Adam, another man brought about justification through His sacrifice (Rom. 5:18). The question one must contemplate is how Jesus brought about justification? The reality is that the Lamb of God was the restitution that was demanded by God in payment for the sins of the entire world.<sup>298</sup>

The word used for justification is δικαίωσις (*dikaiósis*), which means acquittal.<sup>299</sup> This is a legal term that describes a person who has been declared not guilty of a charge. While the believer is no longer condemned or declared guilty before the Law, there was Someone who was declared guilty for all that had occurred. This was Jesus, who took on the sins of the entire world

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<sup>296</sup> Jeremy Schipper, "Interpreting the Lamb Imagery in Isaiah 53," *Journal of Biblical Literature* 132, no. 2 (2013): 316-17.

<sup>297</sup> *Ibid.*, 317-18.

<sup>298</sup> Clara Maria and Lucchetti Bingemer. "Love and Forgiveness: A Christian Theological Point of View," *Spiritus* 19, no. 2 (Fall, 2019): 236.

<sup>299</sup> Walter Bauer, 198.

(1 Pet. 3:18). Just as the lamb was used as an offering to pay for the sins that one had committed, paying the cost for the transgressions before God, Jesus performed this same act through His death on the cross. The Law demanded that death be the punishment for all sin (Rom. 6:23), and that judgment was rendered. However, it was rendered upon Jesus. He paid the cost for humanity's sins.

This is proven in one statement that Jesus made. While dying on the cross, Jesus made the statement, "It is finished (John 19:30)." The Greek word used here is τετέλεσται (tetelestai), which is an accounting term which means to finish, to pay a debt in full.<sup>300</sup> According to John, these were the last words from Jesus prior to giving up His ghost. He wanted to make it clear that the debt from the sins of all of mankind had been paid. The ledger had balanced and the sin debt each person had earned was paid in full.

When one does not acknowledge the requirements of the Law and how Jesus fulfilled these requirements, then they do not truly understand the sacrifice of Jesus on the cross. As mentioned, He made it clear that He came to fulfill every aspect of the Law. Thus, one must recognize that His sacrifice on the cross was part of that fulfillment, in this case paying the restitution for the sins that all have committed.<sup>301</sup>

### **To Whom Did Jesus Pay Restitution?**

With an understanding that Jesus paid the debt by dying on the cross, the next question to ask is who was the recipient of that restitution? The Law demanded that a person pay restitution to the one they had victimized. The Law also allowed for a near-Kinsman to pay the debt of his or her relative to get that family member out of slavery. It appears that both ordinances apply.

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<sup>300</sup> Walter Bauer, 810.

<sup>301</sup> Rodney L. Petersen, 177-78.

That the Law set a pathway for how one could be removed from slavery explains at least one aspect of to whom Jesus paid restitution. Becoming slaves to sin made all children of the devil. All humanity fell under the power of the prince of the world.<sup>302</sup> Paul explained that when believers were dead in their trespasses that they were walking in accordance with the wishes of the “prince of the power of the air (Eph. 2:2).” Thus, because of the sin nature, each person is under the power and control of Satan. The only way that anyone can be redeemed from slavery is by acknowledging the death of Jesus Christ on the cross, accepting the restitution He paid. In this way, everyone has had their debt paid by Jesus. It is only a matter of accepting that reality that is denying countless millions the freedom that comes through that sacrifice. In other words, it is not that their debt has not been paid. It is simply that they are refusing to accept the payment that has been made, choosing to live in slavery over freedom.

As mentioned previously, each person is God’s property. God owns the universe and everything in it, and that includes each individual person. Yet, a debt was owed for the sin that each person committed. Those sins were in violation of the Law and God had to redeem each individual so that he or she no longer could be held liable for the sins committed. This meant that He had to remove each person from slavery because of the debt to sin, because each person was ultimately a slave to Satan.<sup>303</sup>

While each person is the property of God, the Father wanted to ensure that Satan had no claim over any of His “possessions.” To simply forgive the sins that people committed would not be righteous and would not fulfill the demands of the Law. It would also not free a person from the debt owed. To free each individual from the debt owed, that debt had to be paid. Everyone

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<sup>302</sup> Jonathan M. Platter and Jacob Lett, “‘Christ Who Is Our Peace’: Ephesians 2 and a Theological Ontology of Place,” *Journal of Theological Interpretation* 16 (1) (2022): 81.

<sup>303</sup> Elizabeth W. Mburu, 64.

owed a debt that required death, and Jesus paid that debt to ensure that Satan had no authority to make any claim against any individual on earth ever again. Restitution had been paid, defeating Satan and his plan to rule the world.<sup>304</sup>

### **Jesus Teaches How to Restore One to Another**

Jesus did not just provide restitution through His death on the cross. He also taught His followers that they were required to make restitution for the sins they had committed. The ultimate goal He wanted His followers to understand was that restoration between individuals was the outcome expected through restitution.

This message began in arguably the most famous teaching of all time – the Sermon on the Mount. As mentioned previously, Jesus made it clear that He came to fulfill every aspect of the Law (Matt. 5:17-20). It is not surprising that directly after He made this point, He addressed essential elements related to the Law itself. This included such things as adultery (Matt. 5:27-28), murder (Matt. 5:21-24), and taking an oath in the Lord’s Name (Matt. 5:33-36). During this teaching, He talked about murder, establishing a revolutionary way to look at the killing of another person. Instead of declaring that murder was simply the act of taking the life of another, He explained that to be angry at and demonstrate hate for one’s brother (or sister) constituted a form of murder.<sup>305</sup>

It is at that point that He discussed when believers are at odds with one another. He explained that when a person comes to bring his or her offering to God at the altar that, if there is anything that is held against that person by another believer, this individual is to go and reconcile the matter (Matt. 5:23-24). The question is how does one reconcile with his or her brother or

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<sup>304</sup> Marvin H. Pope, *Job* (AB; Garden City: Doubleday and Company, Inc., 1965) 10.

<sup>305</sup> Matthew S. Goldstone, 2017. “Murder, Anger, and Altars: The First Matthean Antithesis in Light of Exodus 21:14 and Its Early Rabbinic Interpretation,” *Novum Testamentum* 59 (4): 340-42.

sister? The answer was clearly established in the Law. If a person had committed an offense against another, the Law established how that person could restore the relationship. The person was to pay restitution according to the offense that had been committed. In this way, restoration was achieved, and the person could then bring the offering to God knowing that the matter had been reconciled according to the Law.<sup>306</sup>

Jesus explained that a failure to reconcile this situation could lead to the person having to go to court so that the victim could receive the compensation he or she sought (Matt. 5:26). He taught that the judge could send the offender to prison until he or she had paid every penny owed. In the teaching, the person who had brought the offering is the one who had committed the offense. It is clear this person owed restitution and Jesus established that God is not looking for sacrifice but for love and obedience to the Law to be fulfilled. Thus, He pointed out that there can be no postponement of the reconciliation. This matter must be resolved so that brothers (and sisters) are at peace with one another.<sup>307</sup>

This point is reiterated in Luke 12:58-59. Here, Jesus is talking about a person walking with his or her accuser to see the magistrate. He explained that the person was to resolve the matter before the two appeared before the judge so that he or she would not be thrown into prison. As He had said in the teaching in Matthew 5, Jesus explained that the person will not get out of prison until “you have paid the very last penny (Luke 12:59).” The person is required to pay restitution and will be sent to prison until the debt is paid, unless he or she resolves the matter with the victim first.

In another passage, Jesus is teaching the disciples when He discussed a situation where a

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<sup>306</sup> Francois P. Viljoen, 3-4.

<sup>307</sup> *Ibid.*, 3-4.

brother had sinned against another (Matt. 18:15-20). In this text, He explained that if a brother has sinned against another, that the second person is to go to the first and tell him of his fault. If he “listens to you,” then the second person has gained a brother, putting him on the right path (Matt. 18:15). However, Jesus explained that, if the person does not listen, then there are additional steps that need to be taken to confront the person about the offense (Matt. 18:16-17).

The word translated as listen is ἀκούω (akouó), which means to attend to, to consider what has been said and respond, to get by hearing and learn, to perceive and understand, or to listen like one would listen to a teacher provided in a lesson.<sup>308</sup> This is not a simple task of the ears bringing in soundwaves, sending a message to the auditory nerve, then to the brain where the words are recognized. Instead, it is a situation where one hears the words and comprehends them in such a way that there is a need to take action to correct what has been done, or to apply the teaching to his or her life.

Jesus is specifically teaching about the concept of restitution here. He is explaining that a person who has been wronged should go to the offender and tell that person about the offense.<sup>309</sup> It is then the responsibility of the one who has committed the transgression to acknowledge what he or she has heard and to attend to the matter. The person should then abide by the requirements of the Law.

It is when the person refuses to acknowledge his or her transgression or fails to make amends that the victim is to bring two others who have witnessed the transgression to confront the person about the sin. If the person still refuses to acknowledge the sin, then he or she is to be brought before the congregation. In this way, it is much like Jesus described in Matthew 5:23-24.

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<sup>308</sup> Walter Bauer, 31.

<sup>309</sup> Kangil Kim, “A Theology of Forgiveness: Theosis in Matthew 18:15–35,” *Journal of Theological Interpretation* 16 (1) (2022): 47-49.

However, instead of being brought before a judge to have the matter resolved, where the person could be sent to prison for the failure to pay the debt, the lawbreaker is confronted by fellow believers. If he or she fails to acknowledge the sin committed and to take steps necessary to make amends, then this person was to be treated as an unbeliever. The person is not to be disregarded or cast out of the church, but is to be treated as someone who does not understand the ways of God.<sup>310</sup>

This is an important concept that needs to be understood by believers and the Church as a whole. Many churches practice the Matthew 18 principle where they confront those who are acting in an ungodly manner. The goal is to encourage the person to change his or her behavior so that the person can then be restored to the proper place within the church. What they are missing is that this process was not about confronting someone who is trapped in some form of iniquity, like drunkenness, pornography, or excessive gambling. Paul does address a situation like this and what must be done when someone is caught in an immoral life (1 Cor. 5:1-13), but this is not what Jesus is talking about.<sup>311</sup> Instead, Jesus is specifically addressing a situation where one believer has committed an offense against another. The purpose was to resolve the matter between the two individuals. The goal is for the person to acknowledge that he or she had sinned against the brother or sister, and then make amends according to the restitution required by the Law. When he or she failed to do so, witnesses to the offense were brought forth to confront the person and make it clear that he or she had committed a transgression against another.<sup>312</sup> When the person failed to acknowledge this “evidence,” he or she was then brought

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<sup>310</sup> Monique Cuany, “‘Today, Salvation Has Come to This House’: God’s Salvation of God’s People in Luke’s Gospel,” *Currents in Theology and Mission* 45 (4) (2018): 14-15.

<sup>311</sup> Laura Salah Nasrallah, “Judgment, Justice, and Destruction: Defixiones and 1 Corinthians,” *Journal of Biblical Literature* 140 (2) (2021): 351-53.

<sup>312</sup> Kangil Kim, 49, 54-55.



before the church, where the members of the church acted as judges over the situation.

Jesus taught some important elements related to this process. They include:

1. A clear recognition that a transgression had occurred.
2. That there are witnesses who can testify to the transgression and that the accused was guilty of committing the offense.<sup>313</sup>
3. That the person who committed the offense was unwilling to acknowledge that he or she had committed a transgression against another and/or that he or she was unwilling to pay the restitution as required under the Law.

In addition, Jesus provided a pathway to resolve the matter so that the two could be restored to one another. This process was:

1. The victim confronting the person who committed the offense directly and in private.
2. If the one who committed the offense refuses to acknowledge the transgression or make amends, then two or more witnesses are to be brought forth to confront the individual with the truth that they had witnessed the crime and that the person had committed the offense. This was still done in a small setting, where only a limited number of people were involved.
3. If the person refused to acknowledge the evidence brought before him or her, then he or she was to be brought before the church where the evidence was presented.

The failure of the person to acknowledge the sin at that point led the congregation

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<sup>313</sup> The standard of the two witnesses is one that is found throughout the Bible (Deu. 17:6, 19:15, Num. 35:30, 2 Cor. 13:1, 1 Tim. 5:19). The important part of this is that the witnesses were to have actually witnessed the offense. This is not a situation where the two are coming as “witnesses” to the fact that the person refused to accept responsibility. They are there because they can testify that the accused actually committed the offense. With this understanding, it ensures that the mentality of taking sides is removed, because the witnesses are not there to be on the side of the victim, but simply to provide testimony as to what they witnessed.

to treat the person like a Gentile or tax collector (Matt. 18:17).

One can then wonder how a “Gentile or tax collector” was to be treated? This will be addressed later in this chapter.

### **The Tale of Zacchaeus**

There is no greater example in the New Testament of the idea of restitution than in the story of Zacchaeus. This event is told in Luke 19:1-10. In the account, it is explained that Zacchaeus was the chief tax collector and was extremely rich (v. 2). He had wanted to see Jesus but, because of his height (or lack of it), he was unable to do so, so he climbed a tree so that he could see Jesus as He passed by. When Jesus saw him, He told Zacchaeus to climb down so that He could go to his house. The Bible then explained that Zacchaeus climbed down quickly, joyfully receiving Jesus.

Verse 7 explains that the religious leaders grumbled when they saw Jesus meeting with Zacchaeus. Zacchaeus then turned to Jesus and told Him that he had defrauded many people. He had used his position to take more than what he was entitled to receive. He acknowledged his sin, then following the biblical principle of what he was required to do. He told Jesus that he would give half of all that he had to the poor and that he would pay all those he had defrauded fourfold (Luke 19:8). Zacchaeus recognized that he had committed a transgression in violation of Exodus 22:1. He had stolen from others, defrauding them of money that was not rightfully his. To restore what he had taken, the Law required that he pay four times the value of what he had stolen.<sup>314</sup>

It is at this point that Jesus declared that “salvation has come to this house (v. 9).” Zacchaeus had repented of his sins. He had acknowledged that he had violated the Law and that

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<sup>314</sup> Stephen E. Jones, *God's Law on Restitution*, 6-7.

he needed to make amends for the things that he had done. After doing this, Jesus told the religious leaders that Zacchaeus had received salvation. This is not intended to be a theological argument about how one is saved. It is clearly established that salvation is a gift from God (Eph. 2:8-9), which one is able to enjoy because of the sacrifice that Jesus paid on the cross. Jesus paid for the debt of each person and there is no salvation that is available apart from the sacrifice that Jesus made.<sup>315</sup>

It is also clear that a person who has committed transgressions against others should want to make amends for the transgressions committed. He or she should not simply accept the sacrifice of Jesus and go on about his or her life as if no wrong had ever been done.<sup>316</sup> Salvation is demonstrated by the desire to uphold the principles of the Law, including restoring that which was stolen from others. In this way, one fulfills the words written by James when he explained that a believer is not just one who hears the Word of God, but acts as well (Jam. 1:19-25).<sup>317</sup> It is a person who acknowledges what has been done in the past and then seeks a solution to rectify the matter. This is why James wrote that it is not a person who looks in the mirror after being saved and forgets what kind of person he or she was before. It is a person who sees what he or she was before and recognizes that there is a need to correct the transgressions committed (v. 24-25).<sup>318</sup>

### **But What about Turning the Other Cheek**

One of the biggest arguments against the need for restitution is provided in Luke 6:27-32.

