

Deut. 21:1-23

- I. Laws concerning unsolved murder (Deut 21:1-9)
  - A. We are still in a section dealing with the sixth commandment: "Thou Shalt not murder." This changes in verse 14.
  - B. These laws are given to keep the promised land from desecration.
  - C. This is case law.
  - D. "if" means that this is dealing with possible situations that will arise.
  - E. This is the open country, so this would be wilderness.
  - F. The open country is in the promised land.
  - G. It is not known how this person died.
  - H. Verse 2: the elders and the judges handle this.
    - a. This goes back to the different offices of leadership,
    - b. the judges are one of the 4 offices we talked about: prophet, priest, king, judge.
  - I. This anticipates a situation where the body is found, apparently some elders and judges are notified, but they still do not know what city has jurisdiction.
    - a. We do the same thing today.
    - b. When I served a church in Cincinnati, the suburb my church was located in (called Wyoming) would have firefighters show up on the line between that suburb, Wyoming, and Cincinnati. Both the Wyoming and Cincinnati firefighters had to determine who was in charge.
    - c. We deal with jurisdiction all the time. We also have state vs federal issues
    - d. Subsidiarity:  
(in the Roman Catholic Church) a principle of social doctrine that all social bodies exist for the sake of the individual so that what individuals are able to do, society should not take over, and what small societies can do, larger societies should not take over.  
(in political systems) the principle of devolving decisions to the lowest practical level
  - J. Verse 3: so the city nearest the slain man must make a sacrifice to atone for the death.
  - K. The heifer must have not been worked
  - L. The heifer must have not pulled a yoke
  - M. Verse 4: the sacrifice must be in a valley with running water
  - N. The NET Bible: For this ritual, however, a perennial stream must be chosen so that there would be fresh, rushing water.<sup>1</sup>
  - O. The valley must not have been sown or plowed
  - P. Break the heifer's neck, in the valley
  - Q. The heifer is not burned as in the usual sacrifices. The death is a sacrifice to atone for sins of an unknown person.
  - R. Verse 5: now the priests are involved, the priests are the sons of Levi.
  - S. Notice how verse 5 says, "The Lord your God has chosen them to serve Him and to bless in the name of the Lord and every dispute and every assault shall be settled by them."
  - T. Remember, 4 offices of leadership and Moses is reminding the people about the priests job.
  - U. Verse 6: elders of the city nearest are to wash their hand
  - V. This is to be over the neck of the slain heifer
  - W. Verse 7: the elders say our hand did not... the priests are there too.
  - X. Verse 8: a plea for forgiveness
  - Y. Notice the focus on redemption. The Lord redeemed.
  - Z. They will be forgiven.
  - AA. Verse 9: the guilt is removed when they do what is right
  - BB. What is right must be in the eyes of the Lord.
- II. Laws concerning wives (Deut 21:10-14)
  - a. This is more case law.

---

<sup>1</sup> Biblical Studies Press, [The NET Bible First Edition Notes](#) (Biblical Studies Press, 2006), Dt 21:4.

- b. This is battle with distant enemies which we talked about in chapter 20:1-15
- c. This is talking about conquering a city and you take captives.
- d. The ESV Study Bible: *This law must apply for conquests of cities far away (20:10–15), otherwise the women would have been destroyed (20:17). It both ends the discussion of topics under the heading “you shall not murder” and introduces the section on “you shall not commit adultery” (5:18; see note on 21:15–23:14).*
- e. So, now begins a discussion on “You shall not commit adultery.”
- f. Verse 11: self-explanatory: they are servants but a man wants one of the women as a wife.

Moody Bible Commentary:

*Caution was in order here because intermarriage was expressly forbidden with women from the Canaanite nations (7:3) and should not have been even possible if all the inhabitants, including the women, were put to death as the Lord had instructed. **The background for this situation (although not explicitly stated) is that some of the captive women might wish to associate themselves with the God of Israel (like Rahab), and now the possibility of an Israelite marrying one of these women was an option. Several stipulations, however, were in order.***<sup>2</sup>

- g. Verse 12: shave her head, trim her nails...
- h. This is a separation from her pagan background. The ESV Study Bible: *These actions indicate a departure from her former life, no doubt including its religious practices.*
- i. Verse 13: give her time for mourning for a month. Stipulated, a full month.
- j. Verse 14: if the man is not pleased with her, she may go. Rules for treating her well.
  - i. Let her go where she wants.
  - ii. Do not sell her for money.
  - iii. Do not mistreat her.
  - iv. The man has humbled her.

### III. Laws concerning children (Deut 21:15-21)

- a. The ESV Study Bible says: *Protecting Sexual Morality. Many of the laws in this section address protecting the sexual integrity of God’s people, corresponding to the seventh commandment, “You shall not commit adultery” (5:18).*
- b. This law presupposes polygamy but does not condone it.
- c. Verses 15-17: children of loved and unloved wife. In the will do not favor the loved son. If the son of the unloved woman is older he must have the rights of the first born. The firstborn inherits a double portion. That was standard during that time period.
- d. The man has two wives and one he does not love.
- e. Verses 18-21: stubborn and rebellious children
- f. Verses 18-21 are about the fifth commandment, honoring father and mother.
- g. They try to correct him but he does not listen.
- h. Verse 19: bring him out to the elders of the city... at his hometown.
- i. Verse 20: say to the elders: glutton, drunkard, stubborn, rebellious.
- j. Verse 21: stone him.

### IV. Disposition of criminal remains (Deut. 21:22-23)

- a. Hang him on a tree
- b. His corpse shall not stay overnight. *The ESV Study Bible shares: This law restricts the exposure of a dead criminal hanging on a tree, hence the concern to bury Jesus immediately after his death (see also Gal. 3:13).*
- c. Possibly stoning and then they hoist the body as an example or another source says, probably impaling (IVP BBC)

<sup>2</sup> The Moody Bible Commentary (Kindle Locations 11376-11379). Moody Publishers. Kindle Edition.