

DEUTERONOMY

Lesson 24 - Chapters 19 and 20

We finished chapter 18 last week which completed the section of Deuteronomy that described the 4 main types of human governmental authorities that God ordained to rule over Israel: kings, prophets, judges, and priests. As we begin chapter 19 today we enter a 3-chapter section that will deal with matters that fall under the control of these various government authorities.

Turn your Bibles to Deuteronomy chapter 19.

READ DEUTERONOMY CHAPTER 19 all

The chapter begins with the words, ***“WHEN the Lord your God has cut off the nations whose land the Lord your God is giving to you.....”*** This gives me an opportunity to remind you of something that we haven’t discussed for a while and it is critical to our understanding of Deuteronomy. What this first verse is bringing to mind is that even though it is the 600,000-man army of Israel that is about to enter into battle to conquer the Land of Canaan, this is actually the Lord’s war. Therefore whereas a general of an army might promise his people that HE was going to lead the army into battle and see to it that their enemy was defeated, here Yehoveh assumes the role as the one who leads the Hebrew army into battle and states as much by saying, “when the ***Lord your God*** (as the leader of the army) has cut off (defeated) the nations.....” It is God who is making war, not the people of Israel. And since a Holy God is initiating this war it is by definition a Holy War. And, since it is a Holy War there are certain rules of holy warfare that God lays down that are quite different from normal and typical human warfare such as we faced in WWII, Korea, Viet Nam, and now Iraq.

But what is Holy War? In our generation we think of a Holy War as either something from 900 years in our past (the Crusades) or something that we are currently defending ourselves from: Islamic Jihad (Islamic Holy War against Jews and Christians). Let me assure you that neither represents Biblically true Holy War. Real Holy War is entirely Biblical and Holy War is what Israel is about to wage on God’s behalf as they approach the Promised Land led by Moses and then later by his protégé Joshua.

But let me also tell you what Holy War is NOT; Holy War, from a Biblical standpoint, is not about spreading the religion. It is not about forcing those of a different belief system into adopting yours. One of the earliest principles of the Hebrew religion was that submission to it was to be completely voluntary and thus the concept of proselytizing (that has become so central to Christianity) was not practiced by Israel.

We'll talk about this some more at the appropriate time but please grasp that a Holy War is a war that God starts and finishes according to His will. Our Revolutionary War was not a Holy War; some folks who wanted to be free from a king started it. WWII was not a Holy War; the Japanese and the Germans started it and other nations responded. The Crusades was not actually a series of Holy Wars even though many called it so; some Catholic Popes and some European noblemen started it and simply attached God's name to it (though to be sure these WERE wars about religion). The Bible only discusses TWO true Holy Wars and I'm assuming that these two are all there will ever be in all of history: the Holy War for the conquest of Canaan, and the Holy War for planet earth that as late has come to be called the Battle of Armageddon. Also understand that (so far as we know) the men and women of Israel didn't have anything personally against any of the Canaanite nations, and generally speaking none of the Canaanite nations had anything personal against Israel. Up to this point these nations were not historical antagonists. This whole thing was on God. The God of Israel declared that the residents of Canaan were His enemies, and that the land they occupied was His land that He had set apart for occupation by His chosen people, Israel, and it was time for it to be turned it over to Israel. And that He would achieve this goal by means of warfare if need be (and it was). Israel's army was but God's earthly instrument of wrath and destruction upon a people, Canaan, that the Lord concluded was wicked and deserving of annihilation. Let me put this another way: Israel did not have an inherent anger or hatred toward the peoples of Canaan, and Canaan did not have a pent-up anger or hatred toward the people of Israel; up to now neither had harmed or threatened the other.

This realization goes a long way in helping us to understand both Israel's reluctance to want to go to war with the various peoples who lived in Canaan in the first place, and Joshua's bent towards making peace treaties with the diverse city-states of Canaan rather driving them out or killing them if they refused to accept Israel's rule over them and prohibition against continuing to worship their false gods (as God instructed Israel to do).