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<sup>315</sup> Dan Liroy, "One Saviour and Two Responses: A Comparison and Analysis of Luke 18:18-30 and 19:1-10," *Conspectus* 23 (March 2017): 138-39.

<sup>316</sup> Monique Cuany, 14-15.

<sup>317</sup> James L. Boyce, "A Mirror of Identity: Implanted Word and Pure Religion in James 1:17-27," *Word & World* 35 (3) (2015): 213-21.

<sup>318</sup> *Ibid.*, 217-18.

This is a similar message to what Jesus taught in the Sermon on the Mount (Matt. 5:43-48) but adds some additional detail. In this message, Jesus taught His followers that they were to love their enemies. He explained that when one does good to those who love them there is nothing special in these actions. This is what sinners do, those who are not followers of God.

However, the Luke account begins with one additional element. In this message, Jesus told His followers that if someone were to strike them, they were to turn the other cheek. If one demanded their cloak, they were not to withhold their tunic. That if anyone took from them, they were not to demand the return of the item (Luke 6:27-31). This message would seem to oppose the idea of restitution. After all, Jesus told His followers that if someone took something from them that they should simply allow them to take more. That their labor truly did not matter that much. However, this is not the proper understanding of this message at all.

To understand this passage, one must start with the context in which Jesus is speaking. He is talking about a situation where one encounters an enemy. The word for enemy is ἐχθρός (echthros), which means enemy or foe.<sup>319</sup> This is literally someone who hates or completely devalues the other person. Doing harm to another would create no moral challenge whatsoever, much like a soldier would kill his enemy on the battlefield. This is a word that is used quite frequently in the New Testament, and always in this context. For example, in Matthew 10:36 Jesus told His disciples that He did not come to bring peace, but a sword (Matt. 10:34). He then explained that a man's foes (ἐχθρός), his enemies, will be those in his own household (Matt. 10:36). Those who will seek to cause him harm, maybe even kill him, will be the very members of his family.<sup>320</sup> It is this understanding of the word that sets the context in which Jesus is

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<sup>319</sup> Walter Bauer, 331.

<sup>320</sup> Warren Carter, "Love Your Enemies," *Word & World* 28 (1) (2008): 14-15.

speaking.

When one encounters an enemy and that enemy strikes him or her so as to take something, the one being accosted has one of two choices. He or she can either do nothing and be struck and lose the item(s), or the person can fight back. If one does not fight back, it is likely that the situation will diffuse on its own. A bully may take something of another, maybe even hit the other person, but there becomes a point where the bully gains no satisfaction out of continually abusing the other person if he or she does not fight back. What Jesus is talking about is taking actions that provide for one's personal safety. While it is wrong for another to take the coat or to hit another, fighting back may cause further injury, maybe even lead to someone getting killed. Not only was this a safety risk, but fighting and harming another person does not present the mission of Christ at all.<sup>321</sup>

Paul addressed this very situation when he told followers that they were not to repay evil with evil, but to do what was honorable in the sight of others, and to be at peace with others as much as possible (Rom. 12:16-18). To battle with another to keep a coat or to hit that person back after being struck is repaying evil with evil. It is not an honorable action in the sight of others, and is not creating peace. Instead, it is escalating violence.<sup>322</sup>

The Jewish people of the time lived under the thumb of the Roman Empire. While the Romans gave the people of Judea a high degree of autonomy, there were those who wanted to fight for their independence. The Zealots were one such group, as they continuously fought against the Romans to try to free themselves from the Roman occupation.<sup>323</sup> This led to soldiers

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<sup>321</sup> Warren Carter, 17-19.

<sup>322</sup> Mireia Ryšková, "Holiness as a Process of Growing into Spiritual Adulthood (Rom 12:1-21)," *Communio Viatorum* 61 (1) (2019): 25.

<sup>323</sup> Paul Spilsbury, "Jewish Theocracy and the Zealots," *Crux* 53 (1) (2017): 30-31.

and government officials being quite cruel, something that was seen in the story leading up to the crucifixion of Jesus. An exhausted and severely beaten Jesus could no longer carry His cross, and the Roman soldiers simply grabbed one man, Simon of Cyrene, and told him to carry the cross for Him (Luke 23:26). There was no discussion; he was required to do so. This demonstrated how easily the Roman soldiers could dictate the actions of the Jewish people with little or no recourse.<sup>324</sup>

Yet, what Jesus wanted them to understand was that to fight back against their “enemies” meant that they were only becoming like their enemies.<sup>325</sup> They were not presenting God. They were not leaving vengeance for God to bring (Rom. 12:19). They were also endangering themselves by retaliating or fighting back.

Jesus understood one of the most essential parts of human nature. Human beings often act based upon emotion. This is a time where one will take the law into his or her own hands, striking back at the person who hit him or her or who attempted to take his or her property. Passion drives this person, and the result is more violence,<sup>326</sup> but taking the law into one’s own hands was not permitted in the Law (Lev. 19:18, Prov. 20:22), nor was it permitted in the New Testament (Rom. 12:17, 1 Pet. 3:9). It does not say if someone attempted to steal the sheep of another that the owner could run out and bash that person in the head. Instead, God provided elders and judges to rule according to His Law. These matters were to be rectified before God-chosen representatives according to the principles of the Law.

This teaches a very important principle related to restitution and justice. There may be

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<sup>324</sup> Marius Nel, “‘Not Peace but a Sword’: Jesus and the Sword in Matthew,” *Neotestamentica* 49 (2): 245.

<sup>325</sup> William Carter, 16-17.

<sup>326</sup> Larry Greenemeier, “What Causes Someone to Act on Violent Impulses and Commit Murder?” *Scientific America* (January 12, 2011). <https://www.scientificamerican.com/article/anger-management-self-control/>.

times when one's rights and property have been violated and there is literally nothing that can be done about it beyond fighting back. It is at this time that a person must rely on the sovereignty and judgment of Jesus to rectify the situation. The person must believe in the divine power of God and not seek retribution on one's own (Deu. 32:35, Rom. 12:19).

By not striking back, it creates a situation where one can win an enemy to Christ. Paul continued in Romans 12 by describing that if one's enemies are hungry, the believer should feed them. If they are thirsty, they should be provided drink. In doing so, he or she is "heaping burning coals" on their heads (Rom. 12:20). This last part is often understood to mean that the believer is teaching that person a lesson. That the "burning hot coals" will sear into their heads, making them feel horrible for what they have done.<sup>327</sup> This is a complete misunderstanding of the verse.

In Jesus' time, one started a fire by getting burning coals from another fire. The way that one carried the coals to the pit or oven was to carry these coals in a pot on the top of his or her head. Usually, the person asked another for a coal from the fire, was given one or two pieces which was placed into the pot, and then put onto the frame that was on the top of the head. When one gave burning hot coals to another, he or she was actually performing an act of kindness. The person was actually helping the other by giving him or her coals to start a fire.<sup>328</sup> When Paul talked about "heaping burning hot coals" he was talking about a kind act to help another person to stay warm or to cook food. He was also saying to not just give that person one or two coals, but to give the individual a lot, a heaping amount. This is a true representation of love, and not a means to make a person feel the burning fire of one's kindness on their conscience.

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<sup>327</sup> Stephen Hre Kio, "What Does 'You Will Heap Burning Coals Upon His Head' Mean in Romans 12.20," *The Bible Translator* (Ap, O Practical Papers) 51, no. 4 (2000): 418.

<sup>328</sup> *Ibid.*, 423-24.

While not directly related to restitution, this discussion leads to an important element that must be addressed. If Jesus does not expect the believer to fight back when being attacked or accosted by his or her enemy, what does He expect the believer to do? Should the believer simply stand there and get beaten by the enemy? This is not what Jesus was saying at all. He was simply telling the believer to not resort to physical violence to remedy the situation. That is only making it worse.

One can see from Jesus' life how a situation like this is to be resolved. There were many instances where Jesus said something that the religious leaders did not like, and they attempted to harm Him, even stone Him to death. One such example is in John 8:59. They had picked up stones to throw at Him, but He did not call down fire from heaven or have the angels destroy them. Instead, He simply left. The resolution to someone attempting to attack or harm the believer is for the believer to leave, to avoid the situation. This is why it is perfectly acceptable for a person who is being attacked, such as a battered spouse or child, to simply leave.

### **The Law and the Lost**

Jesus explained that a person who committed an offense and refused to acknowledge his or her transgression was to be treated like a Gentile or tax collector. The person was to be treated as if he or she was lost.<sup>329</sup>

In the story of Zacchaeus, Jesus told the religious leaders that He came to seek and save the lost (Luke 19:10). Zacchaeus was clearly lost. He felt that he was entitled to abuse his position by stealing from other people. In fact, one could say that he did it with complete impunity. Therefore, he felt no responsibility to do what the Law demanded.<sup>330</sup> While it was

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<sup>329</sup> Bridget Illian, "Church Discipline and Forgiveness in Matthew 18:15-35," *Currents in Theology and Mission* 37 (6): 448-449.

<sup>330</sup> Monique Cuany, 15-17.



likely that Zacchaeus was a member of the tribe of Judah or Benjamin, he felt no obligation to restore that which he had stolen. It was only after he recognized Jesus as Lord that he acknowledged his sin before God, feeling that he needed to make amends for the things that he had done.<sup>331</sup>

While Zacchaeus lived in the same region as believers, he chose to live under the authority granted to him by the Romans. His position as tax collector was chosen by Roman authority or by King Herod. This authority gave him the right to collect taxes, and he added additional sums because of his position.<sup>332</sup> The Torah, the set of guidelines he should have been living by, prohibited this behavior, but he chose the authority and “rights” given to him by the Jewish and Roman authorities as the support for his actions. What is interesting is that after he recognized his sin and felt convicted by God, he chose to make amends for what he had done. He still had the same authority granted to him by the king and Roman governor, but chose to live under the authority of the King of kings when it came to the idea of restitution.<sup>333</sup>

An example of this would be the death penalty in the United States. There is a federal death penalty statute. According to 18 U.S.C. 3591-3598 established in September, 1994, there are 60 offenses in which a person can be sentenced to death.<sup>334</sup> However, there are 23 states that have outlawed the death penalty as of 2021.<sup>335</sup> The federal government has granted the authority to take the life of a person who has committed certain offenses, but there are nearly two dozen

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<sup>331</sup> Amanda C. Miller, “Good Sinners and Exemplary Heretics: The Sociopolitical Implications of Love and Acceptance in the Gospel of Luke,” *Review & Expositor* 112 (3) (2015): 467.

<sup>332</sup> Wyndy Corbin-Reuschling, “Zacchaeus’s Conversion: To Be or Not to Be a Tax Collector (Luke 19:1-10),” *Ex Auditu* 25 (2009): 68–69.

<sup>333</sup> *Ibid.*, 73-76.

<sup>334</sup> <https://www.justice.gov/archives/jm/criminal-resource-manual-69-federal-death-penalty-act-1994>.

<sup>335</sup> <https://deathpenalty.procon.org/states-with-the-death-penalty-and-states-with-death-penalty-bans/>.

states who have chosen to abide by their own statutes, barring a person from being executed for a capital crime.

This is the situation for the believer. Believers live in the world which has its own set of guidelines, ordinances, and laws. However, once they accept Jesus Christ as King, there is a recognition that His Law is supreme over all others.<sup>336</sup> Jesus is the Lord of everything, and the requirements of following Him includes making amends when one does wrong. When a person fails to do that, they are choosing to live under the ordinances of another ruler or authority. This is the situation that Zacchaeus faced. He could have chosen to continue to do the things he had done as part of his position, but recognized that the Law demanded that he correct his illegal and immoral actions.<sup>337</sup>

If followers are confronted about their transgressions and fail to acknowledge the wrongdoing, then they have chosen to follow another king or ruler and not Jesus. Those persons have decided that not correcting a wrong is acceptable behavior, and should be treated as someone who does not understand the Law of God. That does not mean they are to be ostracized or banished from the community of believers. Instead, they are to be viewed as Zacchaeus was prior to him meeting Jesus. Zacchaeus did not know any better because he was following another authority. Once he saw who Jesus was and realized that Jesus was the true King, he knew he had to abide by the Law. This is when salvation enters the household of a person. When that individual accepts the sacrifice that Jesus made on the cross, which brings about a desire to correct past wrongs.<sup>338</sup> Some may question what is to be done when a person cannot do anything

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<sup>336</sup> Gadi Taub, "God's Politics in Israel's Supreme Court: The retreat of theology in religious settlers' politics," *Journal of Modern Jewish Studies* 6, no. 3 (2007): 293-95.

<sup>337</sup> Ivoni Richter Reimer, 156-57.

<sup>338</sup> *Ibid.*, 156-57.

about their past wrongs. That is a good question, which will be addressed in the last chapter.

### **Jesus Is Lord**

Forgiveness is what all are looking for when they accept Jesus as Lord and Savior. They want to be freed from the guilt and anguish they feel from their sins. Jesus' sacrifice on the cross gives each person that freedom, because He paid the price for the sins of the entire world. He paid the restitution for the sins of each man, woman, and child.

Jesus lived His life in a way that fully demonstrated the principle of restitution. However, he also taught the principle of restitution as an important part of rebuilding relationships, righting wrongs, and bringing about forgiveness. This was a principle that was associated with the Israelites, and later just with the Jews, but Jesus taught that it was to be accepted by all believers.

One of the requirements of being saved is a recognition and confession that Jesus is Lord (Rom. 10:9-10). It is the confession that Jesus and His ways are the foundation upon how one should live his or her life. If the believer recognizes that Jesus' commandments are to be followed as part of a desire to love and honor God, then it is clear that restitution is an important principle that should be followed by the Christian as well. When the individual does this, he or she is no longer just a hearer of God's Word, but a doer as well (Jam. 1:22).

## **Understanding Restitution in the New Testament Church Age**

*“The Old Testament Law has no bearing on the Christian any longer.”*

There is a continuing argument about whether the Law has any place in the life of the Christian. Many believe that the Law has been “put aside,” meaning that it has no merit or place in Christianity or, at the very most, it is nothing more than a guide for the believer.<sup>339</sup> A frequent support for this idea is found in Hebrews 7:18-19, where the writer explained that the “former commandment is set aside because of its weakness and uselessness, for the law made nothing perfect.” The Law was not intended to make people perfect. In fact, it is made clear throughout the Bible that a person is unable to meet the requirements of the Law. This is why it was necessary for Jesus to come and pay the cost for the sins of the world.<sup>340</sup>

However, Jesus made it clear that Old Testament Law still applies to the believer, especially when it comes to transgressing the rights and property of another. He established the need to love others, and that is accomplished by not violating their life, liberty, or property. Love is also rooted in a recognition that when one makes mistakes that he or she will compensate the victim for the damage, loss, or theft of property.

### **The Apostles Understood Jesus’ Death as Restitution**

Those who spent the most time with Jesus while He was on earth or who were taught directly by those who spent time with Him clearly understood that Jesus’ death on the cross was a form of restitution. Paul addressed this concept directly in two places in his writings.

