

Laws of the Mosaic Covenant

Deuteronomy 21

Deuteronomy 21:1-9 - *"If anyone is found slain, lying in the field in the land which the Lord your God is giving you to possess, and it is not known who killed him, ² then your elders and your judges shall go out and measure the distance from the slain man to the surrounding cities. ³ And it shall be that the elders of the city nearest to the slain man will take a heifer which has not been worked and which has not pulled with a yoke. ⁴ The elders of that city shall bring the heifer down to a valley with flowing water, which is neither plowed nor sown, and they shall break the heifer's neck there in the valley.*

⁵ Then the priests, the sons of Levi, shall come near, for the Lord your God has chosen them to minister to Him and to bless in the name of the Lord; by their word every controversy and every assault shall be settled. ⁶ And all the elders of that city nearest to the slain man shall wash their hands over the heifer whose neck was broken in the valley. ⁷ Then they shall answer and say, 'Our hands have not shed this blood, nor have our eyes seen it. ⁸ Provide atonement, O Lord, for Your people Israel, whom You have redeemed, and do not lay innocent blood to the charge of Your people Israel.' And atonement shall be provided on their behalf for the blood. ⁹ So you shall put away the guilt of innocent blood from among you when you do what is right in the sight of the Lord."

Background Notes

Chapters 5-25 of Deuteronomy contain Moses' second major address to the children of Israel as they were camped on the plains of Moab on the east side of the Jordan River, preparing to cross over into the Promised Land. This second address was a review of all the laws of the Mosaic Covenant, starting with the review of the Ten Commandments in chapter 5. We've already looked at a number of these laws in our "Talks from Deuteronomy."

In chapter 21, and on to the end of Moses' second address in chapter 25, miscellaneous and various laws were reviewed. In chapter 21 five regulations were given that govern various areas of life, so that the sacredness of life was maintained and personal rights protected. The five different cases will be the sub-points under our one doctrinal point.

Doctrinal Points

In the Mosaic Law, regulations were given for right living.

a. The case of an unsolved murder.

What happened in Israel when a murder was discovered, but the murderer was nowhere to be found? Was the case just forgotten? No. Deuteronomy 21:1-9 prescribed that the elders in the nearest city to the murder location were responsible

to take a young heifer, and kill it in a valley where there was a stream with running water. The heifer became the substitute for the murderer who deserved to die. Surely this is a picture of Jesus Christ, who was violently killed for each one of us who deserved to die because of our sins.

In God's government, there is corporate guilt as well as individual guilt. There are sins of nations. There are sins of cities. There are sins of churches. There are sins of families. The Lord died for the sins of the world - all of these sins, as well as our personal sins - and He is willing to forgive our sins. But corporate guilt is not to be ignored or swept under the rug.

b. The case of a captive woman.

Deuteronomy 21:10-14 - *“When you go out to war against your enemies, and the Lord your God delivers them into your hand, and you take them captive, ¹¹ and you see among the captives a beautiful woman, and desire her and would take her for your wife, ¹² then you shall bring her home to your house, and she shall shave her head and trim her nails. ¹³ She shall put off the clothes of her captivity, remain in your house, and mourn her father and her mother a full month; after that you may go in to her and be her husband, and she shall be your wife. ¹⁴ And it shall be, if you have no delight in her, then you shall set her free, but you certainly shall not sell her for money; you shall not treat her brutally, because you have humbled her.”*

When we read these verses we might think that God approved of polygamy, and the capture of foreign wives, and divorce if the marriage didn't work out - but that is not the case! No! These laws were meant to **regulate** practices that were already happening at that time – it was **not approval** of these practices. Remember what the Lord said in answer to the disciples' question about divorce in Matthew 19: 7-8? *“They said to Him, “Why then did Moses command to give a certificate of divorce, and to put her away?” He said to them, “Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was not so.”* God gave these laws to regulate social practices – but those practices were not what God had planned “from the beginning.”

By the way, under this regulation a woman would be far better off if conquered by Israel rather than some other ancient Middle Eastern nation. They would be protected from rape and other mistreatment, they were to be honorably married, they were to be allowed a period of mourning for family, and they would be given complete freedom if their marriage did not work out.

c. The case of a firstborn son.

