

Deuteronomy 19 - Cities of Refuge; The Goel

II. Second sermon: What Israel must do for God (Deut 4:41—26:19)

(3) Exposition of the Decalogue (Deut 12:1—25:19)

(F) Laws arising from the sixth Commandment (Deut 19:1—22:14)

(a) Protection of those committing manslaughter (19:1-13)

(b) Prohibition against moving boundaries (19:14)

(c) Prohibition against malicious witnesses (19:15-21)

Deuteronomy 19

(F) Laws arising from the sixth Commandment (Deut 19:1—22:14)

(a) Protection of those committing manslaughter (19:1-13)

1 "When the LORD your God cuts off the nations whose land the LORD your God is giving you, and you dispossess them and settle in their cities and in their houses,

1 "When the LORD your God cuts off the nations, whose land the LORD your God gives you, and you dispossess them and settle in their cities and in their houses,

1 "When the LORD your God destroys those nations whose lands he is about to give you, you must dispossess them and live in their cities and houses.

1 When the LORD thy God hath cut off the nations, whose land the LORD thy God giveth thee, and thou succeedest them, and dwellest in their cities, and in their houses;

2 you shall set aside for yourself three cities in the midst of your land which the LORD your God is giving you to possess.

2 you shall set aside three cities for yourself in the midst of your land, which the LORD your God gives you to possess.

2 You must reserve three cities within the land that the LORD your God is about to give you to possess.

2 Thou shalt separate three cities for thee in the midst of thy land, which the LORD thy God giveth thee to possess it.

3 You shall prepare the roads for yourself, and divide into three regions the territory of your land which the LORD your God will give you as an inheritance, so that anyone who commits manslaughter may flee there.

3 You shall prepare the roads for yourself, and divide into three parts the territory of your land which the LORD your God will give you as a possession, so that any manslayer may flee there.

3 Build roads throughout the land that the LORD your God is providing as an inheritance, and then divide it into three districts so that any killer may flee there.

3 Thou shalt prepare thee a way, and divide the coasts of thy land, which the LORD thy God giveth thee to inherit, into three parts, that every slayer may flee thither.

Three Cities of Refuge for Manslaughter (v1-13)

Moses had previously set aside three cities in the Trans-jordan (4:41-43). Since he knew that the Lord would not let him cross the Jordan River and enter the Promised Land with Israel, he now instructed the nation to set aside three more cities of refuge in accord with God's original instructions (Num 35:9-34). The cities of refuge were to be equally spaced throughout the land (build roads to them and divide into three parts the land) so that they might be easily reached by anyone who kills a man. The word translated "kills" (*rasòahò*; Cf. Ex 20:13) means "to take life without legal sanction." It could refer to murder when life was taken intentionally or to manslaughter done unintentionally. Forty-eight cities were assigned to the Levites: 13 were for the family of Aaron; 9 were in Judah; 4 were in Benjamin; and, 6 were cities of refuge. The Levitical cities were to have a space of 1,000 cubits (583 yards) beyond the city walls for pasture and other purposes (Num 35:4-5). Their sacred boundary was a square, having its four angles at the four cardinal points (Palestine Exploration Quarterly, Oct. 1874).

Cities of Refuge

- Kedesh (Naphtali) - righteousness (we never can be accused again)
- Shechem (Mt. Ephraim) - shoulder (like a shepherd, He carries us...)
- Hebron (Judah) - fellowship (we enter into fellowship with Him)
- Bezer (Reuben) - fortress; strong (He is our fortress; we are safe)
- Ramoth (Gad) - heights (we dwell in the heights, even though...)
- Golan (Manasseh) - exile (...we are exiles, pilgrims, strangers to this world)

The cities on each side of the Jordan were nearly opposite one another (Deut 19:2; Num 35:6,13,15; Joshua 20:2,7,9). See map above. If manslayers had been driven out of the country as among the Greeks, they would have been exposed to the temptation of worshipping strange gods (1 Sam 26:19).

Everything was to be done to facilitate the flight of the manslayer, lest the avenger of blood; i.e., the *Goel*, nearest of kin, should pursue him with hot heart, and, overtaking him, should smite him mortally. Upon reaching the city he was to be received by the elders and

his case heard. If this was satisfactory, they gave him asylum until a regular trial could be carried out.

They then took him to the city or district from which he had fled, and there, among those who knew him, witnesses were examined. If it were proved that he was not a willful slayer, that he had no grudge against the person killed, and had shown no sign of purpose to injure him, then he was declared innocent and conducted back to the city in which he had taken refuge, where he must stay until the death of the high priest. Then he was free to return home in safety. Until that event he must on no account go beyond the city boundaries. If he did, the avenger of blood might slay him without blame. On the other hand, if he were found guilty of deliberate murder, there was no more protection for him. He was handed over to the avenger of blood who, with his own hand, took the murderer's life.