The first is in 2 Corinthians 5:21. In discussing the role of believers as ambassadors for

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<sup>339</sup> Emeal Zwayne, “Are Christians Bound by the Law of Moses?” *Carm.com* (May 26, 2011): <https://carm.org/about-doctrine/are-christians-bound-by-the-law-of-moses/>; John Piper, “Why Are Old Testament Commands No Longer Binding?” *DesiringGod.org*, Episode 632 (July 3, 2015), <https://www.desiringgod.org/interviews/why-are-old-testament-commands-no-longer-binding>.

<sup>340</sup> John Piper.

Christ, Paul wrote that God made Jesus sin despite the fact that He had no sin. In other words, Jesus was a completely sinless person who had not violated the Law in any way. Yet, acting as the Kinsman-redeemer,<sup>341</sup> He took on the sins of each person by providing the payment for the sins of each individual. His death on the cross was the payment so that believers might “become the righteousness of God.” This righteousness can only be achieved when the payment for sin was made.<sup>342</sup> Jesus accomplished this by paying the debt through His own death.

In Philippians 2:8-9, Paul wrote that Jesus humbled Himself by becoming obedient to the “point of death, even death on the cross.” As a result, He was highly exalted above every other name. One would have to admit that it would take a very humble spirit to die brutally for the sins of another; to be living in a highly exalted place, but still be willing to humble oneself to such a low point that he or she would be willing to be stomped, ridiculed, beaten, and eventually murdered in payment for the sins of others. Yet, Jesus was willing to pay this cost, understanding that His death on the cross was the only way that the sins of the world could be removed.<sup>343</sup> God rewarded Him for this by placing Him above everyone else. Jesus’ obedience to the Law earned Him the greatest position of all.<sup>344</sup>

The writer of Hebrews addressed this issue as well. He explained that Jesus was “offered once to bear the sins of many (Heb. 9:28).” Two verses earlier, the author explained that Jesus

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<sup>341</sup> It was explained earlier that only a near kinsman could pay the debt that one owed, earning that person’s freedom. Jesus accomplished this through His death on the cross, which was accomplished through Him being the “Lamb of God.” The Law demanded that the Passover lamb be without defect (Ex. 12:5). This was an important element of His sacrifice on the cross, in that He had to be declared without blemish, without sin, something that occurred when Pontius Pilate told the people that he found no wrong in Jesus (Luke, 23:13-16). Paul ties this together by pointing out that the reason Jesus could be our Redeemer went beyond the fact that He was a “near kinsman,” but that He could only pay our debt if He was without blemish as well.

<sup>342</sup> David Starling, “Life Because of Righteousness,” *Journal of the International Association for Mission Studies* 33 (3) (2016): 382-84.

<sup>343</sup> Clara Maria and Lucchetti Bingemer, 236.

<sup>344</sup> Tyler R. Wittman, “Belonging to Another: Christ, Moral Nature, and the Shape of Humility,” *Studies in Christian Ethics* 33 (3) (2020): 395.

put away all sin through His sacrifice. Through His one-time sacrifice on the cross, the entire debt of the world was paid.

While the word restitution is not used in any of these three verses, the point that is being made is that Jesus took on all the sins of the world. All the debt that was owed Jesus accepted the responsibility for, choosing to pay that entire debt through His sacrifice on the cross.<sup>345</sup> No longer was there a need for anyone to make their own sacrifices before God, paying a restitution in the temple through the offering of an animal. Instead, Jesus, the Lamb of God, took on all this debt and the apostles were making it clear to believers of the time (as well as to future generations) that this sacrifice removed any debt that was owed.<sup>346</sup>

Jesus' sacrifice on the cross meant nothing if there was not a Law that established His need to pay for the sins of others. Therefore, the Law was not "put away" as some would suspect. In fact, if one takes the verse in Hebrews 7:18 and the verses in Hebrews 9, then a clear picture is established of how the Law relates to the believer. In Hebrews 7:17, the author declared that Jesus is the true High Priest forever. That a new order of priesthood, one replacing the Levite priesthood, had been established. Instead of the Levite priests bringing sacrifices to the temple to pay the debt that one owed for his or her sins, Jesus became the High Priest by humbling Himself on the cross. The old priesthood was replaced by the new one. This new priesthood required no further sacrifice (Heb. 9:26). Instead, the sacrifice was made once and for all.<sup>347</sup>

There was no removal of the Law for the believer. God still wanted a holy people who

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<sup>345</sup> Clara Maria and Lucchetti Bingemer, 236.

<sup>346</sup> Rodney L. Petersen, 177-78.

<sup>347</sup> D. M. Moffitt, "Jesus as Interceding High Priest and Sacrifice in Hebrews: A Response to Nicholas Moore," *Journal for the Study of the New Testament*, 42(4) (2020), 543-45.

abided by His law and demonstrated their love for Him through their obedience to His way. However, what is different is that the debt owed because of the transgressions of the Law has already been paid instead of the believer having to return to the temple to bring an offering as payment.<sup>348</sup>

### **Owe No One Anything**

Paul made a very interesting statement related to the idea of restitution. In Romans 13:8, he told believers to “owe no one anything.” One could infer that this has nothing to do with restitution, but is simply telling people to pay back money from whom was borrowed. However, Paul continued by telling them that one should owe nothing but love to each other. He explained what loving another looked like by telling them this action fulfilled the Law. He then quoted several of the laws from Exodus 20, including that one should not commit adultery, murder, steal, or covet (Rom. 13:9). He summarized these laws by explaining that they demonstrated the love one has for his or her neighbor. That Paul began this section by telling believers not to owe any debt to another then equating that to the love one has for another by not violating the Law gives a clear impression that what one would owe is related to a debt incurred because the person had violated a commandment, owing some form of restitution.<sup>349</sup>

The argument can be made that this is not the case. Paul discussed paying to all what is owed to them in Romans 13:7. However, what is interesting about these two verses is that Paul used two different words that are translated as “owe” by the ESV translators. The first of these is

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<sup>348</sup> There is a debate as to the place that the Law has in the life of the believer. Regardless of which position one may take, the truth is that faith in Jesus does not nullify the Law. The Law should be a guide that teaches each person how God wants the believer to act. God still expects people to not murder, kill, steal, or break any of the other commandments. He wants a people who demonstrate His righteousness. He also wants a people who will acknowledge transgressions and make amends so that unforgiveness does not occur.

<sup>349</sup> Daniel M. Doriani, “Love and the Law: Meditations on Romans 13:8-14,” *Presbyterion* 47 (2): 107-08.

in verse 7 where Paul used the word ὀφειλάς (opheilas), which is translated as duty or debt.<sup>350</sup> This can be viewed as a debt that is owed and is also viewed as a type of obligation.

The word Paul used for debt or obligation in verse 7 is a noun, but his choice in the following verse is the verb tense of this root, ὀφείλω (opheilete), which means to be obligated to someone.<sup>351</sup> In the previous verse, Paul could have been talking about types of debts that one would incur, such as paying taxes or repaying a loan. The fact that he continued in verse 7 by explaining that one should pay revenue to whom revenue is owed, respect to one who should be respected, pay taxes to whom taxes are owed, and honor those who deserve honor gives an indication that he is specifying ways in which people should give to others what they deserve to receive.<sup>352</sup> However, that he told believers that they should owe no obligation to another in verse 8, then continued by explaining that one truly demonstrates his or her love for another by not breaking commandments at least infers that Paul is referencing debts here in terms of what someone owes as a result of breaking a commandment. He is imploring them to demonstrate their love for one another through following the Law, which would include paying restitution to someone whom they had wronged.

There is no denying that this is not explicitly stated by Paul. It seems unfortunate that the ESV translators have chosen to separate verses 6-7 from verse 8. This appears to be a continuous thought of how one should repay his or her obligations. However, maybe there is something to be said about why this particular verse is included in the discussion about loving one another and demonstrating that love through obeying the commandments. It appears that this particular obligation is directly related to the Law and its ordinances. Paul wanted believers to feel a loving

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<sup>350</sup> Walter Bauer, 598.

<sup>351</sup> *Ibid.*, 506.

<sup>352</sup> Scott R. Murray, "Romans 13:1-7 and the Two Kingdoms," *Logia* 30 (1) (2021): 13–14.



desire to fix and remedy wrongs committed. He wanted nothing to be left outstanding so that there would not be resentment that could hinder the unity of the body of believers.<sup>353</sup>

### **What the Church Fathers Had to Say about Restitution**

For much of the first millennium after the death of Jesus, few Bible scholars and theologians addressed the concept of restitution. With numerous debates about the Trinity, the “personhood” of Jesus, and other questions related to how one was to understand God following the life of Jesus on earth,<sup>354</sup> it appears that there was not a direct need to address the concept of restitution or other similar types of ideas. However, this may have been due to the fact that there was a continual recognition by early Christian scholars that believers should follow the laws of the Old Testament.<sup>355</sup>

The idea that believers should adhere to the Old Testament Law is supported in one of the earliest teachings of the church, a document referred to as the *Didache*. This is a list of teachings that scholars believe was composed in the first century. While no author is attributed to the work, scholars believe that this was a teaching that was used by early Christians as they moved from Judaism to become followers of Jesus.<sup>356</sup>

In this work, the author or authors declared, “thou shalt not abandon the commandments of the Lord, but shalt guard that which thou hast received, neither adding thereto nor taking

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<sup>353</sup> Maria Clara and Lucchetti Bingemer, “Love and Forgiveness: A Christian Theological Point of View,” *Spiritus* 19, no. 2 (Fall, 2019): 234-37.

<sup>354</sup> Williston Walker, Richard A. Norris, David W. Lotz, and Robert T. Handy, *A History of the Christian Church* (New York: Charles Scribner’s Sons, 1985), 141-42, 162-64, 183-84.

<sup>355</sup> Richard Clifford SJ, “Changing Christian Interpretations of the Old Testament,” *Theological Studies* 82 (3) (2021): 511-12.

<sup>356</sup> Frank Leslie Cross and Elizabeth A. Livingstone, eds., *The Oxford Dictionary of the Christian Church* (3rd ed.) (Oxford: University Press, 2005), 482.

therefrom.”<sup>357</sup> This makes it clear that the early church taught that it was necessary to remain faithful to the commandments of God. In fact, later it explains that the path of death is rooted in “evil, and full of cursing; there are found murders, adulteries, lusts, fornication, thefts, idolatries, soothsaying, sorceries, robberies, false witnessings, hypocrisies, double-mindedness, craft, pride, malice, self-will, covetousness, filthy talking, jealousy, audacity, pride, arrogance.”<sup>358</sup> Many of these evils are contained in the prohibitions stated in the commandments of God. By asserting that these things are still sinful, still violations of God’s Law, the author or authors explained that the Law still has an application. That application means that once one recognizes that he or she is transgressing the Law, that the person is still responsible to act in accordance with repairing the damage caused by the transgressions.

In his letter to the Smyrnaeans, Ignatius<sup>359</sup> reminded the body of believers about the two commandments that “hang all the law and the prophets.”<sup>360</sup> He used the words of Jesus who explained that the greatest commandment was to love the Lord God with all one’s heart, soul, and mind, and to love others as they loved themselves (Matt. 22:34-40). Later in his letter, Ignatius explained that believers should avoid those who provide false teachings, and that they should “give heed to the law, and the prophets, and to those who have preached to you the word of salvation.”<sup>361</sup> Ignatius is making it clear that the believers were to honor the Law and follow it

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<sup>357</sup> Douglas Michalak, *The Didache with Commentary (The Teaching of the Twelve Apostles to the Nations)* (Independently Published, 2017), 3.

<sup>358</sup> *Ibid.*, 4.

<sup>359</sup> Ignatius was the bishop of Antioch. He was one of the early disciples of the Apostle John, and wrote several letters on Christian apologetics and theology. Ignatius was later tortured and martyred in Rome. J.B. O’Connor, “St. Ignatius of Antioch,” *The Catholic Encyclopedia* (New York: Robert Appleton Company, 1910). <https://www.newadvent.org/cathen/07644a.htm>.

<sup>360</sup> Ignatius of Antioch, “To the Smyrnaeans,” translated by Alexander Roberts and James Donaldson, *Early Christian Writings* (N.P. 2018), <https://earlychristianwritings.com/text/ignatius-smyrnaeans-longer.html>.

<sup>361</sup> *Ibid.*

its precepts. One must also understand that the reason that Paul and Jesus affirmed the Law, including restitution, was because it is a form of love. When believers love others to the point of not doing them harm and correcting harm that they have caused, then it demonstrates these two commandments.<sup>362</sup>

Clement of Alexandria<sup>363</sup> directly correlated love with following the commandments as well. In Book II of *The Instructor* he wrote about when “Wisdom” proclaims, “love is the keeping of the law.” Just prior to the statement, he added, “‘For if,’ it is said, ‘I bestow all my goods, and have not love, I am nothing.’ On this love alone depends on the law and the Word.”<sup>364</sup> The early church fathers recognized that there was a genuine love that one has for others when he or she follows the commandments of God. This was not just for the Old Testament age, but was something that was necessary for the follower of Christ as well.

There was one who addressed the idea of restitution within the first millennium after Christ. That was Augustine. Augustine is recognized as one of the greatest theologians, with numerous writings and books attributed to him.<sup>365</sup> One of these was Epistle 153, written sometime between 413-414.<sup>366</sup> In this letter, Augustine answers a series of questions that were

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<sup>362</sup> Andrew E. Hill and John H. Walton, 140.

<sup>363</sup> Clement is considered one of the early church fathers and was a teacher at the Catechetical School of Alexandria. Among his pupils was Origen, who also was recognized as one of the early church fathers. Clement was a scholar in Greek philosophy prior to converting to Christianity, so many of his letters and apologetics use a style one would associate with the Greeks. His major works include *The Protrepticus* (Exhortation), *The Paedagogus* (Tutor), and *The Stromata* (Miscellanies). F. Havey, “Clement of Alexandria,” *The Catholic Encyclopedia* (New York: Robert Appleton Company, 1908). <https://www.newadvent.org/cathen/04045a.htm>.

<sup>364</sup> Clement of Alexandria, *The Instructor – Book II*, translated by Alexander Roberts and James Donaldson, *Early Christian Writings* (N.P. 2019), <https://earlychristianwritings.com/text/clement-instructor-book2.html>.

<sup>365</sup> Robert Payne, *The Fathers of the Western Church* (New York: Dorset Press, 1951), 138-41.

<sup>366</sup> Augustine of Hippo, “Epistle 153,” Translator unknown, *New Augustinian Library*, Vol. 3. (n.d.), [http://www.augustinus.it/latino/lettere/lettera\\_154\\_testo.htm](http://www.augustinus.it/latino/lettere/lettera_154_testo.htm).

put to him by Macedonius, who was the imperial vicar of Africa at the time.<sup>367</sup> In reviewing the questions asked by the vicar, it seems clear that the idea of restitution or restoring property was beginning to be questioned by believers. Macedonius wrote to Augustine looking to have these questions of theology answered.

