

Deuteronomy 19:1-13

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“When the LORD your God cuts off the nations [by divine judgment], whose land the LORD your God gives you [as He promised], and you dispossess them and settle in their cities and in their houses [and possess these properties],² you shall set aside three cities for yourself in the midst of your land, which the LORD your God gives you to possess.³ “You shall prepare the roads for yourself [“build a roadway” NET], 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 [providing a place of refuge].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 [motive matters]—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 [accidentally]—he may flee to one of these cities and live [as a place of refuge];⁶ otherwise the avenger of blood [i.e., the family member of the deceased] 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.⁷ “Therefore, I command you, saying, ‘You shall set aside three cities for yourself.’ [as cities of refuge]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 [blessing over time] –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 [expansion of refuge cities in proportion to the growth of the land].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.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 [murder], and he flees to one of these cities,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.¹³ “You shall not pity him, but you shall purge the blood of the innocent from Israel, that it may go well with you.

Summary

In our previous lessons we looked at God’s selection of authority figures—**judges** (Deut 16:18-17:8), **priests** (Deut 17:9-13; 18:1-8), **kings** (Deut 17:14-20), and **prophets** (Deut 18:15-22)—who were assigned to lead His people into righteous living (Deut 16:20). In this next section, we will consider how the nation was to practice righteous living after they entered the land of Canaan (Deut 19:1—26:19). In our current pericope on righteous living, Moses discussed cities of refuge and the role they played concerning Israelites who

killed someone, either accidentally or intentionally (Deut 19:1-13). This section expands on the sixth commandment, “You shall not murder” (Deut 5:17).

Homicide is a reality that every society faces, whether the death caused was accidental or intentional. A just society must have laws in place to handle such matters, either to protect the innocent or punish the guilty. The consistent and fair application of these laws will mark a society as righteous. This was true in Israel where God expected His people to handle cases of homicide. The pericope under consideration was addressed by Moses to the first generation of Israelites who came out of Egypt (Ex 21:12-14; Num 35:9-34).

Moses opens the current discussion by saying, “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, ² you shall set aside three cities for yourself in the midst of your land, which the LORD your God gives you to possess” (Deut 19:1-2). Here, Moses directed the Israelites to establish three cities of refuge after they had taken possession of the land under Joshua, and these would be added to the three cities Moses had already assigned east of the Jordan River; namely, Bezer, Ramoth, and Golan (Deut 4:41-43). After Joshua led the Israelites into the land, he set aside the cities of Kedesh, Shechem, and Hebron (Josh 20:7-9). Cities of refuge were places where a manslayer could flee for refuge until he stood trial (Num 35:9-15). Moses had previously stated, “The cities shall be to you as a refuge from the avenger, so that the manslayer will not die until he stands before the congregation for trial” (Num 35:12; cf. Num 35:24).

Moses also said, “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” (Deut 19:3). Here, Israelites were to make sure the roads in their land were easily navigable by travelers which, in this case, pertained to one who felt compelled to flee to a nearby town for safety after unintentionally killing another person. And the towns were to be equally spaced apart, so that the manslayer would not have to travel an exceptionally long distance and possibly be overtaken by an avenger who sought his life. Moses continued, saying, “Now this is the case of the manslayer who may flee there and live: when he kills his friend unintentionally, not hating him previously” (Deut 19:4). Here was a law of compassion, for in a case of accidental homicide, the victims consisted both of the one who lost his life as well as the one who took it. This verse also addresses motive, and considers that a person was innocent in such a situation because he had not shown past hatred for the person who was killed.

Moses then provided an example of how one might accidentally die, saying, “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” (Deut 19:5).¹ If such an accidental homicide were to happen as Moses explained—and this was only a template for similar accidental killings—then the manslayer may flee to a city of refuge for temporary safety until a trial could be held by the city elders. Moses said, “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” (Deut 19:6). The *avenger of blood* (גֹּ'ֶל לְחַטָּאֵי go 'el haadam) is considered by some Bible scholars to refer a family member of the deceased who was responsible for executing the killer. Daniel Block believes that “gō 'ēl is a technical legal term, denoting a near kinsman responsible for maintaining the integrity of the family and its holdings.”² Jack Deere agrees with Block, saying:

The word translated “avenger of blood” is gō 'ēl. A gō 'ēl was essentially a “family protector.” He was a “near kinsman” (traditionally understood as the nearest male relative) 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).³

However, it could be that the *avenger of blood* was not necessarily a family member, but as Victor Matthews says, “may have been appointed by the government to serve the needs of both the family and the state by apprehending the accused and then carrying out the sentence if the verdict was murder.”⁴ Peter Craigie states:

The avenger of blood (*go 'el haddām*) (v. 6)—the exact meaning of this expression has been the subject of considerable debate. Traditionally, it has been taken to refer to the nearest male kinsman of the deceased, upon whom rested the responsibility for avenging the blood of the dead man. More recently, however, the expression has been interpreted as referring to a representative of the elders of the city in which

¹ If a person were going to intentionally kill another, simpler means would naturally be employed, for the likelihood that one could deal a fatal blow to another in the situation Moses described would be too complex to execute with any degree of certainty. In such a situation the murderer would need to know the exact location and distance of his victim, coordinate the axe head to come off the handle at the correct time of the swing, travel the intended path, then strike the victim in the intended spot, and with sufficient force to be fatal.

² Daniel I. Block, *The NIV Application Commentary: Deuteronomy*, ed. Terry Muck (Grand Rapids, MI: Zondervan, 2012), 453.

³ Jack S. Deere, “Deuteronomy,” in *The Bible Knowledge Commentary: An Exposition of the Scriptures*, ed. J. F. Walvoord and R. B. Zuck, vol. 1 (Wheaton, IL: Victor Books, 1985), 297.

⁴ Victor Harold Matthews, Mark W. Chavalas, and John H. Walton, *The IVP Bible Background Commentary: Old Testament*, electronic ed. (Downers Grove, IL: InterVarsity Press, 2000), Dt 19:6.

the death took place; he was therefore an official (the “protector of blood”), not a close relative of the deceased. The meaning of the expression possibly lies somewhere between these two alternatives. The avenger of blood may well be the nearest male kinsman of the deceased; his responsibility, however, was not simply to kill the person responsible for the death (whether manslayer or murderer), but to bring him before the established courts of law in his home town, who would determine the case in the proper manner. If the death was manslaughter, the manslayer would be sent to the city of refuge; the city of refuge was not simply a place of safety, but a place in which the manslayer made atonement for the deed of which he was guilty. If the death was determined to be murder, then the culprit would be executed.⁵

The *avenger of blood* could execute the killer, but only after the city officials had properly carried out a trial (see Num 35:16-28), as Moses had previously said, “the congregation shall judge between the slayer and the blood avenger according to these ordinances” (Num 35:24), and this on the basis of two or more witnesses (Num 35:30). And if the manslayer was found innocent of any criminal wrongdoing, he could remain in the city of refuge for safety until the death of the high priest, at which time he could safely return to his own land (Num 35:22-28). But there was a price to be paid by one who took the life of another, even though accidentally, as Warren Wiersbe writes, “If found innocent, the manslayer was allowed to live safely in the city of refuge until the death of the high priest. Even though he was innocent, he still paid a price for accidentally killing another human being. If he left the city of refuge, his life was in danger and the elders couldn’t protect him.”⁶ Jack Deere affirms, saying, “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.”⁷

All these factors required the need for multiple cities, as Moses wrote, “Therefore, I command you, saying, ‘You shall set aside three cities for yourself’” (Deut 19:7). These cities, roads, and judicial structures worked together to protect the innocent and condemn the guilty. Moses, thinking ahead, considered the possibility of adding new cities to handle these sorts of cases if the nation expanded its territory. Moses said, “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—⁹ if you carefully observe all this commandment which I command you today, to love the LORD your God, and to walk in

⁵ Peter C. Craigie, *The Book of Deuteronomy*, The New International Commentary on the Old Testament (Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 1976), 266–267.

⁶ Warren W. Wiersbe, *Be Equipped*, “Be” Commentary Series (Colorado Springs, CO: Chariot Victor Pub., 1999), 129.

⁷ Jack S. Deere, “Deuteronomy,” in *The Bible Knowledge Commentary*, 297.