Yehoveh says that once His Holy War is concluded with victory and His chosen people Israel are living in those formerly Canaanite cities and towns, the leaders of Israel are to set aside 3 of those captured cities as designated cities of refuge (also called sanctuary cities). Here is yet another case of God dividing, electing and separating (one of His fundamental divine principles). Let's be clear: some time earlier Moses had been instructed to set up 3 cities of refuge in the Transjordan region which Israel now possessed and from which Israel would launch its attack on Canaan (the Transjordan is that land on the EAST side of the Jordan River). These 3 cities mentioned here in verse 2 are to be established as the first 3 sanctuary cities located on the WEST bank of the Jordan River and they are to be carefully chosen so

that (as it says in verse 3) they each serve about 1/3 rd of the Holy Land. The idea is that the sanctuary cities will be centrally located such that a Hebrew needing to go to one of these cities for protection doesn't have to travel too far and can get there quickly before the Blood Avenger can catch him.

We have read in the past that 48 Levitical cities are to be established throughout the 12 tribal territories that make-up the Israelite confederacy; these 3 cities on the west side and the previously established 3 cities on the east side of the Jordan comprise 6 of those planned 48 Levitical cities. But these 6 cities have a unique purpose; they are a place where a person who has killed someone might flee and avoid being killed in retribution by that dead person's relatives. These 6 cities were safe zones and the killer would be protected by the Levites who owned and governed those cities. But there was a caveat; the killer had to have killed without intention to kill. We call this kind of act manslaughter. Verse 5 even goes so far as to give a definite example of the kind of killer that rightfully belongs within the walls of a city of refuge; a man swings an axe to cut down a tree, the axe head accidentally comes loose and flies off, and an innocent bystander is struck and killed.

The man who swung the axe is unlikely to receive understanding from the relatives of the mortally wounded innocent bystander. It was simply traditional Middle Eastern culture of that day (and in many areas of the Middle East it is still so) that a person who is responsible for the death of another under ANY circumstance must in turn be hunted down and killed by the deceased's survivors. Not to do so was a terrible slight on the life of the departed. The relative whose duty it is to find and kill the perpetrator is called a **blood avenger**; in Hebrew he is the **go'el**, or better the **goel hadam** (the redeemer of the blood). The 6 cities of refuge the Lord provided for Israel were an answer for this patently unfair and unreasonable custom of blood revenge for even accidental killing. The idea was that the killer would immediately run for one of the sanctuary cities upon killing somebody; if he made it, he was safe. Therefore we discussed the concern that the 6 cities of refuge be fairly evenly spread out and accessible. However IF the blood avenger caught the killer before he made it to safe sanctuary it was perfectly legal for that blood avenger to kill him. Yes, it is an interesting fact that while we find a law giving the unintentional killer a safe haven we do NOT find a law that restrains the blood avenger from killing the man if he can get to him before he arrives at the city of refuge.

In verse 8 the time is contemplated when the Lord will enlarge Israel's territorial holdings and when He does 3 additional cities of refuge are to be established bringing the total to 9. By the way there is no evidence that the final 3 cities of refuge were ever put into operation. This ends the first case this chapter discusses, the case of the accidental killer.

The second case begins in verse 11 and it defines premeditated murder (intentional and unjust killing). This killer has no right to find safe haven in a city of refuge; rather the elders of the town he belongs to are to travel to the city of refuge (if he has escaped there, lied about the circumstances and so seeks refuge) and arrest him and turn him over to the family **goel**, the

blood avenger, who then legally executes the killer thus respecting the traditions and customs of that era. Although it is not stated, the reason that town elders are sent to make the arrest is because they are the officials who are authorized to investigate and try the case; and if they find it is indeed a case of murder then they will turn the murderer over to the blood avenger for justice OR if they find the killing was accidental they will return the killer to the sanctuary city.