One of the questions asked was if sin would be forgiven if the person did not restore that which was stolen? Augustine explained that it must be repaid or returned, explaining that “if the foreign thing, on account of which there is a sin, is not returned, when it can be paid back, the penance is not done, but is feigned; but, as I said, when it can be restored.”<sup>368</sup> He is later asked what advice he would give to bishops when they are confronted by someone who refuses to return what has been unlawfully taken. Augustine has harsh words for these religious leaders, explaining that if they intervened on behalf of the person who was required to restore the item but did not compel him or her to do so, that “as far as he can honestly, the one who has taken refuge with him, is an accomplice in fraud and crime.”<sup>369</sup> They were just as guilty as the person who had stolen the item by helping him or her to continue in the sinful ways.

This appears to be the only instance where the subject was specifically addressed by early theologians. That is until the Catholic theologian Thomas Aquinas addressed it in his famous work, *Summa Theologica*. Aquinas addressed the issue of restitution in eight articles in Question 62 of Book II.<sup>370</sup> That this subject was rarely addressed by theologians, at least according to the limited amount of written literature that has been discovered, could mean that the issue had been

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<sup>367</sup> Paolo Astori, “Property and Restitution in the Lutheran Tradition: Selected Cases of Interaction with the Scholastic Theologians,” *Reformation & Renaissance Review*, Vol. 21, No. 3 (2019), 178.

<sup>368</sup> Augustine of Hippo.

<sup>369</sup> *Ibid.*

<sup>370</sup> Thomas Aquinas, *Summa Theologica*, translated by Fathers of the English Dominican Province (Claremont, CA: Coyote Canyon Press, 2018), 642.

resolved. That there was no need to provide a teaching related to restoration or restitution.

Aquinas not only addressed the necessity to restore what one has taken, but whether restitution is a necessary part of salvation. To this particular issue, the theologian argued that there is no need to pay restitution for one to earn salvation,<sup>371</sup> an argument that became a point of contention among theologians in the centuries following his work.

The theologian argued that it is the responsibility of the offender to restore or pay restitution for theft, damage, or loss, agreeing that this is a necessary part of justice. In fact, he made it clear that the restitution goes beyond the amount of the item that was lost or destroyed. He explained that restitution must be paid for the full amount of the loss incurred. He postulated that an item stolen may lead to a greater loss for the person beyond the item itself. In this case, the offender is responsible for paying for the entire amount lost to the person who had been victimized.<sup>372</sup>

In addition, Aquinas argued that not only is the one who lost, stolen, or damaged the property responsible for paying restitution, but all those indirectly involved are responsible as well. He explained that if one commanded, consented, counseled, or praised another for stealing the item, then that person is just as guilty.<sup>373</sup> He also added that restitution must be paid immediately. He explained that withholding the return of the property or restitution for the property is causing another injury and that the individual failing to provide restoration or restitution is guilty of this offense as well.<sup>374</sup>

His inclusion of this principle seemed to have opened the door for a more robust debate

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<sup>371</sup> Thomas Aquinas, 642.

<sup>372</sup> *Ibid.*

<sup>373</sup> *Ibid.*

<sup>374</sup> *Ibid.*

related to restitution. The Anabaptists, for example, viewed this as a completely unnecessary principle, believing that all property was to be communal, so no individual had property rights.<sup>375</sup> However, Martin Luther and later theologians within Lutheranism argued against this belief. They believed that the Seventh Commandment, by its edict against stealing, made it clear that one was able to own private property. Martin Luther addressed the issue of restitution in one of his works, explaining that restitution is the “return of goods wrongly acquired.”<sup>376</sup> While Luther postulated that the believer was free from the requirements of the law, he explained that one demonstrates his or her love for others by directly going to the person he or she victimized and resolving the situation. He explained, “when a case of this sort is brought before you in which one is to make restitution to another, if they are both Christians the matter is soon settled; neither will withhold what belongs to the other, and neither will demand that it be returned.”<sup>377</sup> Luther believed that the victim should not have to ask for restitution to be provided. The believer should naturally want to correct a wrong that he or she has committed. He also spoke against the beliefs of the Anabaptists and against ascetic monks who believed in giving up all property, calling this contrary to the divine law.<sup>378</sup>

The sixteenth century theologian Philipp Melancthon was a strong advocate for the belief that the Scriptures supported private ownership. In *Prolegomena in Officia Ciceronis*, he explained that God intended that there would be a division of property.<sup>379</sup> Melancthon then

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<sup>375</sup> Paolo Astori, 173.

<sup>376</sup> Martin Luther, Luther’s works,” *The Christian in Society II, Vol. 45*, translated by J. J. Pelikan, H. C. Oswald, & H. T. Lehmann, Eds. (Philadelphia: Fortress Press, 1999), 127.

<sup>377</sup> Martin Luther, “Temporal Authority in Luther’s Works,” *The Christian in Society II, Vol. 45*, translated by J. J. Pelikan, H. C. Oswald, & H. T. Lehmann, Eds. (Philadelphia: Fortress Press, 1999), 128.

<sup>378</sup> Paolo Astori, 174.

<sup>379</sup> *Ibid.*

argued that restitution is necessary if one expects his or her sins to be wiped clean. He explained that those who do not return that which they have taken is indicating that they still prefer to be a sinner.<sup>380</sup>

In 1688, Johannes Olearius argued for restitution in his *Doctrina Theologiae Moralis*. Working off the premise set by Aquinas, he explained that restitution is necessary when one has either caused unjust damage through compulsion, deceit, or fraud, or where he or she participated in the injustice by providing counsel, cooperation, or some other type of support. He explained that the unjust action bound that person to pay restitution.<sup>381</sup>

### **What the Church Says about Restitution**

Restitution is not often spoken of in the pulpit, but several of the major denominations have included it in their doctrine. In the Catholic Church, restitution is often associated with penance, one of the parts of confession that Catholics are required to perform as part of the forgiveness process.<sup>382</sup> Catechism 2412 explains that “In virtue of commutative justice, reparation for injustice committed requires the restitution of stolen goods to their owner.”<sup>383</sup>

This part of the catechism then references the story of Zacchaeus and his pledge to pay fourfold for all that he had taken. In Compendium 192, it states:

Those who, directly or indirectly, have taken possession of the goods of another, are obliged to make restitution of them, or to return the equivalent in kind or in money, if the goods have disappeared, as well as the profit or advantages their owner would have legitimately obtained from them. Likewise, all who in some manner have taken part in a theft or who have knowingly benefited from it – for

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<sup>380</sup> Paolo Astori, 178-79.

<sup>381</sup> *Ibid.*, 179.

<sup>382</sup> Roger W. Nutt, *The Institution and Authority of the Sacraments. General Principles of Sacramental Theology* (Washington, D.C: Catholic University of America Press, 2017), 22-23.

<sup>383</sup> N.A. *Catechism of the Catholic Church for the United States of America*, Paragraph 2412, *Catholic Culture* (1997).  
[https://www.catholicculture.org/culture/library/catechism/cat\\_view.cfm?recnum=6250&repos=5&subrepos=8&searchid=2276940](https://www.catholicculture.org/culture/library/catechism/cat_view.cfm?recnum=6250&repos=5&subrepos=8&searchid=2276940).

example, those who ordered it, assisted in it, or received the stolen goods – are obliged to make restitution in proportion to their responsibility and to their share of what was stolen.<sup>384</sup>

Catechism 2454 explains that theft is contrary to the seventh commandment and that “Every manner of taking and using another's property unjustly is contrary to the seventh commandment. The injustice committed requires reparation. Commutative justice requires the restitution of stolen goods.”<sup>385</sup>

The *Catholic Encyclopedia* adds further information about how restitution is viewed within church doctrine. In regard to the Seventh Commandment, it reads, “Restitution is described as a special kind of “moral theology,” and signifies the “act of commutative justice by which an injury which has been done to the property or person of another is repaired, either by return or compensation in the case of property, or by some means of reparation in the case of a person’s reputation, health, life, or chastity.”<sup>386</sup>

The Methodist denomination also espouses that restitution is a necessary part of the faith. In fact, in the Methodist Catechism, seven principles are taught as part of the way to salvation. Restitution is included with conviction, repentance, faith, justification, regeneration, and adoption.<sup>387</sup> While restitution is not a necessary means for one to be saved (a subject that will be covered in the next section), it teaches that the Methodist faith recognized that restitution is not an antiquated idea for Old Testament times.

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<sup>384</sup> *Catechism of the Catholic Church for the United States of America*, Paragraph 2412.

<sup>385</sup> *Catechism of the Catholic Church for the United States of America*, Paragraph 2454, *Catholic Culture* (1997)  
[https://www.catholicculture.org/culture/library/catechism/cat\\_view.cfm?recnum=6297&repos=5&subrepos=9&searchid=2276943](https://www.catholicculture.org/culture/library/catechism/cat_view.cfm?recnum=6297&repos=5&subrepos=9&searchid=2276943)

<sup>386</sup> *Catholic Encyclopedia*, edited by Peter M.J. Stravinskias (Huntington, IN: Our Sunday Visitor, Inc. 1991), 826-27.

<sup>387</sup> Edward W. Williamson, *The Evangelical Methodist Church Catechism* (Maitland, FL: Xulon Press, 2012), 116.



In the Methodist catechism, it reads:

*What do we mean by restitution?*

If we have wrongfully taken anything from others, or mistreated them in any way, we must make it right by restoring as far as possible.

Is restitution taught in the Bible?

Yes. “Then it shall be, because he hath sinned, and is guilty, that he shall restore that which he took violently away,...and give it unto him to whom it appertaineth” (Lev. 6:4, 5).

Zacchaeus said: “Behold, Lord, ...if I have taken any thing from any man by false accusation, I restore him fourfold” (Luke 19:8).<sup>388</sup>

The Reformed Church also believes that restitution is essential. However, restitution is seen differently than what the Methodist ideology proposes. The Reformed Church teaches that restitution provides great benefits for the person who is seeking to be part of the Lord’s Supper. As part of the Exhortation of Self-Examination, the body prays, “Let us acknowledge our sin before our merciful God, with full intention of amending our lives. Let us make restitution for all injuries and wrong done to others.”<sup>389</sup>

Martin Luther was one who firmly believed in the concept of restitution. Therefore, many theologians within the faith have continued to support this belief. The Lutheran faith espouses the idea that restitution is tied to salvation, but approaches this issue from a different angle. Instead of seeing restitution as a necessary part, where one is required to pay restitution so that he or she can earn salvation, Lutheranism teaches that restitution is necessary to remove the impediments to salvation. Johann Adam Osiander (1622-1967), who was a professor of theology, wrote in his *Theological Casualis* that restitution is necessary as it removes the barrier of sin by restoring that which is lost, stolen, or destroyed. In this way, it does not earn a person salvation,

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<sup>388</sup> Pillar of Fire Church, *Catechism* (Denver, CO: Pillar of Fire, 1948), 40–41.

<sup>389</sup> “Preparatory Service 1: Before the Celebration of the Lord’s Supper,” *Liturgy of the Reformed Church of America* (n.d.), <https://www.rca.org/liturgy/preparatory-services-before-the-celebration-of-the-lords-supper/>.

but ensures that there is no impediment to achieving salvation.<sup>390</sup>

### **Restitution Is NOT Required for Salvation**

While many denominations recognize the necessity for restitution, this is not a subject that seems to be addressed by pastors, ministers, and priests as part of their regular sermon messages. It would seem logical that these men and women would have read the Old Testament Law and understood restitution and its place in forgiveness and restoration. However, it seems like it is being ignored for the most part.<sup>391</sup>

The reason behind this may be rooted in the theology that several of these denominations have created. It is the affirmation that restitution is a necessary part of salvation (either by concluding that paying restitution demonstrates that he or she is a changed person, or that restitution is necessary to remove any impediment to salvation) that may have led church leaders to avoid the subject altogether. It may be that they have found that the theological argument for its necessity for salvation is hindering the message delivered each week, and those leaders would be right if that was their concern. What is necessary to understand is that restitution is not required as part of the salvation offered by God. It is not necessary for the forgiveness of sins, as Jesus already paid the restitution. This was discussed earlier in this work, and it is clear that God already did the work required to forgive sins and restore each individual to Himself.

The idea that restitution was a necessary part of salvation is rooted in the story of

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<sup>390</sup> Paolo Astori, 179.

<sup>391</sup> While this was not a comprehensive examination, a review of over 100 websites of churches from 13 different denominations found that not one pastor addressed the idea of restitution in their sermon messages that were posted online. Now, it could be that either the title of the message did not include the word restitution or imply that restitution was going to be included in the message, or that not all messages related to these pastors were included on the sites, but it did not appear that any of those speaking from the pulpit had included restitution as part of their messages. There were 71 messages that included forgiveness as the theme of the message, but the title made it clear that each of these messages focused on the victims need to forgive and not on the action of the offender to replace or restore that which was lost, stolen, or destroyed.

Zaccheaus. In the story, after Zaccheaus proclaimed that he would return fourfold what he had stolen and give half of what he had to the poor, Jesus told him, “Today salvation has come to this house (Luke 19:9).” This would seem to give the impression that it was the works of Zacchaeus that earned him salvation. However, this interpretation is wrong, because the remainder of the verse is often ignored. Jesus proclaimed that salvation had come to the house of Zacchaeus, “because this man, too, is a son of Abraham.” To be a “son of Abraham” is to be one who is an heir to the promises God gave to Abraham.<sup>392</sup> One can argue that Jesus is speaking about the genealogical lineage that would have made Zacchaeus a son of Abraham. However, He told Zacchaeus that salvation had come to him “today,” meaning that his genealogical lineage to Abraham had no bearing on his salvation status, as he was already in the lineage of Abraham prior to meeting Jesus. His salvation did not come until he recognized his wrongs and put his trust in Jesus.

Many of the denominations concluded that it was his works that led to his salvation, but the Bible clearly contradicts this. John 3:16 explains that whoever believes in Jesus will have eternal life. Paul wrote in Ephesians 2:8-9 that one is saved through faith and not by any works of his or her own. Therefore, one who restored what was stolen or illegally gained was doing something righteous in the eyes of God but was not earning salvation. To view this in any other way would mean that the works the person did were what earned him or her salvation. That no longer makes it a gift from God but a reward for good deeds.

Salvation is about faith in Jesus. It is not about what the works a person has performed, including restitution. Restitution is a step toward restoring what was lost, stolen, or damaged in

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<sup>392</sup> John Piper, “The Children of Abraham Are Heirs of the World,” *DesiringGod.org* (September 12, 1999), <https://www.desiringgod.org/messages/the-children-of-abraham-are-heirs-of-the-world>.

an effort to repair a relationship by bringing about forgiveness and restoration within a community. Therefore, while church denominations are right that restitution has a place in the life of a believer, to push the idea that salvation is dependent upon restitution is wrong. It is likely that this misunderstanding about restitution has led many religious leaders to stop preaching about the idea, believing that correlating the two together is wrong. If that is the issue, they are right in concluding that, but are letting this misunderstanding deprive them and their congregations of an important principle that could help to rebuild the damaged relationships within their congregations.

