

January 13, 2019
Sunday Evening Service
Series: Deuteronomy
Community Baptist Church
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LAWS HARD TO COMPREHEND Deuteronomy 21

Again, we need to remember that the words in Deuteronomy are a record of Moses's last instruction to the people before he died, and they crossed over into the Promised Land to possess what God was giving them. Up through chapter nineteen, most of the historical accounts and rules for the new land made sense to us.

However, beginning with chapter twenty, which laid down the rules for subduing the land to which they were going, the waters get a little muddy. We modern Americans struggle with the idea of forcing servitude on cities that surrender, or with wiping out the men of those cities that don't surrender and taking their women and children to be personal slaves. Worse is how God required complete annihilation of all the people and animals who lived within the boundaries of the Promised Land.

If anything, the laws and rules for operation in the new land get even more outside the realm of normal 21st century acceptability over the next few chapters of this book. How do we understand and apply rules like we find here in the twenty-first chapter? What a strange reaction to finding a dead person out in the field (vv.1-9). What a barbaric way to take a wife (vv.10-14). And why does the God, whose law requires marriage to be between one woman and one man, now give a law about inheritance for the children of multiple wives (vv.15-17)? What kind of culture maintains orderliness by stoning rebellious sons and publicly hanging criminals (vv.18-23).

Rules and laws like this are why some people, who otherwise hold high respect for the Bible, either pass over the Old Testament lightly or conclude that God really does not intend for modern Christians to even read it. But what do those people do with God's

instruction that *All Scripture is breathed out by God and profitable for teaching, for reproof, for correction, and for training in righteousness, that the man of God may be competent, equipped for every good work (2 Timothy 3:16-17)*. Are writings like Deuteronomy not Scripture? If this book is profitable Scripture, why do we even need to be aware of these strange rules? Or how could any of this stuff be edifying for us?

There are two important principles for us to bear in mind here. First is the overall purpose of the law and Old Testament records. The Old Testament records prove to us that a people chosen specifically by God to represent Him to the world failed miserably. God gave them His law so that they would know how to live in conformity to His character, and they proved that keeping that law was impossible. Old Testament Israel proved what we all need to confess: We need a Savior to redeem us from the constraints of the law we cannot keep.

Second, a key theme that shows up, not only throughout the Old Testament but especially in these four strange laws before us in this text, is God's desire to purge out evil. The Old Testament laws identified evil. The laws also generally instructed God's people about how to deal with that evil. God desires for His people to be distinct from everyone who is not part of God's chosen people. That principle is still true today. Therefore, God desired for His people to enforce rules of punishment to motivate people to be distinct from pagan, God-deniers.

But even those laws of punishment for purging out evil fail to create utopia on earth. Again, we are reminded that we are evil people by nature, living among evil people who do and encourage evil. Our only hope in that kind of world is a heart purified by God's grace, and a heart and hope kept in fellowship with God through His grace.

God's law in general, and even these unique laws, are wonderful warning lights to remind us of our natural fallen condition. But God's grace is the only means by which we can live contrary to our fallen condition.

Purging Innocent Blood (vv.1-9).

The rule of this law is stated as it applies to an unidentified dead person. *If in the land that the LORD your God is giving you to*

possess someone is found slain, lying in the open country, and it is not known who killed him (v.1). Key to remember is that this law stands on the foundation that the land is God's land. Hence the opening words.

Because it is the Lord's land, it must be viewed as holy. In fact, God did not fully release the land to the people but maintained possession of the land Himself. He lent it to the people. That is why redemption of land to the appropriate families was so important. Because it was the Lord's land, which He gave to the people to manage, they were stewards. As stewards, the people were responsible to manage all aspects of the land in a way that pleased and honored God the owner.

In that setting, the people might find a victim of homicide. In chapter nineteen, we read the details of the laws that deal with homicide where the perpetrator was known. That instruction covered the matters of the cities of refuge, the avenger of blood, and stuff like that. But in this hypothetical case, the murderer is not known. The Hebrew word for *slain* reveals that this was obviously not a case of accidental death, natural death, or even death caused by a beast. Someone killed the person. The crime happened on God's land and so God's land needed purifying in order to remain holy.