There are a couple of important principles from prior teachings that are at the heart of this system of cities of refuge and blood avengers. First is the principle that intentional sins are not covered by the Levitical sacrificial system, and second is that any sin NOT covered by the sacrificial system requires the blood (the life) of the criminal trespasser as payment. I receive questions about this all the time so let me summarize this very briefly. IF a sin can be atoned for by means of an animal sacrifice (and the Torah defines which can and cannot), then other than for some additional kind of personal reparations paid to the victim the perpetrator can be forgiven by the Lord and by the community. BUT when there is a crime committed whereby the Law of Moses requires the execution of the perpetrator, then you have a crime for which no provision for substitutionary atonement is available. This crime falls outside the ability and purpose of the God-ordained sacrificial system to save you by means of atonement. Murder is such a crime as is idolatry. One cannot commit either of these crimes and then atone for them by means of an animal sacrifice. Instead the price is your own blood (that is, your own life).

Here's a good rule to remember about blood: only INNOCENT blood can atone for sin. I've heard a few teach that in the Bible era when a murderer has his blood spilled that to the Lord this is a form of atonement; not true. The blood of the guilty can NEVER atone. Blood spilling has two major aspects: one is that the blood of the GUILTY is required by God as reparation, a price to be paid to be paid to God for sin (the wages of sin is death). The other aspect is that the blood of the INNOCENT is required to atone for sins that the Lord has decided CAN be atoned for (thereby allowing the guilty person to live) So in an animal sacrifice the GUILT of the human sinner is symbolically transferred to, and laid upon, the sacrificial animal that is otherwise innocent. When that innocent animal's blood is spilled it serves BOTH as a **substitute** for the required payment to God of the blood (the life) of the GUILTY party, and it is the spilled blood of the innocent that is the means of atonement (that leads to forgiveness) for the guilty party.

The **goel** (the blood avenger) in God's economy is not doing anything wrong; he is simply acting as God's agent to satisfy God's justice of taking the life of the murderer as reparation, but at the same time no atonement (no forgiveness before the Lord) is possible because of the deliberate and high-handed nature of the sin. The good news for us is that Messiah Yeshua's blood CAN (generally speaking) make atonement even for the classification of sins called intentional sins that the sacrificial system was not designed to atone for. Yeshua is a safe haven (He is a city of refuge) from the blood avenger even for the premeditated murderer. That is why Christ's sacrifice is superior to the animal sacrifices. Of course this atonement of sins is not automatic. One must declare with their mouth and believe in their mind that Yeshua is Lord and Savior. In effect one is telling the Father that you are resting on the sacrifice of Yeshua to

atone for your sins, intentional or unintentional. Further there is another important requirement: you must confess and sincerely repent of your sins. One without the other is not effective. Interestingly this same requirement of sincere repentance was needed for the OT sacrificial system to be effective for a sinner as well.

I reviewed these principles of blood and sacrifice for this reason: the NT did NOT nullify the teaching of the OT in regard to the blood avenger. Listen to the writer of the NT book of Hebrews: ***^{NIV} Hebrews 10:26 If we deliberately keep on sinning after we have received the knowledge of the truth, no sacrifice for sins is left,²⁷ but only a fearful expectation of judgment and of raging fire that will consume the enemies of God.***

In the Levitical sacrificial system deliberate (intentional) sins had no means of atonement. And in the same pattern even though Yeshua **can** rescue us even from deliberate sins (that the sacrificial system could not), there comes a point when the Father determines that since we know the truth (that Jesus is Savior and we NEED to be saved), and we just keep right on sinning deliberately, our repentance cannot be sincere and therefore even Messiah's blood cannot atone for us. All that awaits us in that circumstance is judgment and the raging fire of our eternal destruction. God has always been the ultimate blood avenger.

Let me also take a moment to repeat something I've said on numerous occasions but invariably I'm confronted with after a lesson on the subject of blood and murder: the forgiveness that Yeshua makes available for us is of a spiritual nature. The idea is not that the earthly consequences for our actions are now canceled. It is wonderful beyond words that a perpetrator of a heinous crime can see their wrong, come to Messiah, repent and confess and change and trust God; but in no way does the Bible contemplate that this criminal avoid justice. A repentant Christian murderer must die. Otherwise, the entire community remains in his blood guilt because the Lord's justice was not carried out.

The Lord's justice system always has, and still does, consist of a spiritual and a physical component. Yeshua's sacrifice paid for the spiritual component of God's justice. The physical component of God's system of justice is supposed to be carried out through human government. Just as human government cannot provide spiritual atonement for a criminal, God's spiritual forgiveness does not provide for cancelation of the physical punishment due that same criminal no matter how spiritually repentant and forgiven he or she may be.