## Restitution and Its Role in Forgiveness and Restoration

*“They are going to pay for what they did.”*

Restitution seems like a commonsense idea. One has damaged or harmed another, so he or she repays for the wrong committed. It seems to make perfect sense. However, the problem is that there is a very strong desire for revenge within many societies, including in the United States. This is not only displayed in our courtrooms, but in the media as well, where television shows, books, magazines, movies, and newspapers glamorize one seeking revenge for wrongs that have been done to him or her. This is seen in movies like *Death Wish*<sup>393</sup> and books like *Hamlet*.<sup>394</sup> There is a bloodlust to seek revenge and inflict the greatest possible punishment for the wrongs that someone has committed.<sup>395</sup>

There has become a bloodlust related to justice. This is likely rooted in the fact that many do not feel like they receive justice when wrongs occur. The current criminal justice system does not provide a remedy for the victim. A person commits a crime against another. Regardless of if it is a personal injury or theft, the victim then seeks some form of remedy through the criminal justice system. Not only does the victim have to rely on the court system to pass judgment, but may have to pay money in the form of taxes while the man or woman awaits trial in jail. Should the person be found guilty, then the victim has to pay taxes to keep the offender in jail or prison while the offender pays the “debt” to society. Maybe society feels like it has received some form

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<sup>393</sup> *Death Wish* was a movie initially made in 1974 and remade in 2018. The original version was about a man, whose character was played by Charles Bronson, whose wife, daughter and maid are raped. The maid and wife died and Bronson goes on a rampage to seek revenge, hunting for the men who assaulted his family, but taking his vengeance out upon anyone who is committing a criminal act. The movie was so popular, that three sequels were made by Bronson and Bruce Willis starred in the remake in 2018.

<sup>394</sup> *Hamlet* is a play written by William Shakespeare about a prince, Hamlet, whose father is killed by his uncle. His uncle, Claudius, had poisoned his father and taken his father’s place as king, even marrying his mother. Hamlet spends the remainder of the play plotting how he will get his revenge against his uncle for killing his father.

<sup>395</sup> Peg Streep, “The Psychology of Revenge (and Vengeful People),” *Psychology Today* (July 19, 2017), <https://www.psychologytoday.com/us/blog/tech-support/201707/the-psychology-revenge-and-vengeful-people>.

of justice, but the victim is likely left more disgruntled. Victims have been hurt or lost their property, or both, and now they must pay while their offenders sit in prison. Maybe society feels like the debt has been paid, but there is no (or at least very minimal) justice for victims. Instead, they feel an even greater sense of loss and frustration.<sup>396</sup>

This is why it is not surprising that victims and those most closely associated with them want the harshest punishments possible for offenders. In fact, society rarely seems satisfied with the punishment that an offender receives, especially if they are not forced to endure every second of that punishment. Take the case of Ariel Castro, who pled guilty to kidnapping three women in Cleveland, Ohio, then held them captive for years until they were discovered in 2013. He was arrested in May of that year after one of the women escaped and reported Castro to his neighbor.<sup>397</sup> He pled guilty and was sentenced to life in prison plus one-thousand years. His guilty plea helped him avoid the death penalty, but Castro was unable to handle his confinement, committing suicide on September 3, 2013. There were many who called for him to be executed and were dissatisfied with knowing that the convicted rapist and kidnapper would be alive in prison. However, some were still outraged when he committed suicide. Erin Gloria Ryan wrote that this was wrong because it gave Castro the “dignity of controlling his own death.”<sup>398</sup> Psychologist Linda Papadopoulos explained to *NBC News* at the time that the suicide meant that “going forward now these girls are going to have to find a way of healing without a sense of

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<sup>396</sup> Stephen E. Jones, *God's Law on Restitution*, 3-4.

<sup>397</sup> John Caniglia, “Cleveland City Prosecutors Charge Ariel Castro with Kidnapping, Rape in Case of Missing Woman,” *Cleveland.com* (May 09, 2013), [https://www.cleveland.com/metro/2013/05/cleveland\\_city\\_prosecutors\\_cha.html#incart\\_river#incart\\_maj-story-1](https://www.cleveland.com/metro/2013/05/cleveland_city_prosecutors_cha.html#incart_river#incart_maj-story-1).

<sup>398</sup> Erin Gloria Ryan, “How to Feel about Ariel Castro’s Suicide,” *Jezebel* (September 4, 2013), <https://jezebel.com/how-to-feel-about-ariel-castros-suicide-1250980544>.

justice.”<sup>399</sup> To many, it was an outrage that Castro was allowed to live after the horrific offenses he had committed. Yet, there was such a blood thirst and anger that he was dead that people still could not find justice.

### **An Eye for an Eye**

There is a complete lack of mercy for many who have committed crimes, even for those who have simply been accused of a crime. One need look no further than the comments section on crime stories posted on news sites like *CNN*, *FOX News*, or *MSNBC*, or view comments made on social media sites to see the attitudes of the “general public” when it comes to those who have been accused of committing crimes.<sup>400</sup> The first reaction of most is to demand a similar form of punishment for the person or persons who have been accused of a crime. In essence, they want “Old Testament” justice – an eye for an eye.

This has become the standard upon which much of the concept of justice is rooted, namely that the wrong that a person has committed must be brought upon them. However, many go far beyond this standard. They do not want equal justice, but revenge and retaliation upon those who have committed crimes. The bloodlust dominates their form of justice.

The problem is that many completely misunderstand the concept of “an eye for an eye.” This principle is established in Leviticus 24:17-21, where the text reads:

<sup>17</sup> “Whoever takes a human life shall surely be put to death. <sup>18</sup> Whoever takes an animal's life shall make it good, life for life. <sup>19</sup> If anyone injures his neighbor, as he has done it shall be done to him, <sup>20</sup> fracture for fracture, eye for eye, tooth for tooth; whatever injury he has given a person shall be given to him. <sup>21</sup> Whoever kills an animal shall make it

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<sup>399</sup> F. Brinley Bruton, “Ariel Castro’s Death Is a ‘Last Slap’ to Victims’ Faces, Psychologist Says, *NBC News* (September 4, 2013), <https://www.nbcnews.com/news/us-news/ariel-castros-death-last-slap-victims-faces-psychologist-says-flna8c11071495>.

<sup>400</sup> Because people feel a sense of anonymity on the internet, comments can often be quite vile. One such example is in this story about a 17-year-old student who brutally attacked a teacher’s assistant at his school after she took away his Nintendo Switch. In viewing the comments one can see that “wegotproblems” demanded that the parents get charged. “Danewsh” called for the student to be “thrown in front of a bus so he knows what it feels like.” <https://www.foxnews.com/us/florida-student-accused-attacking-teachers-aide-took-nintendo-switch-charged-adult>.

good, and whoever kills a person shall be put to death.

An eye for an eye is often viewed from the standpoint of retribution. This is reciprocity, where one pays for the wrongs he or she has committed, even if it means that the person must lose an eye, an arm, even one's life to pay for the transgressions.

The principle of "an eye for an eye" is referred to in Latin as the *lex talionis*, and is the principle that mandates a mirror punishment for the one who has committed a crime or offense.<sup>401</sup> This concept is not unique to the Israelite people, as the *lex talionis* idea was applied in many cultures prior to God giving the Law to Moses and has been found in many cultures since. For example, in the Code of Hammurabi, Article 196 stated that "If an [awīlum] should blind the eye of another [awīlum], they shall blind his eye."<sup>402</sup> The Hittite law even had a law that explained that one who was stung by bees received this punishment because he or she had stolen bees.<sup>403</sup>

While this form of reciprocity seems like a form of karma, the *lex talionis* is often viewed as a barbaric law of retaliation.<sup>404</sup> It is understandable how some might draw this conclusion considering the way this principle has been used in many of the other cultures of the ANE. As mentioned in Chapter 5, in both the Sumerian Law Code and the Laws of Eshunna, theft was seen as a capital offense.<sup>405</sup> In the Code of Hammurabi, a judge whose ruling was overturned was punished up to 12 times more than the one who had been falsely judged.<sup>406</sup> In Article 229 of this code, if the roof of a building collapsed on the son of its owner, the builder's son was to be put to

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<sup>401</sup> Trevor W. Thompson, "Punishment and Restitution," *The Oxford Encyclopedia of the Bible and Law* (Oxford: Oxford University Press, 2014), 25.

<sup>402</sup> Martha T. Roth, 83.

<sup>403</sup> Trevor W. Thompson, 26.

<sup>404</sup> Morris J. Fish, "An Eye for an Eye: Proportionality as a Moral Principle of Punishment," *Oxford Journal of Legal Studies*. 28, no. 1 (2008): 57.

<sup>405</sup> Martha T. Roth, 17.

<sup>406</sup> Stanley A. Cook, 66.



death.<sup>407</sup>

These law codes often used extreme forms of punishment when it came to implementing justice. A person was severely punished, more out of a desire to deter criminal activity than to bring about justice. Sadly, many view the Old Testament Law in the same vein as these laws. The problem is that they completely misunderstand the Law of Moses, not recognizing that these laws were a merciful form of punishment, especially in light of how other cultures of the time dealt with criminal offenses. Through the Law, God was not creating a form of retaliation, but creating a maximum amount of punishment that could be applied.<sup>408</sup> As seen in many of the law codes of the surrounding areas, punishments went far beyond the cost or loss that a person incurred. God wanted restitution to be of equal value to that which was lost, and no more.

The application of the *lex talionis* in the Bible seems to be misunderstood as well, where one would literally have their eye removed as compensation for taking the eye of another. When one examines Leviticus 24 more clearly it is evident that there is a deeper meaning that needs to be applied. For example, this text requires a “life for life.” This statement does not differentiate between unintentional or accidental death and murder. However, the Law does differentiate between the two. Only a person who directly meant to cause the death of another was to pay with his or her life.<sup>409</sup> So, there must be more to how the law is to be applied than simply taking the life of a person who has taken the life of another.

This is not the only instance where the Law contradicts the popular understanding of “an eye for an eye.” For example, in Exodus 21:26-27, the Law dictates that if the eye or tooth of a slave is knocked out, he or she is to be set free. The owner or master was not required to give up

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<sup>407</sup> Morris J. Fish, 59-60.

<sup>408</sup> Mary Douglas, *Leviticus as Literature* (Oxford: Oxford University Press, 1999), 213.

<sup>409</sup> Morris J. Fish, 58-59.

his or her eye or tooth as restitution but was mandated to free the slave. This is not a contradiction in the Law but means that the traditional understanding is clearly wrong. Instead, what the Law is dictating is that there is a proportional standard that is set when one applies the “eye for an eye, tooth for a tooth, life for a life” principle. Instead of demanding a physical arm be paid as restitution for the taking of another person’s arm, the Law provided a system of compensation that could be achieved between the offender and the victim.<sup>410</sup>

According to some scholars, the victim would find a proportional amount that could be paid as compensation for the loss. Thus, if a person lost an arm at the hands of another, instead of the offender paying back an arm, he or she would work out an agreement with the victim on how much would be paid to compensate for the loss of the extremity.<sup>411</sup> The process would be something like this. If Mark caused the loss of Andrew’s eye, Andrew would go to Mark and demand an eye in return. Mark could then say that he would be willing to pay \$10,000 as restitution in place of his own eye. Andrew could agree to this amount, or he could demand more. Inevitably, after haggling, there would be a point where Andrew was satisfied with the amount Mark was willing to pay and Mark would pay that amount instead of losing his eye. Now, both parties are satisfied with the outcome of their negotiations and the *lex talionis* has been achieved.

Augustine agreed with this assertion. He concluded that retaliation or cruelty as compensation was not a form of justice. He proposed that the purpose of the Law of Moses was to demonstrate mercy for others, and so restitution must also demonstrate a similar form of mercy.<sup>412</sup> John Chrysostom also believed that “an eye for an eye” was not intended to carry out

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<sup>410</sup> Morris J. Fish, 58-59.

<sup>411</sup> *Ibid.*

<sup>412</sup> *Ibid.*, 62.

evil impulses, where the two parties “assail the eyes” of the other.<sup>413</sup> Instead, he saw this as a means to bring about a just resolution so that forgiveness and mercy could be achieved.

When one sees “an eye for an eye” from this point of view, then it is easier to understand the application of the Law related to slaves. As mentioned in Chapter 3, a person became a slave when he or she could not pay the debt that was owed. It was not slavery as many have come to view it historically in countries like the United States, but was a simple business transaction where a person worked for the one who was owed the debt until the amount was paid,<sup>414</sup> or until the jubilee year was reached.<sup>415</sup> However, if the “master” caused damage to the eye or the tooth of the slave, the slave was to be set free. The person did not lose his or her eye or tooth, but the debt was to be considered paid. This demonstrates that the idea taught by scholars is likely correct.<sup>416</sup> Slavery was a debtor-borrower type of relationship and the loss of a tooth or eye meant that the amount owed was considered paid.

### **God Sets a New Standard**

What the Mosaic Law did was create a standard upon which forgiveness and justice could be achieved. A person committed an offense against another. The victim of that offense can then seek justice and compensation by demanding restitution. That would be a lawful way to remedy the problem. In this way, both parties had the opportunity to find justice. Restitution also removed retaliation as a remedy. Instead of a bloodlust fever that pushed a person to demand extreme punishment for crimes committed, the Law provided clear guidelines on how a problem

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<sup>413</sup> John Chrysostom, “Homily 16 on Matthew,” translated by George Prevost, edited by Philip Schaff. *Nicene and Post-Nicene Fathers, First Series*, Vol. 10 (Buffalo, NY: Christian Literature Publishing, 1888). <https://www.newadvent.org/fathers/200116.htm>.

<sup>414</sup> Olusayo B. Oladejo, 70-71.

<sup>415</sup> The principle of the Jubilee and how it relates to restitution will be discussed later in this chapter.

<sup>416</sup> Morris J. Fish, 58-59.

could be resolved.

One of the most important aspects of justice related to “an eye for an eye” is the fact that a standard has been set and the victim is simply using that standard as the form of justice. This is a perfectly valid standard and one that believers would be right in applying to a situation where the rights, property, or life of that believer has been lost, damaged, or destroyed. However, Jesus provided an additional standard that believers can use as well. In Matthew 7:12, He told His followers, “So whatever you wish that others would do to you, do also to them, for this is the Law and the Prophets.”

In the case of the Mosaic Law, one person has committed an offense against another. One person transgressed the Law, so the victim chose to remedy the problem through the restorative processes established in the Law. In Jesus’ words, the victim has the opportunity to set the standard. He or she can demand that full restitution be paid according to the Law, even unto “an eye for an eye.” However, Jesus asked all believers to reach into their hearts and ask themselves what they would want others to do if they had committed such an offense. That believers would show the same mercy to others who had wronged them that they would hope others would show to the believers if they had committed the offense.<sup>417</sup>

The offender can use this same standard as well. If he or she has committed a transgression against another, instead of turning to the Law to find the proper recompense for the transgression, that person can ask him or herself what would be the compensation required if the offense had been committed against him or her. That person can then compensate the victim according to the answer. In this way, the offender demonstrates true compassion, not waiting for

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<sup>417</sup> Troy M. Troftgruben, “Lessons for Teaching from the Teacher: Matthew’s Jesus on Teaching and Leading Today,” *Currents in Theology and Mission* 40 (6): 396-97.

the victim to have to go to the authorities and seek justice, but acknowledging the wrong committed and paying a restitution accordingly.<sup>418</sup>

Many understand this verse from the viewpoint of the victim. They view this as an opportunity, maybe even an obligation for the victim to show forgiveness and mercy for wrongs committed against him or her. However, these words can be applied in the same way to the person who committed the offense. He or she does not have to wait to go to court and be sentenced to pay some form of restitution. That person does not need to go to the Bible and find exactly how to compensate the victim for the transgression that he or she committed. Instead, the person can look inside and find a proper restitution that he or she believes would have been satisfactory if the offense was committed against him or her.

