

BIBLE BRIEFING

“Court is Now in Session”

DEUTERONOMY 21-23

Introduction

Lots of odd things happen when people live together in a society. Laws are made, to promote the public welfare. The next three chapters of Deuteronomy cover various laws, in no particular order. They are sort of like the cases that a judge might get, one after the other. There's no theme, other than human nature.

Chapter Twenty-One

We begin with the mystery of unsolved murders:

Deuteronomy 21:1 “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, Deuteronomy 21:2 then your elders and your judges shall go out and measure *the distance* from the slain man to the surrounding cities.

Deuteronomy 21:3 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.

Deuteronomy 21:4 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.

Deuteronomy 21:5 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*.

Deuteronomy 21:6 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.

Deuteronomy 21:7 Then they shall answer and say, ‘Our hands have not shed this blood, nor have our eyes seen *it*.

Deuteronomy 21:8 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.

Deuteronomy 21:9 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.

God holds life dear, and every death must be atoned for even if not accounted for. When individual guilt could not be determined, there

was still a corporate responsibility. The land had to be cleansed from the defilement of the murder. This became the responsibility of the nearest city.

Next case: Treatment of female prisoners of war.

Deuteronomy 21:10 “When you go out to war against your enemies, and the Lord your God delivers them into your hand, and you take them captive,
Deuteronomy 21:11 and you see among the captives a beautiful woman, and desire her and would take her for your wife,
Deuteronomy 21:12 then you shall bring her home to your house, and she shall shave her head and trim her nails.
Deuteronomy 21:13 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.
Deuteronomy 21:14 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.

Canaanite women were to be killed, along with the men and everyone else. This only applied to women outside of Canaan.

This sounds weird, I know. Look at it this way: The enemies of Israel were given a chance to surrender, and live. If they refused, they were conquered. It was a mercy that the women were kept alive; a greater mercy that a foreign woman could marry into God’s chosen nation. Even if things didn’t work out, and the woman was not married – she was still treated with kindness. It was far better than being killed!

The woman did these things voluntarily; she was not forced. The idea was that she converted. Then she could become your wife. If not, she was set free, because she had been **humbled** by the fact her husband and city were overthrown.

Next case: The rights of the first-born, when the first-born is not from the wife you love the most.

Deuteronomy 21:15 “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,

Deuteronomy 21:16 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.

Deuteronomy 21:17 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.

God never approved of bigamy, but He allowed it. He regulated some of its consequences, such as the right of the firstborn to inherit.

Next case: Stubborn and rebellious sons.

Deuteronomy 21:18 “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,

Deuteronomy 21:19 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.

Deuteronomy 21:20 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.’

Deuteronomy 21:21 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.

People sometimes ask, “What do you do for a child that is too old to spank?” Notice, it was not the parents who stoned him, but the Elders. *But it wasn’t Elder-abuse!* It was the proper punishment for Elder abuse. They could not allow delinquency to rot their culture.

Compare this law, however, to the story of the prodigal son...

Next case: How to treat the bodies of executed criminals.

Deuteronomy 21:22 “If a man has committed a sin deserving of death, and he is put to death, and you hang him on a tree,

Deuteronomy 21:23 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.

This does not have the idea of being executed by strangulation; but of having the corpse mounted on a tree or other prominent place, to expose the executed one to disgrace and the elements. Hanging

bodies was a necessary practice, but was handled reverently and with great care. [Defile the land](#) is an interesting comment. Here is the picture I get: You are walking through the land, and you see a corpse hanging. But he's taken down before sunset. It communicates the seriousness of law-breaking, as you see the consequences; but it also confirms that the hanging was not an act of cruelty or vengeance, as the body of the criminal is carefully removed.

Chapter Twenty-Two

A little more proactive! A perspective that helps you apply the great law, [love your neighbor](#).

[Deuteronomy 22:1](#) “You shall not see your brother's ox or his sheep going astray, and hide yourself from them; you shall certainly bring them back to your brother.

[Deuteronomy 22:2](#) And if your brother *is* not near you, or if you do not know him, then you shall bring it to your own house, and it shall remain with you until your brother seeks it; then you shall restore it to him.

[Deuteronomy 22:3](#) You shall do the same with his donkey, and so shall you do with his garment; with any lost thing of your brother's, which he has lost and you have found, you shall do likewise; you must not hide yourself.

It is a sin to do nothing to help.