How did God desire for His people to respond in such a case? As our text indicates, God required a fairly complicated ritual for purification. The area leaders gathered to determine which city was responsible to engage in the ritual. We see from the text that the leaders included the elders, the rulers of the cities who sat in city gates and governed the city. But judges who were more like regional rulers (sometimes priests) were also involved. They would probably have authority over the elders.

These government leaders measured the distance to the nearest city to determine which city should do the ritual. *Then your elders and your judges shall come out, and they shall measure the distance to the surrounding cities. And the elders of the city that is nearest to the slain man shall take a heifer that has never been worked and that has not pulled in a yoke (vv.2-3).* Apparently, they assumed that the criminal would have been from the nearest city (which may or may not be the case).

The ritual also required the leaders to kill an unworked heifer which might indicate that it was pure or undefiled by humans (v.2). That act was to take place on a section of unworked land near a stream or river, which also might point to the idea of there being no defilement from human contact. *And the elders of that city shall bring the heifer down to a valley with running water, which is neither plowed nor sown, and shall break the heifer's neck there in the valley (v.4).* Notice that the heifer was not a sin offering because no blood of the animal was shed. Rather the elders broke the heifer's neck. While it was not an offering of blood sacrifice there was the very practical sacrifice of a price of a good heifer required.

After the killing of the innocent heifer, the priest, God's chosen servant and spokesperson would pronounce innocence for the city. *Then the priests, the sons of Levi, shall come forward, for the LORD your God has chosen them to minister to him and to bless in the name of the LORD, and by their word every dispute and every assault shall be settled (v.5).* The priest having virtually announced God's dismissal of the case, the elders (leaders of the city) washed their hands as a symbol of innocence. *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, and they shall testify, "Our hands did not shed this blood, nor did our eyes see it shed" (v.7).* That was still a literal demonstration of innocence in Jesus's day when Pilate tried to convince the people that he was innocent of Jesus's blood. Of course Pilate was not innocent in the least.

According to God's plan, the whole community at that point was free of guilt in the case. So the priest's pronouncement: *"Accept atonement, O LORD, for your people Israel, whom you have redeemed, and do not set the guilt of innocent blood in the midst of your people Israel, so that their blood guilt be atoned for" (v.8).*

That is an interesting situation to say the least. What could God possibly be teaching here? Is there any lesson that is profitable for us who are reading the Scripture? It seems like the lesson resides somewhere in the statement, *So you shall purge the guilt of innocent blood from your midst, when you do what is right in the sight of the LORD (v.9).* We know that God's law forbids murder. The prohibition is clear and simple as stated in Exodus 20:30 and

Deuteronomy 5:17. Someone had broken God's law. Would the people ignore it, tolerate it, minimize it?

The ritual was a reminder to all of the people in the city of what is right in God's sight. If that is true, it was very much like the kinds of things we Christians do. The actions and attitudes of Christ-followers are not atoning or redemptive or a means for attaining salvation. Much of what we do is simply an expression of our confidence that God is holy. It goes back to Peter's explanation of Christian living that, *As obedient children, do not be conformed to the passions of your former ignorance, but as he who called you is holy, you also be holy in all your conduct, since it is written, "You shall be holy, for I am holy" (1 Peter 1:14-16).*

As followers of Christ, we order our lives differently from the way we ordered them before we were born again. Such "ritual" is not an effort to force God to redeem us. Rather those things are declarations to everyone that we are possessed by the Lord who Himself is unique and distinct.

Taking a Wife and Letting Her Go (vv.10-14).

This rule might appear to be even stranger than the previous rule. This rule outlines how the Israelite men could take a wife as the spoils of war. *When you go out to war against your enemies, and the LORD your God gives them into your hand and you take them captive, and you see among the captives a beautiful woman, and you desire to take her to be your wife (vv.10-11).*

The enemy in this case had to be from one of the distant cities that did not surrender (20:11-14). The law for that situation reads: *And if it responds to you peaceably and it opens to you, then all the people who are found in it shall do forced labor for you and shall serve you. But if it makes no peace with you, but makes war against you, then you shall besiege it. And when the LORD your God gives it into your hand, you shall put all its males to the sword, but the women and the little ones, the livestock, and everything else in the city, all its spoil, you shall take as plunder for yourselves. And you shall enjoy the spoil of your enemies, which the LORD your God has given you (Deuteronomy 20:11-14).*

God's plan was for the Israelites to wholly annihilate cities within the boundaries of God's land. Cities outside the boundary could surrender or could resist and be overrun and the people captured. This is special instruction about wife-taking in that particular setting of subjugating the non-surrendering cities. One would like to think that this was a special case for an unmarried man. We would like to think that God was not providing opportunity for men to get multiple wives. But the very next section deals with polygamous situations.