What is important to understand is that neither view of how one brings about restitution is wrong. It is simply a matter of how one determines how the situation will be resolved. The victim is either choosing to receive compensation based upon what was lost – an eye for an eye – or he or she is setting a standard that he or she would want applied had the victim been the one who committed the offense. The person who has committed the offense is responsible to the standards set by the Law. That person can then pay the restitution required by God in the Law, or he or she can approach the victim and provide a restitution based upon what that person would have wanted if the transgression had been committed against him or her.

### **When Restitution Cannot Be Paid**

Through the first seven chapters, it has been explained how restitution is the solution to resolving issues between God’s people. The ultimate goal has been the unity of the body of

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<sup>418</sup> Chidinma Precious Ukeachusim, Ezichi Ituma, and Favour Chukwuemeka Uroko, “Understanding Compassion in the Gospel of Matthew (Matthew 14:13-21),” *Theology Today* 77 (4) (2021): 374-76.

Christ, which is best achieved by ensuring that there is no barrier to forgiveness between the victim and the transgressor. However, one is likely to ask what can be done when restitution cannot be paid?

This question can be answered on many levels, because there is more than one situation where restitution cannot be offered. The first of these is when a transgression has been committed against someone, but it is not known who committed the offense. A woman comes home from work one night to find that a person has broken into her home, stealing her jewelry. The person is never found, and the jewelry is never recovered. How does this woman receive compensation or restitution? She may have insurance that will cover her loss, however, she may also have to face the fact that she will never receive restitution for her jewelry. It may simply be lost.

There is also the situation where the person who committed the offense is unwilling or unable to pay for the damage caused. If it is property that is stolen or destroyed maliciously, most court systems remedy an offense like this by sending the perpetrator to jail. Instead of receiving restitution for the injury or damage caused, that offender spends time locked up in a cell. That brings no form of financial relief for the person who has lost property or has been injured, plus, it is not up to the victim how the matter is resolved. In addition, the victim has his or taxes used to pay to keep the offender behind bars, losing more money.

A criminal proceeding is always adjudicated by the “state,” where the victim may have some say in the overall outcome, but is generally left out of the discussions on how the perpetrator is to be tried and punished. The victim could take the transgressor to court and seek civil damages against him, her, or them, but it can be costly to go to court, requiring one to time off from work, and there is no guarantee that the matter is going to be resolved justly. Plus, if the

transgressor goes to prison, how does a victim get restitution from a person making twelve cents an hour?<sup>419</sup>

These are just a few of the examples where a person may find that restitution is not going to be provided. So, what is the victim to do?

One remedy that is not to be employed is revenge or vengeance. The fact that movies are made glorifying vigilante justice creates a reasonable conclusion that society revels in the vigilante seeking justice for wrongs that have been committed.<sup>420</sup> Sadly, many even find pleasure in a person seeking vengeance against others who had nothing to do with the wrongs committed. As mentioned before, the movie *Death Wish* is about a man who seeks revenge for the rape and murder of his wife and maid, and the sexual assault of his daughter. Until he finally finds the ones who attacked his family, the hero of the film goes around New York City bringing his own form of justice upon any criminal he encounters. His judgment is always swift and definitive – death. Society may hail this as a form of “justice,” but attacking and murdering others who had not committed an offense against the hero of the movie or his family is not justice at all. It is a crime!

When one finds that there is no remedy for the situation, then they must rely on God and His promise to rectify the matter. In Colossians 3:23-25, Paul writes:

<sup>23</sup> Whatever you do, work heartily, as for the Lord and not for men, <sup>24</sup> knowing that from the Lord you will receive the inheritance as your reward. You are serving the Lord Christ.

<sup>25</sup> For the wrongdoer will be paid back for the wrong he has done, and there is no

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<sup>419</sup> While the states and federal government pay inmates at differing rates for work performed while incarcerated, many states pay a very small amount per hour. For example, a prisoner who is working a “non-industry” job in Alabama earns no money at all for work, such as in the kitchen, janitorial or clerical work. In Minnesota and New Jersey, an inmate in a “non-industry” job can earn up to \$2.00 per hour, but must be at the same job for at least two years. One can learn more about the pay scale at this website. <https://www.prisonpolicy.org/blog/2017/04/10/wages/>.

<sup>420</sup> Fade R. Eadeh, Stephanie A. Peak, and Alan J. Lambert, “The Bittersweet Taste of Revenge: On the Negative and Positive Consequences of Retaliation,” *Journal of Experimental Social Psychology*, Vol. 68. (01/2017) (2017): 27-30.

partiality.

This section of verses provides two important messages for both the victim and the transgressor. In verse 25, God declared that the wrongdoer will pay for the things that he or she has done. God does not care whether that person is rich or poor, black or white, oppressed or oppressor, famous or invisible, He will bring justice upon that person for the wrong that he or she has done. Secondly, God explained that He will reward those who have trusted that He will remedy the situation.

He is a God of justice (Isa. 30:18), who has “established His throne for judgment (Psa. 9:7-8).” The author writes in Psalm 140:12 that the “Lord will maintain the cause of the afflicted.” In Psalm 146:7, the verse explains that He “executes justice for the oppressed.” God will remedy an injustice. The person who has committed that offense will find retribution from the Lord. This is a guarantee from God.

However, if one is going to find peace and justice in God, then he or she must not seek vengeance. Deuteronomy 32:35 declares that vengeance is the Lord’s and His alone. Paul reiterates this in Romans 12:19 where he writes, “Beloved, never avenge yourselves, but leave it to the wrath of God, for it is written, ‘Vengeance is mine, I will repay, says the Lord.’”

This is one situation where the ultimate responsibility of the victim is to eventually let go and allow God to remedy the wrong. God acts on the behalf of the oppressed. He also warns against taking vengeance. In Proverbs 20:22, the Lord declares, “Do not say, ‘I will repay evil;’ wait for the Lord, and he will deliver you.”

This may seem like an easy thing to do when reading through the Bible, but becomes a lot more complicated when faced with the reality of finding no justice for acts committed by another. It becomes even more difficult when those acts are so egregious that they haunt the individual, like rape, torture, attempted murder, or kidnapping. How can a person rely on God to



provide restitution in a situation where the victim has no idea who committed the offense and/or may never find justice for what has been committed?

To answer this question, one need only to return to the story of Job to find comfort that God will deliver on His promises. As described previously, Job had done nothing wrong. He had lived a righteous life; even God declared this. Yet, all his property was destroyed, all his children died, he lost all of his farm animals, and he was tortured with boils despite the fact that he had done nothing wrong. He could not go to Satan and demand justice. He could not demand that Satan should return that which was taken from him. He had no avenue for justice available to him. All he could do was rely on God, and that is what he did. God did reward his faithfulness. As mentioned in Chapter 4, God took complete responsibility for the actions of Satan, one of His creations.

It should not be assumed that if someone broke into a home, stole jewelry worth thousands of dollars, and was not discovered that God would restore double the amount of jewelry. That is not what needs to be taken away from this section. What needs to be understood is that God will provide a reward for those who have been unjustly wronged. He will also bring justice against those who have committed offenses. God declares that His ways are greater than ours (Isa. 55:8-9) and that all things inevitably work for good for those who love God (Rom. 8:28). When one takes hold of that and understands that God has a fantastic plan to bless each person even in what looks to be injustice, then he or she can be sure that God will bring a great reward for that faithfulness.

This deals with the situation for the victim, but what if the transgressor cannot pay the restitution? There are many instances where a person may want to make amends, but he or she has no way of reaching the victim to make the proper restitution. There are also those instances

where a person has assaulted another and the victim wants no contact with the offender. The one who has committed the offense should not try to force the victim to accept the restitution. So, what can this person do? The truth is that this scenario is not addressed in the Bible.

Communities were more closely knit in the time of Moses and so most offenses were likely able to be resolved easily because the offender and victim lived in the same community. That is not always true today. So, what can a person do?

One way a person can make amends is by helping others who may have been victimized in the same way. If a person has stolen large amounts of money from elderly people and cannot pay that amount back, the solution may be to donate a large amount of time caring for the elderly. There are likely other elderly people who have been abused or mistreated by others who are owed a debt, and one can assist them as a form of debt payment. If one has sexually assaulted a woman, she likely wants nothing to do with him. He may not be able to do anything for her directly, but he can support women's shelters or help women who have been assaulted in other ways.

The reality is that not every person is going to be able to make amends for the offenses committed. That does not mean that one should do nothing. The answer to what one should do lies in the principle found in Deuteronomy 22:1-4. This was covered in Chapter 3 and addresses what is required that one do if he or she finds something that is lost. That person was not allowed to keep it for themselves, but was to safeguard it until the owner came to claim it, no matter how long that may be. If one has done wrong and cannot make amends to the victim, it does not mean that he or she simply moves on. It means that the person still owes a debt and should either look to find the victim to make amends or should seek other ways to help those who have been victimized in a similar way.

## **The Jubilee and How It Relates to Restitution**

As mentioned before, many view the Old Testament Law as barbaric and cruel. They see an angry God wanting to bring vengeance and wrath upon people who have violated His Law. Televangelist John Hagee, in his sermon message “The Wrath of God,” explained that Christians focus on the message of “grace, peace, and mercy,” but need to understand that “God’s love is only equaled by His wrath.” In his sermon message, Hagee explained that the wrath of God is discussed more in the Bible than His love, and his audience cheered when Hagee explained that “all those who seem to be getting away with corruption and murder, I assure you, there’s coming a day when they are going to be standing before a righteous judge, God Almighty, and they will answer for every word, for every deed, and for every act. Bank on it.”<sup>421</sup> This statement brought thunderous applause from his congregation, who clearly demonstrated their desire to see a day when God will bring vengeance upon the lost of the world.

It is this type of misunderstanding about the Old Testament and the Law that has many wanting extreme forms of punishment for the lost. However, what is missed is that God always had mercy in mind regardless of the “debt” that someone had incurred. This came in the form of the Jubilee.

The Jubilee is described in Leviticus 23:8-55. According to the text, on the Day of Atonement every fiftieth year, a trumpet was to be blown which would consecrate “liberty throughout the land to all its inhabitants (v. 10).” During the Jubilee all property that had been sold or taken would be restored and each individual who owed a debt, including those who were in slavery, were to have the debt considered completely paid. The Jubilee did not simply return

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<sup>421</sup> John Hagee, “The Wrath of God,” *Hagee Sunday Sermon* (October 13, 2022), <https://sermons-online.org/john-hagee/john-hagee-god-said-the-wrath-of-god-must-watch>.

land to one who had sold it during the first 49 years. Instead, it required fairness. In v. 14-15, it declared that if a property is sold from one neighbor to another, then a fair return of that property is required. It states, “You shall pay your neighbor according to the number of years after the jubilee, and he shall sell to you according to the number of years for crops.” In verses 14 and 17 God makes it clear that they were not to “wrong one another.”

For slaves, the redemption period was not 49 years, but just seven. Exodus 21:2 declares: “When you buy a Hebrew slave, he shall serve six years, and in the seventh he shall go out free, for nothing.” Since slavery was part of the debt and restitution process, God was declaring that after six years of serving that slaves were to be set free. There was mercy for those who may have found themselves in a bad situation financially, unable to pay the debt, forcing them to choose the life of a slave to repay what was owed. It could also be where a person had damaged, lost, or stolen the property of another and was forced into slavery because he or she was unable to pay the restitution. Regardless of the offense and the amount owed, there became a point that God mandated mercy upon the person who had committed the offense. He or she was to have the debt forgiven and released from servitude.

The Jubilee is a law of grace. No matter how much one owed, once the Jubilee arrived that person was set free. This demonstrates that God always had mercy in mind, where a person was able to have the slate wiped clean. In essence, God did not show grace when Jesus came. He always had grace in mind, even incorporating it into the Law.

### **Does Everything Require Restitution?**

The principle of the Jubilee teaches something very important related to restitution. There are those who will say that one should simply forgive the sins that have been committed against him or her, regardless of whether restitution was paid or not. That is a perfectly

acceptable option. One can choose to honor their own form of “Jubilee” on the offender. There is nothing that declares that a person must require restitution as part of the justice system. He or she can simply choose to forgive the offense that has been committed. The purpose of restitution is to bring about forgiveness. It is to remove any barrier between the offender and the victim so that there is unity among God’s people. Therefore, if the victim has chosen to forgive the offender without requiring any form of restitution, then the ultimate goal of God is achieved – the unity of the body of believers.

This also begs the question if restitution is necessary for every “offense” that is committed by another? In today’s society, where people have chosen to become offended by “micro-aggressions,” a call has arisen to punish a person for any perceived offense he or she may have committed. What is important to understand is that the Law was written to protect all people from injury or death while also providing protection for their property. When one tarnishes the reputation of another, potentially destroying that person’s ability to gain employment, find a suitable spouse, or live peacefully within the community, then this would be an offense.

It would also be an offense to gossip about another. God warned the Israelite people to not spread false reports (Ex. 23:1) and to not spread slander among the people (Lev. 19:16). Even if gossip is true, the believer is not to spread this information. Proverbs 11:13 declares that a “gossip betrays a confidence,” and Proverbs 16:28 adds that a “gossip separates close friends.” Proverbs 17:9 adds, “Whoever would foster love covers over an offense, but whoever repeats the matter separates close friends.” One who has gossiped about another simply to spread a rumor, whether true or not, could likely have done damage to the reputation of the person, damaging the

labor or ability to do labor.<sup>422</sup> This would be an offense.

However, when one is offended because another asked that person where he or she came from, shared a belief the person disagreed with, or disapproved of one's actions, this does not constitute an offense that requires restitution. A victim is a person who has had his or her rights under the Law violated. It is also when a person has had their rights violated under the penal law of the land. In those instances, restitution can be required.<sup>423</sup> However, a perceived offense does not require one to pay some form of restitution or penance. While Paul encouraged believers to be at peace with one another (Rom. 12:18), he was not teaching to cater to the "victimhood" mentality that some have chosen. That does not create peace. It actually does more damage to the body of believers. The Christian is to pour out his or her love for others just as Jesus did,<sup>424</sup> but one must understand that Jesus' words did not always bring peace. His words were greatly offensive to the religious leaders because they were truth and the leaders did not like what He had to say, because often His words were against them. Jesus did not owe them restitution for speaking truth, just as a believer is not wrong for speaking truth and asking questions to get to know others. No restitution is owed when one is easily offended without an actual offense being committed.

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<sup>422</sup> Jakobus M. Vorster, 4.