We like to say that possession is nine-tenths of the law... But that's not true! Found property was lost by someone, and brotherly love required you care for it until it could be claimed.

[Deuteronomy 22:4](#) “You shall not see your brother's donkey or his ox fall down along the road, and hide yourself from them; you shall surely help him lift *them* up again.

If you are first on the scene, you can't just drive on by, thinking someone else will stop and help.

[Deuteronomy 22:5](#) “A woman shall not wear anything that pertains to a man, nor shall a man put on a woman's garment, for all who do so *are* an abomination to the Lord your God.

Some have taken this command to be the “proof-text”

against women wearing pants; some Christian sects command that women wear only dresses. Yet, this is not a command against women wearing a garment that in some ways might be common between men and women; it is a command against dressing in a manner which deliberately blurs the lines between the sexes.

In Old Testament times, men and women wore clothing that was superficially similar - long robes and wrapping garments were common for both sexes. Yet, the specific types of garments and the way in which they were worn made a clear distinction between the sexes, and this command instructs God's people to respect those distinctions.

Deuteronomy 22:6 "If a bird's nest happens to be before you along the way, in any tree or on the ground, with young ones or eggs, with the mother sitting on the young or on the eggs, you shall not take the mother with the young;
Deuteronomy 22:7 you shall surely let the mother go, and take the young for yourself, that it may be well with you and *that* you may prolong *your* days.

It is important that we care for animals. Proverbs 12:10 says, [A righteous man regards the life of his animal...](#) This doesn't mean you can't eat them! It just means you should exercise wise and merciful stewardship.

Remember, too – Jeffrey Dahmer started off by being cruel to animals.

Deuteronomy 22:8 "When you build a new house, then you shall make a parapet for your roof, that you may not bring guilt of bloodshed on your household if anyone falls from it.

OSHA was thus established! Safety first! This verse has great devotional application, in the sense of you building a railing around your house, rules and regulations lovingly laid down, to keep your kids from falling.

Deuteronomy 22:9 "You shall not sow your vineyard with different kinds of seed, lest the yield of the seed which you have sown and the fruit of your vineyard be defiled.

Deuteronomy 22:10 "You shall not plow with an ox and a donkey together.

Deuteronomy 22:11 "You shall not wear a garment of different sorts, *such as* wool and linen mixed together.

These were practical... But also pictorial:

1. Don't mix anything with the seed of God's Word.
2. Don't be unequally yoked in service, or in marriage, or in business.
3. Don't mix unrighteousness and wordliness with your walk.

Deuteronomy 22:12 "You shall make tassels on the four corners of the clothing with which you cover *yourself*."

The tassels were suggested back in Numbers 15, as constant reminders to obey the Lord. Witness wear! The Jews in Jesus' day had taken this too far, greatly enlarging the tassels to appear more spiritual.

The rest of the chapter deals with chastity.

Deuteronomy 22:13 "If any man takes a wife, and goes in to her, and detests her,

Deuteronomy 22:14 and charges her with shameful conduct, and brings a bad name on her, and says, 'I took this woman, and when I came to her I found she was not a virgin,'

Deuteronomy 22:15 then the father and mother of the young woman shall take and bring out *the evidence* of the young woman's virginity to the elders of the city at the gate.

Deuteronomy 22:16 And the young woman's father shall say to the elders, 'I gave my daughter to this man as wife, and he detests her.

Deuteronomy 22:17 Now he has charged her with shameful conduct, saying, "I found your daughter was not a virgin," and yet these *are the evidences* of my daughter's virginity.' And they shall spread the cloth before the elders of the city.

Deuteronomy 22:18 Then the elders of that city shall take that man and punish him;

Deuteronomy 22:19 and they shall fine him one hundred *shekels* of silver and give *them* to the father of the young woman, because he has brought a bad name on a virgin of Israel. And she shall be his wife; he cannot divorce her all his days.

Deuteronomy 22:20 "But if the thing is true, *and evidences* of virginity are not found for the young woman,

Deuteronomy 22:21 then they shall bring out the young woman to the door of her father's house, and the men of her city shall stone her to death with stones, because she has done a disgraceful thing in Israel, to play the harlot in her father's house. So you shall put away the evil from among you.