Two interesting things are said in verse 13 that concludes the matter of murder and the **goel**; 1st is that the murderer is to be shown no pity and second is that by executing the murderer the blood of the innocent victim will be purged from Israel. The point of saying "no pity" is that Yehoveh wants to make clear that a murderer is NEVER to be spared out of love or a feeling that the penalty is too harsh for the crime. The Lord understands that the murderer probably

has many people who love him. And He further understands that such love by a family or a community might cause them to have pity on him and commute his sentence; but this is completely forbidden. Why? Because of a never-changing God-principle that we have encountered in numerous Torah passages that the shedding of INNOCENT blood (a murder victim) creates blood guilt upon the entire community; and the blood guilt that rests upon the entire community is lifted ONLY when the perpetrator's GUILTY blood is shed in reparation. This provision has NEVER been annulled; we live with it even today. You see, what is at stake here is the carrying out of God's justice system.

Next Deuteronomy 19 takes a sharp turn and addresses two totally different subjects: boundary markers and the witnesses to crimes. Since time immemorial piles of stones were used to denote the boundary lines of real property; and verse 14 makes it a serious moral offense for a person to move the boundary markers of his neighbor's property so as to expand his own. What makes it so serious among Israel is that we have already had a law established that land was to remain within a family, clan, and tribe in perpetuity. The laws of the Sabbath year, and Jubilee, and the Kinsman Redeemer all had as their goal the return or retention of land to their original HEBREW owner. So for someone to move boundary markers (thereby taking a portion of someone else's land) was to defy the system God had established. This was a crime against the Lord far more than it was a crime against an individual.

Verse 15 sets up a fail-safe system meant to prevent wrongful conviction on the basis of either little to no evidence, or false or mistaken testimony. And provision number one is that the testimony of a single witness is not sufficient to convict the accused; two witnesses are required and this is NOT the ideal number, rather two is the minimum. However reality is that it DID happen that a single witness would come forward and make an accusation and this would spark an investigation and a trial. Witnesses performed several functions in the Biblical justice system; a witness often was the one who brought the charges in the first place. Or a witness could have been a person who had some pertinent knowledge about the case. Further a witness in a capital case was often the prime executioner (whether they wanted to be or not).

These next several verses deal with the matter of a FALSE witness. That is, a person who knowingly makes a false charge against someone or gives deliberately false testimony against the accused for any number of reasons. If the court (which typically consists of priests and appointed laymen) investigates and determines that the witness intentionally gave false testimony then the false witness was to bear the same punishment the accused person would have had to bear if he had been convicted on that false testimony! I love it! How many maliciously false police reports and lying witnesses do you suppose we'd have today if the person who lied and caused an innocent person to go to jail had to serve the same amount of time in jail as the crime they falsely reported required? This Biblical law went so far as to demand the death penalty for a witness who falsely and knowingly accused someone of a capital crime. Let me state clearly that in general this false testimony was by definition intentional lying not mistaken identity or simple error.

And as the reason for this rather harsh consequence for the false witness we have only to refer to God-pattern we've read over and over again: by doing to the false witness what he had schemed to do to his victim, others will be too afraid to try the same thing and **THUS** such evil things will not happen within the community any more! Wow, such common sense that today's social engineers and criminal justice system tries to tell us would **NEVER** work. We're told that harsh sentences for people who do such things only make society worse. God says, "No"; humans (being what we are) need a healthy fear to make us think twice about giving false testimony and His system works towards purging this kind of evil from society.

Chapter 19 ends with the formulation that scholars call ***lex talionis***. It is the classic eye for an eye, tooth for a tooth principle that has been so severely twisted and incorrectly applied for centuries. Notice that in this instance the principle is being directly applied to the crime of perjury; this is all about what to do to the false witness. This formula was not to be taken literally nor was it for the purpose of personal vengeance; it was an idiom. Mutilation as a punishment was strictly forbidden in God's Law; so if you poked somebody's eye out (even intentionally) never in the Law of Moses was that person allowed to poke your eye out in return. Rather it is a statement that put boundaries on the severity of punishment, as well as limits on the commutation of sentences. Basically the notion is that the punishment is to fit the crime; it is to be proportional. A person should not lose their land because they stole a goat. A person should not be beaten because he couldn't pay a monetary debt. And most importantly a person should not lose their life for a property crime or because they harmed, but didn't kill, another.