<sup>423</sup> Rasmus Christensen, "Against the Law of God, of Nature and the Secular World: Conceptions of Sovereignty in Early Colonial St. Thomas," *Scandinavian Journal of History*, Vol. 46, Is. 4 (08/2021), 480.

<sup>424</sup> Sze-kar Wan, "Wrestling with the 'Body of Christ' in an Age of Tribalism: Towards an Asian American Hermeneutics of Dissent," *The Bible & Critical Theory* 16 (1) (2020): 108.

## Conclusion

*“I want to honor God by honoring His commandments.”*

In John 14:15, Jesus told his disciples that if they loved Him, they would keep His commandments. It only makes sense that a follower of Jesus would not murder, steal, lie, or worship false idols. It would also make sense that the believer would keep the commandments related to restitution as well. While God wants a holy people (Deu. 7:6), He also recognizes that every person falls short of the standard that He set (Rom. 3:23). This means that believers will lie, murder, steal, and worship false idols, among other violations of the Law, and God provided a means by which a person is able to remedy an injustice or transgression that has been committed.

Through the study of restitution, it is clear that this is a concept that is taught throughout the Bible. While the principle of restitution is first established in the Law, it first was instituted back in Genesis, and has been seen throughout the Old Testament, not only in the words of the prophets and in the historical accounts, but in the wisdom teachings as well. Jesus taught about restitution and its necessity, and the disciples built upon this principle. This is a concept that was common in the law codes of the ancient Near East and was taught by theologians and church doctrine as an essential part of being a follower of Jesus. It is clear this is an important practice for believers to still follow. After all, if one truly loves God, then he or she will keep His commandments.

Now that a proper understanding of this principle has been taught, it is time to start talking about the practical application of restitution. While the purpose of this work was to examine the biblical importance of restitution and its role in forgiveness, it is also important to realize that this was a principle that was to be lived out. After all, believers are to be doers of the

word and not just hearers (Jam. 1:22). Therefore, demonstrating the application of the principle of restitution helps to solidify its importance in the life of the believer.

### **Restitution Is a True Sign of Repentance**

In Chapter 8, it was explained how many theologians, starting with Thomas Aquinas, began to teach about the importance of restitution. While some incorrectly believed that this was a necessary part of salvation, there were those who acknowledged that it demonstrated true repentance on the part of the transgressor. Martin Luther taught that a person who has been redeemed by Jesus should naturally want to return or restore that which had been taken from another.<sup>425</sup> Melancthon later added that one who failed to return or restore that which he or she had taken demonstrated that the person preferred to remain a sinner.<sup>426</sup> In essence, what these two theologians taught is that a person should have a genuine desire to right the wrong that has been committed. That the blood of Jesus Christ, which has washed away all sin, should also bring about a repentant heart.

Chapter 4 examined how Christianity and society have developed a theology on how the transgressor can truly demonstrate his or her repentance for the offense committed. That when one apologizes in the right way or follows the proper steps, he or she is demonstrating that a heart transformation has occurred. This is not a biblical concept, however. Instead, one is able to demonstrate a truly repentant heart by restoring, replacing, or providing restitution for the damage, theft, or loss of the property of another.

One of the greatest examples of this type of repentance is in the story of Dan R. Leach. This was a young man who had killed his 19-year-old pregnant girlfriend, Ashley Wilson.

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<sup>425</sup> Martin Luther, 128.

<sup>426</sup> Paolo Astori, 178-79.



However, he had made it look like she had committed suicide and the coroner had concluded that she had done so. However, Wilson had not committed suicide. Leach had made it look as such, and it looked like he was literally going to get away with murder. His heart changed after watching the *Passion of the Christ*, choosing to turn himself in and acknowledge that he had committed the crime.<sup>427</sup> The viewing of the movie, watching how Jesus had suffered and died, brought Leach to a point of true repentance, willing to “pay his debt” to society for the wrong he had done.

Randy is a 12-year-old child who has two siblings – Maggie and Tom. One day, Randy and his two siblings are playing kickball in the yard. Randy rolls the ball to Tom who kicks it as hard as he can. The ball hits Randy in the face, knocking him down. His face aches and he is sore. Tom runs to his brother, bends down on one knee, and begins to apologize as he asks his older brother if he is okay. Maggie finds the entire incident humorous and begins to laugh. Randy is outraged, not only at his brother for inadvertently hitting him in the face with the ball, but at his sister, who finds humor in Randy’s pain. As a result, he gets up and kicks Tom, causing a severe bruise on his arm. Then, Randy begins to chase after his younger sister. He is screaming at her as he chases her. The once laughing girl is now terrified, screaming for her mother as she cries profusely, awaiting her brother to capture her and begin a merciless assault upon his baby sister.

Mom runs out to find her oldest son on top of his sister, punching her in the back. She drags Randy off, hauling him into the house while screaming for dad to come right away. Dad comes and asks what’s going on, at which time he is regaled with a greatly exaggerated tale from

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<sup>427</sup> N.A. “Man Confesses to Murder after Viewing ‘Passion of the Christ,’ *NBC News* (March 26, 2004), <https://www.nbcnews.com/id/wbna4607592>.

all three siblings. Eventually, he is able to determine the facts of the situation. Now, what do mom and dad do to bring about restitution?

Clearly, Maggie has done nothing wrong. She had a natural reaction of a child to seeing something that she thought was humorous. While it may not have been funny to Randy, maybe not even to Tom, she found it humorous. Yet, she has not committed an offense. However, it may be to the benefit of mom and dad to talk to her about not finding joy in the suffering of others. Tom has done nothing wrong either. He simply kicked the ball as part of the game and it hit Randy in the face. It was not intentional, simply happening in the course of the activity.

The blame in this situation falls upon Randy. He realizes he is in a great deal of trouble and tears flow from his face. He profusely apologizes and cries, begging for his mom and dad's forgiveness. One should then ask if this is the proper resolution for the situation. Randy looked quite sincere in his apology, even mustered a lot of tears but, as many parents will confirm, children can cry and seem quite sincere in their apology when they know they are in a lot of trouble. Tears and words do not demonstrate that Randy is apologetic for his actions against his brother and sister. Simply apologizing to them did not do anything for either of the siblings. Tom has a huge bruise and Maggie likely has bruises from where her brother was hitting her. Is a simple apology proper repentance for what Randy has done?

Dad could allow the younger siblings to hit their brother. This would be a form of the *lex talionis*, where Randy received an equal amount of physical blows that he had given to his sister and brother. If one wanted to strictly adhere to the concept of "an eye for an eye," then this would be an adequate punishment. However, it does not demonstrate that Randy is repentant for his actions. He simply got punished, which may not teach him anything at all. It may not demonstrate that he understands his offense against his siblings.

Instead, Randy owes some form of restitution to his brother and sister. If the parents have a code that is in place in their home, where assaulting a sibling results in a certain amount of restitution, then this could be implemented. If not, then it would be better if Randy demonstrated his remorse through an action that would benefit and “repay” his brother and sister for his offense. Maybe he does all their chores for a month. Maybe Randy is responsible for attending to the medical concerns of his sister and brother. An appropriate restitution may be that the parents require Randy to not only write a formal apology to his brother and sister, but he may take part in some form of counseling where he learns to find more appropriate ways to deal with situations that anger him. When Randy takes actions that demonstrate that he recognizes that he caused an injury to his brother and sister, it is at that point that repentance is demonstrated. Repentance is exhibited when he provides some form of restitution to his siblings and also takes appropriate action to ensure that he will not commit such an offense in the future. This fits the teachings of the Bible, as well as the ideas taught by theologians.

### **Restitution Mends Bonds**

An important concept taught in this work is the fact that an offense or transgression creates a barrier between believers. Jesus made it clear that one needs to remedy a transgression through restitution (Matt. 5:23-24). That it is not appropriate for a person to bring their sacrifice to the altar or their worship to God when he or she knows that there is an offense that has been committed and it is creating disunity within the body of Christ.<sup>428</sup> Therefore, it is the goal of the person who has committed the offense to make right what he or she has done.

Restitution is a concept that is used within many different criminal justice systems, however, there are instances where the offender is treated like the victim because of the

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<sup>428</sup> Francois P. Viljoen, 3-4.

restitution that is owed. This is seen in cases where people commit crimes as children where restitution is required, but the children reach adulthood with this massive obligation still yet to be paid. This is viewed as “crippling,” and some offenders and their supporters make victims into those who have failed to meet their obligations, explaining that this restitution is simply too much of a burden to put on a person who committed crimes as a child.<sup>429</sup>

It is likely that the obligation of having to pay restitution is a burden. It is also a burden for the person to have lost his or her property or to have had it damaged. The goal is to ensure that the person who committed the offense is restored to the community and that no animosity is maintained. When the transgressor pays that restitution, he or she is following a pathway that God has designed so that the unity of the body can be restored.

Jane and Sue are talking at church one day. The two are known to gossip, and always seem to have the latest “dirt” on those within the congregation, even if it is not necessarily true. One Sunday, Jane tells Sue that she has “heard” that her friend Carol’s husband, Frank, has been having an affair. It so happens that Carol overhears Jane telling this to Sue, and then asks Jane if it is true. Jane responds, “That’s what I’ve heard.” Carol goes home and tells Frank they are done. She is out the door, leaving her marriage for good. Three months later, it is discovered that the information that Jane heard was wrong.

How does Jane rectify the situation? She has ruined the marriage of her good friend, as they have been separated for three months. Carol believes that her husband is an adulterer, and Frank has battled deep depression, drinking heavily to the point where he is barely hanging onto his job. This false accusation is destroying his life. Does a simple apology by Jane rectify the

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<sup>429</sup> Eli Hager, “Victim Restitution Payments for Childhood Crimes often Linger into Adulthood, Analysis Finds,” *The Washington Post* (June 11, 2019), [https://www.washingtonpost.com/national/victim-restitution-payments-for-childhood-crimes-often-linger-into-adulthood-analysis-finds/2019/06/11/e88de6ca-86de-11e9-a870-b9c411dc4312\\_story.html](https://www.washingtonpost.com/national/victim-restitution-payments-for-childhood-crimes-often-linger-into-adulthood-analysis-finds/2019/06/11/e88de6ca-86de-11e9-a870-b9c411dc4312_story.html).

situation? Clearly not. She spread gossip, which proved to be false, and has now ruined a marriage, ruined two lives, and created a division between the couple and her. Neither of them are going to ever trust her again. Her dear friend knows that she spread false information that hurt her family. Why would Carol ever want to forgive her?

She won't if all Jane has to offer is a simple apology. It does not matter how sincere Jane's apology looks. It does not matter how many tears she sheds. All of that is irrelevant to Carol and Frank. What is relevant is that she has destroyed a marriage through her gossip.

How does Jane mend these bonds? First, it is an acknowledgment by her that she has done something terrible. It may be to her advantage to go before the entire congregation one Sunday and confess her sin before them. She must acknowledge that she has wronged this couple, spread lies and gossip, and that she is a person who needs to be confronted when she is seen talking about others. Part of that confession would be an open confession before the entire congregation that she has wronged this couple and the body of Christ. Jane could pay for marriage counseling to help restore this couple. Instead of just advising them to get help to deal with this issue of trust, she should be taking responsibility for the damage that she caused, helping to restore this marriage. Maybe she pays for a date night once a week for the couple to get away and have time together to restart their marriage. She could pay for a babysitter to watch the children while they are out.

Jane has incurred a debt through her gossip. She has destroyed a marriage and the reputation of Frank. It is her responsibility to restore that so that the bonds in the marriage can be mended as well as mending her relationship with the couple. The reality is that the couple is not going to want to have anything to do with her should she simply apologize to them. She literally ruined their lives. However, an acknowledgment of her transgression, a full confession and

repentance before the entire congregation, and her taking the necessary steps to restore that marriage opens the door for the couple to be able to forgive her.

### **Restitution Provides Value**

From the start of this work, one of the things that was explained was that there is a lack of recognition for the value of someone's property. During the rioting that followed the death of George Floyd in 2020, many supported the actions of the rioters, chanting slogans such as, "No Justice, No Peace."<sup>430</sup> Many leaders and members of the media explained that the rioting and destruction of property should be considered nothing more than an "unfortunate" or "regrettable" action, but one that was completely understandable. After all, it was nothing more than property.<sup>431</sup>

This way of thinking completely disregards the hard work, time, labor, and sweat that one has put into the purchase or investment in property, or the starting of a business. When a person starts a business, it is his or her ability to survive. That person and his or her family depend upon that business to sustain them. This is not just the money that one spent on the goods that are purchased to start and sustain the business. This is the time a person spends away from his or her family to make money. It is the time that a mother or father is unable to spend with her or his children because money is needed to support the family. This has an extremely high value because the parent or parents have been willing to sacrifice so that they can care for their family financially.

What restitution does is acknowledge that someone's labor is valued. That the hard work that a person has put into buying property or to enhance his or her life is valued. The way this

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<sup>430</sup> Amol Mhatre, "No Justice? No Peace: The Nation Expresses Heartache, Anger, and Hope," *CBS News* (June 7, 2020), <https://www.cbsnews.com/news/no-justice-no-peace-george-floyd-protests/>.

<sup>431</sup> R.H. Lossin.

recognition of value occurs is through restitution. In the Law, God did not set an arbitrary value for loss, theft, or damage of property as some of the other cultures in the ANE did. For example, the Sumerian Law Code required that one who was renting land to be cultivated would pay 720 silas of grain per 100 sars if he did not work the field, letting it turn into a wasteland. It did not matter what the amount of loss to the landowner was. This was the amount that was to be paid.<sup>432</sup> That kind of law does not see a specific value in the property that was lost. It sets an arbitrary value that is always adhered to, even if the landowner would have lost a significantly larger amount than that. That deprives the landowner of feeling any type of real justice, because the value of the property or the loss of crops that could have been grown is not measured.

In the Mosaic Law, God set an amount of restitution based upon the amount that was lost, stolen, or damaged. Exodus 22:5 explains that if a person owns livestock and these animals go into a neighbor's field and eat, then the owner of the livestock is responsible for replacing what his animals consumed. There was a value in the amount that the animal(s) consumed, and the owner of the animal(s) replaced that value.

Andrea has a beautiful necklace that has been in her family for generations. It was passed down from mother to daughter starting with her great, great grandmother. The necklace was made of gold and did not have a significant monetary value to it, but the sentimental value made it priceless. Andrea's friend, Amy, had long admired that necklace. She asked if she could wear it to an important event because she loved how it looked with her favorite dress, and Andrea was happy to allow her to wear the necklace. The next day, Amy is taking a shower when the necklace breaks, falling through the drain and down the pipes, lost forever.

Amy feels terrible that she has lost her friend's necklace. She calls Andrea right away,

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<sup>432</sup> Martha T. Roth, 21.

tears flowing from her eyes as she expresses how horrible she feels at losing her friend's precious necklace. There is no doubt that Amy feels terrible about what has happened. Andrea could simply forgive her. She could choose to wipe the slate clean, declaring her own form of jubilee. Amy does not want that, however. She feels responsible. So, how does Amy replace this necklace? She could buy Andrea a gold necklace of equal value. However, this was a necklace that had great sentimental value. How does one replace that?