4 "Now this is the case of the one who commits manslaughter, who may flee there and live: when he kills his friend unintentionally, not hating him previously—

4 "Now this is the case of the manslayer who may flee there and live: when he kills his friend unintentionally, not hating him previously—

4 "Now this is the situation for any killer who flees there to live: suppose he strikes his friend unwittingly, not having hated him previously.

4 And this is the case of the slayer, which shall flee thither, that he may live: Whoso killeth his neighbour ignorantly, whom he hated not in time past;

5 as when *a person* goes into the forest with his friend to cut wood, and his hand swings the axe to cut down the tree, and the iron *head* slips off the handle and strikes his friend so that he dies—he may flee to one of these cities and live.

5 as when *a man* goes into the forest with his friend to cut wood, and his hand swings the axe to cut down the tree, and the iron *head* slips off the handle and strikes his friend so that he dies—he may flee to one of these cities and live;

5 For instance, he may have accompanied his friend to go to a forest to cut trees. Then he swung his axe to cut some wood, but the ax head flew off the handle and hit his friend, so that he died. The killer may flee to one of these cities to live.

5 As when a man goeth into the wood with his neighbour to hew wood, and his hand fetcheth a stroke with the axe to cut down the tree, and the head slippeth from the helve, and lighteth upon his neighbour, that he die; he shall flee unto one of those cities, and live:

- These cities were to be "set aside" (v2) to prevent any further calamity from arising from a tragic situation

- Only a person who killed his neighbor unintentionally, without malice (v4) could flee to one of these cities and save his life

— These cities offered protection from an avenger of blood

- The word translated “avenger of blood” is was essentially a “family protector”
- He was a “near kinsman” responsible for redeeming (buying) a relative out of slavery (Lev 25:48-49), for redeeming a relative’s property (Lev 25:26-33), for marrying a relative’s widow and raising up children in the name of the deceased (Ruth 3:13; 4:5-10), and for avenging the death of a relative (Num 35:19-28)

The Goel (Ruth 2-4)

The Kinsman-Redeemer redeems the land inheritance and performs the Leverite Marriage. He must be: a kinsman, willing, able to assume all obligations of the beneficiary, and be the Avenger of Blood.

6 Otherwise, the avenger of blood might pursue him in the heat of his anger, and overtake him because the way is long, and take his life, though he was not sentenced to death since he had not hated him previously.

6 otherwise the avenger of blood might pursue the manslayer in the heat of his anger, and overtake him, because the way is long, and take his life, though he was not deserving of death, since he had not hated him previously.

6 Since hile the distance may be great, the angry avenger may overtake the killer he is pursuing and kill him, in which case there will be no justice in his death, because he did not hate his friend previously.

6 Lest the avenger of the blood pursue the slayer, while his heart is hot, and overtake him, because the way is long, and slay him; whereas he was not worthy of death, inasmuch as he hated him not in time past.

7 Therefore I command you, saying, ‘You shall set aside for yourself three cities.’

7 Therefore, I command you, saying, ‘You shall set aside three cities for yourself.’

7 Therefore I am commanding you to reserve⁸ three cities.”

7 Wherefore I command thee, saying, Thou shalt separate three cities for thee.

- One who killed his neighbor unintentionally (e.g., by an ax head that accidentally flew off the handle and hit and killed his neighbor) had to stay in the city of refuge until the death of the current high priest

- The elders of that city were obligated to protect him from the avenger of blood (Num 35:25)

- If the person guilty of manslaughter left the city before the high priest’s death, the avenger could kill him “without being guilty of murder” (Num 35:27)

- The cities of refuge taught Israel how important life is to God

— Even though a man had killed his neighbor accidentally, he still had to give up a large measure of his freedom for an extended period of time

8 "And if the LORD your God enlarges your territory, just as He has sworn to your fathers, and gives you all the land that He promised to give your fathers—

8 "If the LORD your God enlarges your territory, just as He has sworn to your fathers, and gives you all the land which He promised to give your fathers—

8 "Now if the LORD enlarges your territories just as he promised your ancestors and gives you all the land that he promised,

8 And if the LORD thy God enlarge thy coast, as he hath sworn unto thy fathers, and give thee all the land which he promised to give unto thy fathers;

9 if you carefully follow all of this commandment which I am commanding you today, to love the LORD your God, and to walk in His ways always—then you shall add three more cities for yourself, besides these three.

9 if you carefully observe all this commandment which I command you today, to love the LORD your God, and to walk in His ways always—then you shall add three more cities for yourself, besides these three.