At the same time a person who committed premeditated murder was not to escape execution by means of paying a fine. Nor was a person who had intentionally maimed someone else able to give the injured party a paltry payment and call it even.

I want to say something now that we'll come back to later: the principle of ***lex talionis*** (eye for an eye) was **ONLY** meant to apply to civil and criminal cases. This was **NOT** a principle of how humans are to operate within our personal relationships. How we treat one another and deal with personal issues that did not involve criminality was totally outside this concept. The idea is (for instance) not that if someone verbally insults you that you are free and justified in insulting him back. Let me say that again: ***lex talionis*** is about God's justice system, not interpersonal relationships. Israel had a bad habit of mixing the two up, Christians often get it confused, and Jesus had a lot to say about it.

Let's move on to chapter 20.

READ DEUTERONOMY CHAPTER 20: 1 - 10

Chapter 20 is about how Israel is to prepare for war: HOLY war. I want to stress this again: while it would not be wrong to choose to use these instructions in preparation for most any kind of armed conflict, THESE instructions are all about fighting a Holy War that God ordains. Men have no authority to declare a war as “holy” even if they believe that their cause is just and righteous.

The Israelis, at the time they entered Canaan, lived as nomads. They did not have chariots and the horses that pull them. For this era (the 13th or 14th centuries B.C...) chariots were fearsome technological advances because they were used against foot soldiers. Chariots were the tanks of that era; they were basically quick moving platforms from which fairly standard weapons could be launched (in that time it was spears and arrows). The use of chariots brought a tremendous advantage on the battlefield but facilities and know-how were needed to manufacture this device of war and Israel was in no position to do that (but many of the Canaanites DID have chariots).

Therefore the Lord first deals with the mental (the psychological) side of warfare: fear. On the one hand the Lord acknowledges that Israel WILL be going up against armed forces which are both larger than Israel's AND which have technological superiority. However verse 1 tells Israel to recall what happened in Egypt. Israel not only had no weapons, it had no army. Israel had no ability to free or protect itself from Egypt; God simply brought a superior power to its knees in supernatural ways. Therefore since God is with Israel, and it is God's holy war in the first place, Israel has nothing to fear from the vast armies they will face.

Before the battle begins God's representatives (His servants) the priests will come forward and address the troops. Naturally because this is holy war, the holy priests are at the center of all that will happen. As I have mentioned in the past, priests are present at the battles; part of their jobs is to blow trumpets to both exhort God to help Israel and to deliver signals to the troops. And unfortunately the English translations usually mask something that we need to pay attention to. Do you recall our earlier study in Deuteronomy chapter 6 about a section that has been titled “The Shema”? Sometimes this is called the “hear, O Israel”. Shema is a powerful Hebrew word that means much more than to simply listen. It is anything but a formal beginning to a speech; it includes the command to obey. And here in verse 3 the Lord says that before the various battles of the Holy War commence, the priest (meaning the High Priest) is to walk forward and declare: “Shema Israel!” Hear O Israel! Hear and obey what is about to be said.

And because the first issue is about fear, the Lord tells the Israeli troops through the High Priest not to fear in 4 different ways: 1) don't let your heart be faint, 2) don't be afraid (of the battle), 3) don't be alarmed (that is, don't panic), 3) don't be frightened of the enemy soldiers (don't be in dread of the Canaanites). And the thing they can count on is that the Lord will lead them to victory.

After the priests have brought God's message to the troops the **officials** now speak to the soldiers and the message concerns 3 possible deferments from the coming battle that are available to the younger members of the Israeli army. These "officials" are NOT the army commanders they are civilian government authorities. Or, there is some thought that these might be Levites who are interwoven into governmental and religious authority. In any case they are not army officers and they are not the priests who gave the exhortation to "do not fear".