Deuteronomy 21:15-17 - *“If a man has two wives, one loved and the other unloved, and they have borne him children, both the loved and the unloved, and if the firstborn son is of her who is unloved, ¹⁶ then it shall be, on the day he bequeaths his possessions to his sons, that he must not bestow firstborn status on the son of the loved wife in preference*

to the son of the unloved, the true firstborn. ¹⁷ But he shall acknowledge the son of the unloved wife as the firstborn by giving him a double portion of all that he has, for he is the beginning of his strength; the right of the firstborn is his."

Under the law, a father could not play favorites with his sons regarding their inheritance. In a polygamous marriage arrangement, the firstborn son was entitled to the double portion, regardless of which wife was his mother. The husband could not change the inheritance because of love for his favorite wife, or because of pressure from his favorite wife. One practical application for today: We should be very careful not to "play favorites" with our children - for any reason, or any ulterior motive. We should treat them all fairly and justly.

d. The case of a rebellious child.

Deuteronomy 21:18-21 - *"If a man has a stubborn and rebellious son who will not obey the voice of his father or the voice of his mother, and who, when they have chastened him, will not heed them, ¹⁹ then his father and his mother shall take hold of him and bring him out to the elders of his city, to the gate of his city. ²⁰ And they shall say to the elders of his city, 'This son of ours is stubborn and rebellious; he will not obey our voice; he is a glutton and a drunkard.' ²¹ Then all the men of his city shall stone him to death with stones; so you shall put away the evil from among you, and all Israel shall hear and fear."*

Just as there are rebellious teenagers today, so there were rebellious teenagers in Israel. If all discipline failed and the young adult continued to be stubborn, rebellious, self-indulgent, and a drunkard, then as a last resort the scoundrel should be put to death. I remember speaking about this law to a group of parents of teens and saying, "How many of you are glad that we don't have this law today?" Not every hand went up! [*laughter*]

Notice, by the way, that only the parents were permitted to bring the accusation, and the accusation had to come from both father and mother in agreement. The decision had to be approved by the elders of the city, who would know and try the case. These safeguards would ensure against rash actions being taken in the emotion of the moment, or the lynching of an unruly person. As far as the biblical record goes, this punishment was never carried out in ancient Israel - but it was a strong deterrent to every kind of juvenile delinquency.

e. The case of a hanged criminal.

Deuteronomy 21:22-23 - *"If a man has committed a sin deserving of death, and he is put to death, and you hang him on a tree, ²³ his body shall not remain overnight on the tree, but you shall surely bury him that day, so that you do not defile the land which the Lord your God is giving you as an inheritance; for he who is hanged is accursed of God."*

In these verses, the "hanging" was not the means of death. Sometimes the body of a criminal who was stoned to death was publicly hung on a tree as a deterrent to crime. Under this law, that body was to be taken down and buried before sunset, to avoid further "defiling" of the land.

It's important to note here that the "curse" connected with hanging was not because of the hanging. No, hanging was the **result** of the curse, not the **cause** of the curse. This is important to understand, because this verse was quoted in Galatians 3:13 in reference to Jesus Christ: *"Christ has redeemed us from the curse of the law, having become the curse for us. For it is written, cursed is everyone who hangs on the tree."* The Lord did not become cursed because He was put on the cross. No, He was put on the cross because **He had become a curse for us** and died as our Substitute. The parallel continued in Deuteronomy 21:23. After His work of redeeming us from the curse of the law was completed, our Lord's body was removed from the cross before sunset.

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Practical Application

Do what you can to reduce sin in your home!

In verses 1-9 we saw that in the case of the unsolved murder, the nearest city was charged with corporate guilt and had to make the appropriate sacrifice. *"If anyone is found slain, lying in the field in the land which the Lord your God is giving you to possess, and it is not known who killed him, ² then your elders and your judges shall go out and measure the distance from the slain man to the surrounding cities.... ⁶ And all the elders of that city nearest to the slain man shall wash their hands over the heifer whose neck was broken in the valley. ⁷ Then they shall answer and say, 'Our hands have not shed this blood, nor have our eyes seen it.'*" Because of this law, you can imagine that the elders of the various cities would do their best to police their cities and surrounding areas, to make sure that everyone under their jurisdiction was safe!

Let's apply this to our homes. Corporate guilt is involved when sinful behavior takes place within our homes, so let's do what we can to reduce sin and maintain a peaceful atmosphere in our homes. We should make regulations as to what reading material and what visual material is available, and what attitudes and language and behavior are proper and acceptable for homes in which the Lord is honored.

Let's do what we can to reduce sin in our homes!