So here is the rule. If a man found a potential wife among the rubble, he had to take her home and put her through a particular ritual. *And you bring her home to your house, she shall shave her head and pare her nails. And she shall take off the clothes in which she was captured (vv.12-13a).* The ritual required changes. It was symbolic of the woman changing from the past to a new lifestyle. These were all symbols of purification, not signifying physical hygiene as much as spiritual purification. She mourned the loss of her parents. Probably father was killed and mother became slave to some other Israelite. Therefore, the woman *shall remain in your house and lament 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 (v.13b).*

The ritual pictures a clear breaking from the past. Surely, the young woman had to be somewhat compliant. Maybe she saw it as better than death. Yes, but what about God's rule of killing all the pagans so they won't influence God's people to sin? That is a difficult question to answer.

Now compounding the confusion, we find that this law also provides instruction for letting the wife go. *But if you no longer delight in her, you shall let her go where she wants. But you shall not sell her for money, nor shall you treat her as a slave, since you have humiliated her (v.14).* If things didn't work out, the Israelite could let the wife go. "Let her go where she wants" are words for divorce. She was not a slave and so she could not be sold.

So what lesson can there possibly be here for us? Let's start with the truth we know. God is opposed to divorce. He plainly said through Malachi, *"I hate divorce," says the LORD God of Israel. "I hate the person who covers himself with violence," says the LORD of*

Armies. "Be careful not to be unfaithful" (Malachi 2:16 GWV). That statement alone is sufficient to conclude God's opinion of the matter. And yet God knowing human weakness and working with our sinful conditions recognizes that it will happen.

We also know the truth that God is certainly opposed to polygamy. His plan from the beginning is, "*Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh*" (Genesis 2:24). In case we missed it, Jesus reiterated the plan. In answering the Pharisee's question about divorce *He answered, "Have you not read that he who created them from the beginning made them male and female, and said, 'Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh'? So they are no longer two but one flesh. What therefore God has joined together, let not man separate"* (Matthew 19:4-6).

So how do we reconcile these two truths that we know from Scripture with this strange law about taking a wife as spoil? It is a matter of the reality with which we struggle. We are beginning to see the repetition of a theme in our study of Deuteronomy. In this book, there is much evidence of how Moses stated and restated the law of God. But then we run into what appear to be exceptions regarding God's law. The reality is that people sin by breaking God's law even when we know it. God does not strike us dead when we (even we who love Christ) break His law.

We are dealing with an uneasy balance between what God requires and what He allows. However, even if God is tolerant and appears to be understanding when His people sin, there are attendant consequences for breaking God's law. When we come to Deuteronomy 28 and read the blunt curses for breaking God's law, we will be reminded of this reality. And Israel was certainly reminded of the consequences of sin when the curses came to bear upon them years later.

Honoring the Rights of the Firstborn (vv.15-16).

The rule applies to a case where a man has two wives: one that is loved, one that is not. *If a man has two wives, the one loved and the other unloved, and both the loved and the unloved have borne him*

children (v.15a). Okay that is pretty weird situation by our standards. It seems strange that polygamy is so common in Scripture when God is opposed to it. In spite of God's character and law, even the icons like Abraham, Jacob, Elkanah (Samuel's father), the kings (David, Solomon) were guilty of polygamy. It is not that these people were ignorant of God's plan. Rather they were sunk in the sin of their modern culture especially in this area. Is that where our modern culture is headed? I will not be surprised if before I am dead polygamy will be accepted in the Western culture.

But bear in mind that though some of the most important biblical characters were guilty of polygamy, there is nothing good at all said about these dysfunctional families. In fact, God's Word records plenty of heartache and sorrow due to the ungodly arrangements. Also, in the case of our text, we need to realize that the words love and hate are not as extreme as we use them. We have the picture of God loving Jacob and hating Esau or of Jacob loving Rachel but not Leah. It is not that God really hated Esau or that Jacob hated Leah. Rather God loved Esau less and the same was true for Jacob and Leah.