This is one of those situations where restitution cannot resolve everything. Amy can replace the necklace itself. She could give Andrea the money or she could buy a new necklace. If there was a custom pendant, she could pay to have a new one made. Amy should do everything she can to try to remedy the situation, to be at peace with her friend. Her goal is to demonstrate that she recognizes the value of Andrea's property. This is how one is able to restore and mend broken bonds, by acknowledging to the victim that that person's property, labor, and relationships are important and should be cherished.

### **Restitution Provides Justice**

In December 2018, Brian Kinnaird declared that "The criminal justice system is broken and can't be fixed." He explained that society has become conditioned to believe that there is a criminal element waiting to victimize them. That many are suffering from deep anxiety and fear, knowing at some point they will be victimized and so they have concluded that the best way to reduce or eliminate crime is to invoke the harshest punishments possible to deter people from committing crimes or to ensure that a person will never be able commit a crime again.<sup>433</sup>

Kinnaird is right. Every person is going to be victimized. What is also true is that every

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<sup>433</sup> Brian A. Kinnaird, "The Criminal Justice System is Broken and Can't Be Fixed," *Psychology Today* (December 18, 2018), <https://www.psychologytoday.com/us/blog/the-hero-in-you/201812/the-criminal-justice-system-is-broken-and-cant-be-fixed>.



person is going to victimize someone else. This is the very essence of the sin nature that each person possesses. The apostle Paul declared that “all have sinned and fallen short of the glory of God (Rom. 3:23).” In Ecclesiastes 7:20, Solomon wrote that “there is not one on earth who is righteous, no one who does what is right and never sins.” Every person transgresses the law. Every person does something to victimize someone else. It is part of the sin nature.

What this means is that every person is in need of justice at some point. What is missed by some is that justice is not just for the victim. It is also for the transgressor. The person who has committed wrongs needs to correct his or her behavior and “pay their debt” to the victim. This is accomplished through restitution. Restitution provides justice so that the victim receives compensation or restoration for the wrongs that have been done against him or her. The offender receives justice as well, having to pay for the sins that he or she committed. This is a just and righteous situation, where a person is responsible for his or her actions and pays whatever debt is owed. Restitution ensures that there is a proper justice that is provided.<sup>434</sup>

Billy is at his friend Derek’s house one day. Derek has received a new toy from his parents for his birthday and Billy loves that toy. He wished he had one of his own and is incredibly jealous that Derek has the toy before him. Billy’s parents have assured him that he will receive the toy soon, but he must wait for his birthday, which is three months away. His jealousy continues to seethe and, one day, Billy decides that if he can’t have the toy now that Derek shouldn’t have it either. So, he breaks it.

Would a simple apology restore the toy that Derek has lost? No, an act has been committed where Derek’s property was damaged, completely destroyed in fact, and he no longer

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<sup>434</sup> E. Vanwoudenberg, “Restitutional Justice: Balancing the Rights of the Victims and the Rehabilitation of the Offender,” *Christian Study Library* (1996), <https://www.christianstudylibrary.org/article/restitutional-justice/>

has his toy. This was not through an action of his own. Derek did nothing wrong. This was a simple act of jealousy and anger on the part of Billy that led to the destruction of Derek's toy. To restore what Billy damaged, his parents took the money they were going to use to buy their son the toy and use it to buy Derek a new one. Billy is then given the broken toy for his birthday.

In this way, Billy's parents have taken a principle of the Law and applied it perfectly to their son. He committed an act of vandalism against his friend, destroying his toy. As a result, he lost his own toy, with Derek getting a new one. In return, he received the broken toy. In Exodus 21:36, it explains that if a bull is known to have a habit of goring other animals and is not penned by the owner, then the owner is responsible should that animal kill another animal. The owner is responsible to pay "animal for animal" and receives the dead animal in exchange. Billy's parents used this form of justice, returning "toy for toy," while giving their son the "dead" toy. Derek does not suffer any loss at all. He received a toy of equal value. Billy still received the toy, but he learned a valuable lesson about damaging somebody else's property. Now, he understands what it's like to have someone destroy his toy. He received the fruit of his sin.

### **What Restitution Is Not**

Before closing this work, two important points need to be made regarding restitution. The first of these is that restitution and reparations are not the same thing. Reparations are when the state, a particular ethnic group or culture, or some other collection of people are required to remedy a past violation of someone else's rights.<sup>435</sup> This has become a hot button issue for many in recent years as there is an ever growing call by many today to pay reparations to descendants

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<sup>435</sup> Eva Ottendoerfer, "Translating Victims' "Right to Reparations" into Practice: A Framework for Assessing the Implementation of Reparations Programs from a Bottom-Up Perspective," *Human Rights Quarterly* 40, no. 4 (11, 2018): 905-906.

of former slaves for the crime of slavery.<sup>436</sup> While an argument can be made for reparations to be paid, it is important to understand that the principle of restitution does not support the idea of reparations. This is not to say that the concept of reparations is wrong, but is simply pointing out that reparations is not rooted in restitution.

This is a complex issue, but is easier to understand when one returns to the purpose of restitution. This is the return or compensation for property that is lost, stolen, or destroyed. Kidnapping and unlawful slavery are illegal under the biblical code and those who were responsible for that offense owed restitution to the ones who were the victims. However, one who is a descendant of slavery is not a “victim” according to the Law, just as descendants of slave owners are not transgressors of the Law. Ezekiel 18:20 states that the child is not responsible for the sins of the father and the father is not responsible for the wrongs of the child. Therefore, one is not responsible for the actions of previous descendants, and one cannot claim under the biblical law that he or she victimized because of something that happened to a descendant decades, even hundreds of years ago.

Secondly, as mentioned in the last section, everyone is a victim and everyone is a victimizer. Every society or culture in the history of the world has victimized some other society or culture. While some societies have been victimized far more and some have been the victimizers far more than others, the truth still remains that every society and culture has transgressed the Law. So, should every culture and society pay every other culture and society that they have victimized dating back to the first recorded history of victimization?

The purpose of restitution is to restore the relationship between the transgressor and the

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<sup>436</sup> Rashawn Ray and Andre M. Perry, “Why We Need Reparations for Black Americans,” *Brookings* (April 15, 2020), <https://www.brookings.edu/policy2020/bigideas/why-we-need-reparations-for-black-americans/>.

victim. However, if one is forced to pay reparations for a debt that he or she did not incur through their own actions, then this does more to hinder the relationship than to mend the broken or strained bonds. After all, how is one to feel forgiveness for something that he or she did not do? Why should that person be held responsible for something when he or she was not even alive when the transgression occurred? Restitution is between the transgressor and the victim, thus reparations are not the same thing.

### **The Obligation of the Victim**

There is one additional part of restitution that is important to understand. It was left as the last point to make because it is something that is misunderstood or improperly applied. This is the role of the victim in restitution. In Chapter 4, it was explained how some have concluded that the victim should simply forgive the sins that have been committed against him or her. That this is in the best interests of the person and the body of believers if he or she simply lets go. This does not consider the losses the victim incurred and does not provide justice.

However, there is a point where the victim is required to forgive and is not allowed to hold a grudge. If the transgressor has paid the debt that was owed, restoring or compensating for the loss, then the victim has no right to hold the former offense against the transgressor. That debt has been paid and the sin has been “taken away.” In John 1:29, John the Baptist declared that Jesus is the “Lamb of God who takes away the sins of the world.” Jesus wiped away all sin and its hold through His death. As was taught earlier in this work, He paid the debt for all of humanity for the transgressions of the entire world. Thus, these sins can no longer be held against those who have accepted that payment.<sup>437</sup> In Hebrews 8:12, God declares that He will no

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<sup>437</sup> G Roger. Greene, “God’s Lamb: Divine Provision for Sin,” *Perspectives in Religious Studies* 37 (2) (2010): 155-56.

longer remember the sins of His people. Because the debt has been paid by Jesus, He no longer remembers the sin.

This must be the attitude of the victim as well. One can be angry and want justice for crimes that have been committed against him or her but, once payment has been made, that person can no longer hold a grudge. The victim cannot add his or her own form of justice by continuing to hold the transgression against the offender. If this person does, then he or she is not trusting in the Lord and His provision. In this case, the victim has now become the transgressor.

### **A Unified Body of Christ**

The ultimate goal of reparations was two things: to provide a means of forgiveness through the restoration of property that was lost, damaged, or stolen and to ensure that there was unity among the body of believers. This work has demonstrated that restitution is not just an Old Testament principle that was once used but does not relate to the Christian believer today. This is a guiding principle upon which believers are to act to remedy situations where a wrong has been committed against another.

Churches still recognize the need for restitution. They understand that people have a right to their property, to their labor, and that it is the obligation of the transgressor to restore or replace that which was stolen, lost, or destroyed. Different denominations also appear to recognize that this is a true sign of repentance on the behalf of the offender, where paying restitution demonstrates a contrite heart.

In a world where people are crying out for justice, God has provided a means for people to receive real justice for over 3000 years. Restitution is that solution. It is not just a good idea, but is a requirement as part of biblical forgiveness. This is the means that God provided that He knows brings true justice for both the offender and the victim. For those who love God and want

to honor Him, it is time to demonstrate that love by honoring His commandments. That includes paying restitution to those who have been wronged. This is what biblical forgiveness is all about.

## APPENDICES

## Appendix A: Laws Related to Rape of Virgin, Woman Betrothed to Be Married

Law Code	Law
<b>The Codex of Ur-Nammu</b>	If a man the wife of a young man in service (guruš) whose marriage has not yet been consummated, using violence deflowers her, that male they shall slay. (6) <sup>438</sup>
<b>The Laws of Eshnunna</b>	If a man gives bride-money for a(nother) man's daughter, but another man seizes her forcibly without asking the permission of her father and her mother and deprives her of her virginity, it is a capital offence and he shall die. (26) <sup>439</sup>
<b>Code of Hammurabi</b>	If a seignior found the (betrothed) wife of a(nother) seignior, who had no intercourse with a male and was still living in her father's house, and he has lain in her bosom and they have caught him, that seignior shall be put to death, while that woman shall go free. (130) <sup>440</sup>
<b>Assyrian Law</b>	If, as a seignior's wife passed along the street, a(nother) seignior has seized her, saying to her, "Let me lie with you," since she would not consent (and) kept defending herself, but he has taken her by force (and) lain with her, whether they found him on the seignior's wife or witnesses have charged him that he lay with the woman, they shall put the seignior to death, with no blame attaching to the woman. (12) <sup>441</sup>
<b>Law of Moses</b>	But if in the open country a man meets a young woman who is betrothed, and the man seizes her and lies with her, then only the man who lay with her shall die. But you shall do nothing to the young woman; she has committed no offense punishable by death. For this case is like that of a man attacking and murdering his neighbor, (Deut. 22:25-26)

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<sup>438</sup> Fatma Yildiz, "A Tablet of Codex Ur-Nammu from Sippar," *Orientalia* 50 (1981): 96.

<sup>439</sup> James B. Pritchard, (Ed.), *Ancient Near Eastern Texts Relating to the Old Testament, Third Edition with Supplement* (Princeton, NJ: Princeton University Press, 1969), 162.

<sup>440</sup> *Ibid.*, 171.

<sup>441</sup> *Ibid.*, 181.

### Appendix B: Laws Related to Personal Injury – Goring Ox

Law Code	Law
<b>The Laws of Eshnunna</b>	If an ox gores an(other) ox and causes (its) death, both ox owners shall divide (among themselves) the price of the live ox and also the meat of the dead ox. If an ox is known to gore habitually and the authorities have brought the fact to the knowledge of its owner, but he does not have his ox dehorned, it gores a man and causes (his) death, then the owner of the ox shall pay two-thirds of a mina of silver. If it gores a slave and causes (his) death, he shall pay 15 shekels of silver. (53-55) <sup>442</sup>
<b>Code of Hammurabi</b>	If an ox, when it was walking along the street, gored a seignior to death, that case is not subject to claim. If a seignior's ox was a gorer and his city council made it known to him that it was a gorer, but he did not pad its horns (or) tie up his ox, and that ox gored to death a member of the aristocracy, he shall give one-half mina of silver. If it was a seignior's slave, he shall give one-third mina of silver. (250-252) <sup>443</sup>
<b>Law of Moses</b>	“When an ox gores a man or a woman to death, the ox shall be stoned, and its flesh shall not be eaten, but the owner of the ox shall not be liable. But if the ox has been accustomed to gore in the past, and its owner has been warned but has not kept it in, and it kills a man or a woman, the ox shall be stoned, and its owner also shall be put to death. If a ransom is imposed on him, then he shall give for the redemption of his life whatever is imposed on him. (Ex. 21:28-30)

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<sup>442</sup> James B. Pritchard, 164.

<sup>443</sup> *Ibid.*, 181.



### Appendix C: Striking a Pregnant Woman

Law Code	Law
<b>Code of Hammurabi</b>	If a seignior struck a(nother) seignior's daughter and has caused her to have a miscarriage, he shall pay ten shekels of silver for her fetus. If that woman has died, they shall put his daughter to death. (209-210) <sup>444</sup>
<b>Middle Assyrian, Tablet A of Utukkū Lemnūtu</b>	If a woman caused her own abortion, they proved charges against her and convicted her; they will impale her and not burry her. If she died because of her abortion, they shall impale her and not bury her. (53) <sup>445</sup>
<b>Hittite Laws</b>	If anyone causes a free woman to miscarry – if (it is) the 10th month, he shall give 10 shekels of silver, if (it is) the 5th month, he shall give 5 shekels of silver and pledge his estate as security. If anyone causes a slave-woman to miscarry, if (it is) the 10th month, he shall give 5 shekels of silver. (17-18) <sup>446</sup>
<b>Law of Moses</b>	When men strive together and hit a pregnant woman, so that her children come out, but there is no harm, the one who hit her shall surely be fined, as the woman's husband shall impose on him, and he shall pay as the judges determine. (Ex. 21:22)

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<sup>444</sup> James B. Pritchard, 176-77.

<sup>445</sup> The website does not provide the translator of the text. UPenn.edu (2022). <https://build-oracc.museum.upenn.edu/tcma/pager>.

<sup>446</sup> Martha T. Ross, 219.

### Appendix D: Lex Talionis – An Eye for an Eye

Law Code	Law
<b>The Laws of Eshnunna</b>	If a man bites the nose of a(nother) man and severs it, he shall pay 1 mina of silver. (For) an eye (he shall pay) 1 mina of silver; (for) a tooth 1/2 mina; (for) an ear 1/2 mina; (for) a slap in the face 10 shekels of silver. (42) <sup>447</sup>
<b>Code of Hammurabi</b>	If a seignior has destroyed the eye of a member of the aristocracy, they shall destroy his eye. If he has broken a(nother) seignior's bone, they shall break his bone. If a seignior has knocked out a tooth of a seignior of his own rank, they shall knock out his tooth. (196-197, 200) <sup>448</sup>
<b>Law of Moses</b>	But if there is harm, then you shall pay life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe. (Ex. 21:23-25)

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<sup>447</sup> *Ibid.*, 162-63.

<sup>448</sup> *Ibid.*, 175-76.

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