9 and if you are careful to observe all these commands that I am commanding you today—to love the LORD your God and to walk daily in his ways—then add three more cities in addition to these three cities.

9 If thou shalt keep all these commandments to do them, which I command thee this day, to love the LORD thy God, and to walk ever in his ways; then shalt thou add three cities more for thee, beside these three:

- If the Israelites had been faithful in following the Lord, He would have enlarged their territory to the boundaries promised in the Abrahamic Covenant (Gen 15:18-21)

- In that case three more cities, a total of nine, would have been needed to prevent the land from being defiled with innocent blood

The plural of these laws is literally, "this command." By using the singular Moses was emphasizing the unity of the Law; it is all one and to be obeyed in its entirety. But he also was pointing to the fundamental requirement of the Law; namely, to love the Lord your God. The Law was given so that Israel might have a means to express her love for Him. In the Church Age Christians express their love for the Lord by obeying Jesus' commands (John 14:21)

10 So innocent blood will not be shed in the midst of your land which the LORD your God is giving you as an inheritance, and guilt for bloodshed will *not* be on you.

10 So innocent blood will not be shed in the midst of your land which the Lord your God gives you as an inheritance, and bloodguiltiness be on you.

10 You must not shed innocent blood on your land that the LORD your God is about to give you as an inheritance. Otherwise, you'll be guilty of murder."

10 That innocent blood be not shed in thy land, which the LORD thy God giveth thee for an inheritance, and so blood be upon thee.

11 "But if there is a person who hates his neighbor, and waits in ambush for him and rises up against him and strikes him so that he dies, and he flees to one of these cities,

11 "But if there is a man who hates his neighbor and lies in wait for him and rises up against him and strikes him so that he dies, and he flees to one of these cities,

11 "However, if a person hates his neighbor, lies in wait for him, rises up against him, and attacks him so that he dies, and then he flees to one of those cities,

11 But if any man hate his neighbour, and lie in wait for him, and rise up against him, and smite him mortally that he die, and fleeth into one of these cities:

12 then the elders of his city shall send *men* and take him from there, and hand him over to the avenger of blood, so that he may die.

12 then the elders of his city shall send and take him from there and deliver him into the hand of the avenger of blood, that he may die.

12 then the elders of his own city shall send for him, remove him from there, and deliver him to the related avenger for execution.

12 Then the elders of his city shall send and fetch him thence, and deliver him into the hand of the avenger of blood, that he may die.

13 You shall not pity him, but you shall eliminate the guilt for the bloodshed of the innocent from Israel, so that it may go well for you.

13 You shall not pity him, but you shall purge the blood of the innocent from Israel, that it may go well with you.

13 Have no pity on him, but totally purge the shedding of innocent blood from Israel so that life may go well with you."

13 Thine eye shall not pity him, but thou shalt put away the guilt of innocent blood from Israel, that it may go well with thee.

- A city of refuge could not provide sanctuary for a murderer. He was to be returned to his town and killed by the avenger of blood (see comments on v6).

- If the nation was to prosper under God's blessing Israel could not show the murderer pity. This sin of shedding innocent blood was to be purged from the nation.

(b) Prohibition against moving boundaries (19:14)

14 "You shall not displace your neighbor's boundary marker, which the ancestors have set, in your **inheritance** which you will inherit in the land that the LORD your God is giving you

to possess.

14 "You shall not move your neighbor's boundary mark, which the ancestors have set, in your inheritance which you will inherit in the land that the Lord your God gives you to possess.

14 "When you inherit the land that the LORD your God is about to give you, don't move your neighbor's boundary marker from where it was placed long ago."

14 Thou shalt not remove thy neighbour's landmark, which they of old time have set in thine inheritance, which thou shalt inherit in the land that the LORD thy God giveth thee to possess it.

- "...inheritance" - the Promised Land was Israel's inheritance (not a "type" of heaven"); Cf. Deut 15:4; 25:19; 26:1

- It is not clear why Moses placed this law about the boundary stone between the legislation about the cities of refuge (v1-13) and the false witnesses (v15-21)

- Moving a neighbor's boundary stone was equivalent to stealing his property

— According to extra-biblical literature this was a widespread problem in the ancient Near East (Cf. Job 24:2)

— Apparently it became widespread in Israel (Deut 27:17; Prov 22:28; 23:10; Hosea 5:10)

(c) Prohibition against malicious witnesses (19:15-21)

15 "A single witness shall not rise up against a person regarding any wrongdoing or any sin that he commits; on the testimony of two or three witnesses a matter shall be confirmed.

15 "A single witness shall not rise up against a man on account of any iniquity or any sin which he has committed; on the evidence of two or three witnesses a matter shall be confirmed.