The test is commonly thought to be the presence of blood on the sheets, on the wedding night – showing the girl was still a virgin. This is a practice in some cultures – to bring out the bedsheets, with blood on them. *Virginity* could be translated *adolescence*. The tokens would be evidence that the bride had been having her regular monthly cycle during the engagement, and was not pregnant at the time of the marriage. The Jews were fond of long engagements, at least nine months, for just that reason!

Deuteronomy 22:22 “If a man is found lying with a woman married to a husband, then both of them shall die - the man that lay with the woman, and the woman; so you shall put away the evil from Israel.

Adultery was considered a capital offense. This verse is interesting in light of the case of the woman caught in adultery, in John Chapter Eight. The men who brought her before Jesus, demanding her death by stoning, said they had caught her in the very act... If so, where was the man? And why wasn't he brought?

Deuteronomy 22:23 “If a young woman *who is* a virgin is betrothed to a husband, and a man finds her in the city and lies with her,

Deuteronomy 22:24 then you shall bring them both out to the gate of that city, and you shall stone them to death with stones, the young woman because she did not cry out in the city, and the man because he humbled his neighbor's wife; so you shall put away the evil from among you.

Deuteronomy 22:25 “But if a man finds a betrothed young woman in the countryside, and the man forces her and lies with her, then only the man who lay with her shall die.

Deuteronomy 22:26 But you shall do nothing to the young woman; *there is* in the young woman no sin *deserving* of death, for just as when a man rises against his neighbor and kills him, even so *is* this matter.

Deuteronomy 22:27 For he found her in the countryside, *and* the betrothed young woman cried out, but *there was* no one to save her.

I want to remind you that these laws are guidelines that provide principles. For example: Let's say the woman didn't scream because she was terrified, or threatened. In other words, she was a victim. So I would tend to see this section as teaching the Elders to discern between rape and consensual sex. That, too, can be difficult; but it involves more than just screaming versus not screaming.

Deuteronomy 22:28 “If a man finds a young woman *who is* a virgin, who is not betrothed, and he seizes her and lies with her, and they are found out,
Deuteronomy 22:29 then the man who lay with her shall give to the young woman’s father fifty *shekels* of silver, and she shall be his wife because he has humbled her; he shall not be permitted to divorce her all his days.

This was a case of rape, *not* consensual sex, with a woman not yet betrothed. Sometimes we try to force couples into marriage, simply because they’ve had sex. Sex is not the equivalent of marriage. Premarital sex is sin, not an engagement.

Deuteronomy 22:30 “A man shall not take his father’s wife, nor uncover his father’s bed.

It’s sad that the law has to sometimes be so specific, but it reveals the wickedness of the human heart.

Chapter Twenty-Three...

...begins with a discussion of certain people who were restricted or outright prohibited from what is called [the assembly of the Lord](#).

There is some evidence, in the words used, that [the assembly of the Lord](#) refers to the offices of leadership, like being an Elder. It’s similar to the background checks that go on when the President chooses a cabinet member – then things are discovered to disqualify the person.

Deuteronomy 23:1 “He who is emasculated by crushing or mutilation shall not enter the assembly of the Lord.

Deuteronomy 23:2 “One of illegitimate birth shall not enter the assembly of the Lord; even to the tenth generation none of his *descendants* shall enter the assembly of the Lord.

Deuteronomy 23:3 “An Ammonite or Moabite shall not enter the assembly of the Lord; even to the tenth generation none of his *descendants* shall enter the assembly of the Lord forever,

Deuteronomy 23:4 because they did not meet you with bread and water on the road when you came out of Egypt, and because they hired against you Balaam the son of Beor from Pethor of Mesopotamia, to curse you.

Deuteronomy 23:5 Nevertheless the Lord your God would not listen to Balaam, but the Lord your God turned the curse into a blessing for you, because the Lord your God loves you.

Deuteronomy 23:6 You shall not seek their peace nor their prosperity all your days forever.

Deuteronomy 23:7 “You shall not abhor an Edomite, for he *is* your brother. You shall not abhor an Egyptian, because you were an alien in his land.

Deuteronomy 23:8 The children of the third generation born to them may enter the assembly of the Lord.

Why were eunuchs excluded? God’s covenant with Israel was vitally connected with the idea of the *seed*, and emasculation is a “crime” against the seed of man. Additionally, most eunuchs were made to be so in pagan ceremonies where they would be dedicated to pagan gods.

Isn’t it fascinating, in light of this, that so often the priests of a particular religion are called upon to live a life of celibacy? It seems just the opposite of what God intended!