And the first possible reason to be excused from the battle is that a young man might have a home that has not yet been officially dedicated and so if he dies in battle someone else might gain possession of it. I'll tell you right up front that there is much disagreement in the Bible academic community about just what this means. There is no mention in the Hebrew Bible of the dedicating of a house, or any ritual that might be associated with it, so it may not be indicating what is commonly thought. It might simply mean that he has recently established his own new household (he has recently married) and so has yet to start a family. If his wife was widowed before they had children the household might wind up in possession of another person and in Middle Eastern tradition that is a serious matter. But these are but educated speculations.

The second possible reason for a military deferral is that he has planted a new vineyard but hasn't yet partaken of the produce. Various translations will say, "but he hasn't harvested it" or as our CJB "he hasn't eaten of it". A couple of things about this statement: number 1, obviously this Holy War is going to go on over an extended period of time. This is speaking of a time just around the corner for these Israelites, after they've settled in Canaan, because the nomadic Hebrews certainly have not stopped to plant vineyards along the way. However once they enter Canaan they will take over already established vineyards AND they will add to them. But here's the thing: we need to understand the Law of Moses if we're going to understand what the reason for this particular deferral is actually addressing. The Hebrew word typically translated as "harvested" or "eaten" in this verse is **hillelo** and it means, "desacralized it". Don't let that big word throw you: to sacralize something is to make something holy. To DE-sacralize is to take something that is holy and make it common (not unclean or bad, just "not holy", not set apart for God anymore). So what does this mean that the young man who has planted a new vineyard has not yet made his vineyard "not holy"?

Whether it is fruit of the vine (grapes) or the fruit of the orchard, the law is that the fruit is not to be picked and eaten for the 1st three years after the vine or tree is planted. Only in the 5th year after planting may the owner of the fruit eat it. Where does this idea come from? Listen to Leviticus 19: ^{RSV} **Leviticus 19:23** *"When you come into the land and plant all kinds of trees for food, then you shall count their fruit as forbidden; three years it shall be forbidden to you, it must not be eaten.²⁴ And in the fourth year all their fruit shall be holy, an offering of praise to the LORD.²⁵ But in the fifth year you may eat of their fruit, that they may yield more richly for you: I am the LORD your God.*

So for the 1st three years the fruit is forbidden, meaning it can't be used for any purpose nor can it be offered to God. The next year, the 4th year, the fruit is declared HOLY (it is sacralized, set apart for God) and thus all the harvest belongs to God. In the 5th year the fruit is no longer holy (it is DE-sacralized, no longer set apart for God) and so it can be eaten. The idea of this particular cause for military deferral then is that the new vineyard must be 5 years old, whereby the young man is finally able to make use of its produce. Otherwise this young soldier can choose to not fight, but rather go back home and wait until the 5th year arrives. So this law actually even gives us a time frame to show that God is telling Israel that the Holy War for Canaan is going to go on for years and years such that new fields and vineyards and orchards will be planted and mature during the time of the holy war on Canaan.

The 3rd possible deferral for a young soldier is stated in verse 7. It is that a man who is engaged to be married, but the marriage has not yet been consummated, does not have to fight because if he dies then the price he paid for his bride would be wasted and another man would probably get the benefit. Now, why this is so terribly important is debatable. We have records from Mesopotamian societies of that same era that basically offer the same thing to their young men and the reason for it has to do with superstitions and the belief that engaged (but not yet married) men were particularly subject to demonic influences so it was best for all that they not be part of the army. Another possibility is that it was believed among the Hebrews that what passed for continued existence after death was that a man's life essence lived on in his offspring. So since married couples began having children immediately, part of the goal of having children was that if the man died his life essence would not end but would be continued in his children. Therefore an engaged but not yet married Hebrew soldier risked having his life essence permanently terminated if he hadn't yet had a chance to produce children.

It is the "officials'" job to go around asking the troops if anyone would like to take advantage of these deferrals and if so determines their eligibility. A young man who was simply too frightened to fight qualified for deferral as well because such a man would be a discouragement to the other soldiers.

Next time we'll continue in Deuteronomy 20 and talk more about the Lord's parameters for engaging in Holy War.