In that kind of mixed-up mess, God's rule required that the inheritance must show respect for the firstborn. *And if the firstborn son belongs to the unloved, then on the day when he assigns his possessions as an inheritance to his sons, he may not treat the son of the loved as the firstborn in preference to the son of the unloved, who is the firstborn, but he shall acknowledge the firstborn, the son of the unloved, by giving him a double portion of all that he has, for he is the firstfruits of his strength. The right of the firstborn is his (vv.15b-17).*

The right of the firstborn was typically that the firstborn son of the father gets double portion of inheritance. This was an important issue because firstborn symbolized *the firstfruits of his strength (v.17b).*

What is the lesson we can draw (if any) from this rule? Maybe we need to focus on the point that it was God's rule for the first born to symbolize strength. It might have been a way of evaluating the first born as the best. That explanation would fit with God's law that the first born was to be dedicated to Him. In God's law, the firstborn animal was sacrificed to show love and loyalty to God. A firstborn

son was redeemed from sacrifice with money. But the same attitude was displayed in the sacrifice of money.

However, though it was possible that the protection of the first born's inheritance showed respect for God's choice, still God exercised sovereign choice over this rule. It was not unusual for God to choose the younger son over the older to receive His blessing. For example, God chose Abel the second born over Cain the first born as His showed respect to Abel's offering. God chose Jacob over Esau, Ephraim over Manasseh, David over his brothers, and Solomon over his brothers. None of that was accidental. God simply reminds us that He can make exceptions to His rules any time He chooses to.

Executing Stubborn Sons and Other Criminals (vv.18-23).

The rule dealing with rebellious children is a bit of a shocker. *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, though they discipline him, will not listen to them, then his father and his mother shall take hold of him and bring him out to the elders of his city at the gate of the place where he lives, and they shall say to the elders of his city, "This our son is stubborn and rebellious; he will not obey our voice; he is a glutton and a drunkard." Then all the men of the city shall stone him to death with stones. So you shall purge the evil from your midst, and all Israel shall hear, and fear (vv.18-21).*

This is a case of an adult child living under authority of his parents (like at home). Especially when the children are younger, it was the parents' responsibility to chasten disobedience or rebellion. But parents could not impose the death penalty. That required independent conclusion by the city leaders who held court at the city gates. Obviously, this kid became a threat to the community and so the whole community is involved in discipline now. Both parents had to prosecute in the city courts. What mother is going to concede to the execution of her son? Not many! This kid would have to be a really bad egg. The good news (if any) in this situation is that neither parent had to participate in the execution.

There is also a rule here about executing criminals. *And if a man has committed a crime punishable by death and he is put to death, and you hang him on a tree, his body shall not remain all night on the*

tree, but you shall bury him the same day, for a hanged man is cursed by God. You shall not defile your land that the LORD your God is giving you for an inheritance (vv.22-23).

Hanging the criminal on a tree could involve hanging with a rope by the neck, fastening a body to a tree, or impaling a body. The rule was that the dead body could not remain on the tree after sundown.

What is the lesson for us? The lesson might be contained in two statements within the context. *So you shall purge the evil from your midst, and all Israel shall hear, and fear (v.21). You shall not defile your land that the LORD your God is giving you for an inheritance (v.22).* It is significant that the cursed criminal hanging on a tree is the picture of Christ's death. Paul picked up on this and wrote, *Christ redeemed us from the curse of the law by becoming a curse for us – for it is written, "Cursed is everyone who is hanged on a tree"– (Galatians 3:13).*

In the case of the rebellious son or the convicted criminal, the extreme punishment was to purge evil from the land. We can understand how such extreme punishment would deter others from repeating the crime. But most important is the lesson the picture of Christ hanging on the tree teaches. He was wounded for our transgressions. He took our curse for sinning upon Himself. He was shamed, even being forsaken by the Father, because of our sin. But by Jesus being cursed, we are purged from sin and evil.

In these strange laws, we see God's amazing grace and love tempering His perfect justice. God never demands anything capriciously or without reason. Always God shows Himself to be the God of grace who knows our weaknesses.