It is difficult to define exactly what is meant by the term *of illegitimate birth*. Some later Jewish writers defined this as someone who was born of an incestuous relationship between Jews; others said it refers to those born of mixed marriages between the people of Israel and their pagan neighbors.

Deuteronomy 23:9 “When the army goes out against your enemies, then keep yourself from every wicked thing.

Great verse for the guys in the military, to avoid the perils and pitfalls of port.

Deuteronomy 23:10 If there is any man among you who becomes unclean by some occurrence in the night, then he shall go outside the camp; he shall not come inside the camp.

Deuteronomy 23:11 But it shall be, when evening comes, that he shall wash with water; and when the sun sets, he may come into the camp.

Deuteronomy 23:12 “Also you shall have a place outside the camp, where you may go out;

Deuteronomy 23:13 and you shall have an implement among your equipment, and when you sit down outside, you shall dig with it and turn and cover your refuse.

Deuteronomy 23:14 For the Lord your God walks in the midst of your camp, to deliver you and give your enemies over to you; therefore your camp shall be holy, that He may see no unclean thing among you, and turn away from you.

God was in the midst of His army, and these rules of personal

hygiene helped to remind everyone. They may have been great from a standpoint of health; but they were more to the point of remembering God was in your midst.

Here's a weird one: Some ancient rabbis taught that the holy city of Jerusalem should be considered "the camp of the LORD." Under this reasoning, one had to go outside the camp to relieve one's self. However, for many people, the trip outside the large "camp" of Israel (the city of Jerusalem) was longer than what would be permitted on the Sabbath. Therefore, as a practical matter, **the rabbis prohibited Jews from relieving themselves on the Sabbath day.**

Deuteronomy 23:15 "You shall not give back to his master the slave who has escaped from his master to you.

Deuteronomy 23:16 He may dwell with you in your midst, in the place which he chooses within one of your gates, where it seems best to him; you shall not oppress him.

We criticize slavery in Israel – forgetting it was a voluntary, indentured slavery, and that slaves were freed every seven years, or that they sometimes volunteered to remain bondslaves. Here we see that Israel was a safe haven for foreign, escaped slaves – from nations that oppressed slaves cruelly.

Deuteronomy 23:17 "There shall be no *ritual* harlot of the daughters of Israel, or a perverted one of the sons of Israel.

Deuteronomy 23:18 You shall not bring the wages of a harlot or the price of a dog to the house of the Lord your God for any vowed offering, for both of these are an abomination to the Lord your God.

Dog was slang for a male prostitute. Technically, these verses describe ritual, religious prostitution. But I think it's clear that regular, ordinary prostitution is wrong as well. Don't argue about whether or not prostitution should be legalized, because it is between consenting adults. Consent doesn't make anything holy. It is a perversion in God's estimation.

Deuteronomy 23:19 "You shall not charge interest to your brother - interest on money or food or anything that is lent out at interest.

Deuteronomy 23:20 To a foreigner you may charge interest, but to your brother you shall not charge interest, that the Lord your God may bless you in all to which you set your hand in the land which you are entering to possess.

It should be a blessing to do business with believers, and you should cut each other a break. Sadly, *it is often better to do business with an unbeliever!*

Deuteronomy 23:21 “When you make a vow to the Lord your God, you shall not delay to pay it; for the Lord your God will surely require it of you, and it would be sin to you.

Deuteronomy 23:22 But if you abstain from vowing, it shall not be sin to you.

Deuteronomy 23:23 That which has gone from your lips you shall keep and perform, for you voluntarily vowed to the Lord your God what you have promised with your mouth.

You don’t have to make any promises to God. But if you do, you are expected to perform them.

Deuteronomy 23:24 “When you come into your neighbor’s vineyard, you may eat your fill of grapes at your pleasure, but you shall not put *any* in your container.

Deuteronomy 23:25 When you come into your neighbor’s standing grain, you may pluck the heads with your hand, but you shall not use a sickle on your neighbor’s standing grain.

There were no *In-N-Out*’s, so travelers ate grain and fruit from the fields along the way. You couldn’t stock-up, but you could eat a reasonable portion.

Conclusion

Busy day in court! It will get busier, in Chapter Twenty-four, when we get into divorce court.

Stay out of court; love God with all your heart, mind, soul, and strength. And love your neighbor as yourself.