15 "The testimony of one person alone is not to suffice to convict anyone of any iniquity, sin, or guilt. But the matter will stand on the testimony of two or three witnesses.

15 One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two witnesses, or at the mouth of three witnesses, shall the matter be established.

- Moses laid down the principle that more than one witness was necessary to convict a man of a crime (Cf. 17:6)

— This principle was to act as a safeguard against a false witness who might bring an untruthful charge against a fellow Israelite because of a quarrel or out of some other impure motive

— By requiring more than one witness—at least two or three—greater accuracy and objectivity was effected (Cf. Christ's trials...)

16 If a malicious witness rises up against a person to testify against him of wrongdoing,

16 If a malicious witness rises up against a man to accuse him of wrongdoing,
16 When a malicious witness takes the stand against a man and accuses him,
16 If a false witness rise up against any man to testify against him that which is wrong;

17 then both people who have the dispute shall stand before the LORD, before the priests and the judges who will be *in office* in those days.

17 then both the men who have the dispute shall stand before the LORD, before the priests and the judges who will be *in office* in those days.

17 then both must stand with their dispute in the LORD's presence, the priests, and the judges at that time.

17 Then both the men, between whom the controversy is, shall stand before the LORD, before the priests and the judges, which shall be in those days;

18 And the judges shall investigate thoroughly, and if the witness is a false witness *and* he has testified against his brother falsely,

18 The judges shall investigate thoroughly, and if the witness is a false witness *and* he has accused his brother falsely,

18 The judges will investigate thoroughly. If the false witness lies in testifying against his relative,

18 And the judges shall make diligent inquisition: and, behold, if the witness be a false witness, and hath testified falsely against his brother;

- Inevitably in some cases there would be only one witness. A single witness still was obligated to bring a charge against the offender. However, such a case would be taken to the central tribunal of priests and judges (Cf. 17:8-13) for trial.

- If on investigation the testimony was found to be false then the accuser (a malicious witness, 19:16, and a liar, v18) received the punishment appropriate for the alleged crime

- When the fate of the false witness became known in Israel it would serve as a great deterrent against giving false testimony in Israel's courts

— Violating the ninth commandment (Ex 20:16) was another evil to be purged from the nation (Cf. Deut 19:13 and see comments on 13:5)

- Modern sociological theories which maintain that capital punishment does not deter crime contradict the Biblical understanding of human nature

19 then you shall do to him just as he had planned to do to his brother. So you shall eliminate the evil from among you.

19 then you shall do to him just as he had intended to do to his brother. Thus you shall purge the evil from among you.

19 do to him just as he intended to do to his relative. By doing this you will purge evil from your midst.

19 Then shall ye do unto him, as he had thought to have done unto his brother: so shalt thou put the evil away from among you.

20 And the rest of *the people* will hear and be afraid, and will never again do such an evil thing among you.

20 The rest will hear and be afraid, and will never again do such an evil thing among you.

20 When others hear of this, they will be afraid and will not do such an evil deed again in your midst.

20 And those which remain shall hear, and fear, and shall henceforth commit no more any such evil among you.

21 So you shall not show pity: life for life, eye for eye, tooth for tooth, hand for hand, and foot for foot.

21 Thus you shall not show pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

21 Your eyes must not show pity—life for life, eye for eye, tooth for tooth, hand for hand, and foot for foot."

21 And thine eye shall not pity; but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

Lex Talionis

The law of retribution, known in Latin as the *lex talionis*, was previously given in Ex 21:23-25 and Lev 24:17-22. This law was given to encourage appropriate punishment of a criminal in cases where there might be a tendency to be either too lenient or too strict. The law codes of the ancient Near East did provide for the maiming of a criminal (e.g., gouging out an eye, cutting off a lip, etc.). With one exception (Deut 25:11-12) Israelite law did not explicitly allow such mutilation. Apart from this one instance, therefore, only the first part of this law, life for life, was applied to indicate that punishment ought to fit the crime (punishment in kind). Thus a slave who lost his eye was freed (Ex 21:26). The *lex talionis* also served as a restraint in cases where the punisher might be inclined to be excessive in administering punishment. Jesus did not deny the validity of this principle for the courtroom, but He denied its usage in personal relationships (Matt 5:38-42). There should be no personal retaliation or revenge.

Law is law—we have developed such a careless attitude about it today—but God enforces His Law. It was eye for eye, tooth for tooth. How I thank God that Jesus Christ paid the penalty of the Law so that there is pardon for sinners. The throne of God has become a

mercy seat because Christ died and His blood has been sprinkled there—and that's the blood of the covenant. God saves us by His grace. We have not kept the Law; we have broken it. We are all guilty before God. Christ paid the penalty; so the requirements of the Law have been fulfilled.