His ways always—then you shall add three more cities for yourself, besides these three” (Deut 19:8-9). Here, God promised to enlarge the nation’s territory if they pursued righteousness as He was directing them. This directive repeats what Moses had stated before in Deuteronomy 6:5. If their territory expanded, then so must their continued pursuit of righteousness before the Lord. By providing these cities of refuge, it would prevent the avenger of blood, in the heat of the moment, from overtaking and killing the one fleeing to a city of refuge for trial, “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” (Deut 19:10). The avenger who killed a manslayer before his trial would have shed “innocent blood” and been guilty of murder himself.

What follows pertained to the one who intentionally killed another and then tried to flee to a city of refuge for protection. Moses said, “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,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” (Deut 19:11-12). Remember, when a community investigated a case to determine guilt, it was to be “On the evidence of two witnesses or three witnesses” (Deut 17:6a).⁸ This set a high bar for trials which was intended to protect the innocent and judge the guilty. Once guilt had been established, the murderer was to be executed, and this by the avenger of blood. Moses had previously stated that capital punishment could not occur on the basis of a single witness, saying, “no person shall be put to death on the testimony of one witness” (Num 35:30b). For emphasis, he repeated this policy again, saying, “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” (Deut 19:15). In Israel, as in any society, there was always the possibility that a wicked person would present a false charge against another, thus corrupting and weaponizing the judicial system for evil ends. The Lord had clearly forbidden this, saying, “You shall not bear false witness against your neighbor” (Deut 5:20). The two or three witness policy would mitigate against this sort of corruption. In fact, there was a statute that condemned the false witness to bear the punishment he sought to bring upon another. Moses said, “If a malicious witness rises up against a man to accuse him of wrongdoing...[and] if the witness is a false witness *and* he has accused his brother falsely, then you shall do to him just as he had intended to do to his brother” (Deut 19:16, 19).

If a person was found guilty of intentional homicide, Moses said, “You shall not pity him, but you shall purge the blood of the innocent from Israel, that it may go well with you”

⁸ In the New Testament, the apostle Paul borrowed the rule of two or three witnesses in church policy concerning charges brought against Church leaders, saying, “Do not receive an accusation against an elder except on the basis of two or three witnesses” (1 Tim 5:19).

(Deut 19:13). There was a time and place to show pity to others, such as the poor within the community. But there were also times in which citizens were to withhold pity toward others who were guilty of horrible sins. Israel was told to have no pity for the wicked Canaanites (Deut 7:16), nor the family or close friend who enticed them to practice idolatry (Deut 13:6-8), nor those guilty of murder (Deut 19:11-13), nor a malicious witness (Deut 19:18-21), nor a woman who sought to damage the genitals of a man (Deut 25:11-12). Sentiment is healthy, but should never cloud wisdom nor interfere with the execution of justice. By executing God's judgment upon those guilty of murder, His people would "purge the blood of the innocent from Israel" and God would ensure His blessing "that it may go well" with them (Deut 19:13b; cf. Num 35:33). If Israel would obey this law, it would reflect God's righteous expectations for them (Deut 16:20), be for their good, and He would bless them for their obedience (Deut 6:24-25).

Present Application

Biblically, there is a difference between killing and murder. Murder is always wrong (Ex 20:13), since it is born out of sinful hatred (1 John 3:15), and unjustly takes the life of someone who is made in the image of God (Gen 1:27; 9:6). However, there are times when killing is justified and necessary. Under the Mosaic Law, capital punishment was required by God for certain violations.⁹ Killing is justified when God commands it. Also, we learn that God Himself has killed (Ex 12:29; 13:15; Lev 10:1-3; Deut 32:39; 1 Sam 2:6; 25:38; 2 Ch 13:20; Acts 5:1-11; 1 Cor 11:27-30), and will kill again (Rev 19:11-21). God instituted capital punishment with Noah (Gen 9:5-6), perpetuated it under the Mosaic Law (Ex 21:23-25), and continues to delegate the practice to human governments (Rom 13:4; cf., Acts 25:11). Capital punishment is necessary: 1) to exact justice for those who have been innocently murdered because they bear the image of God (Gen 9:6), and 2) to deter acts of evil (Rom 13:4). The biblical teaching is that there is "a time to kill and a time to heal" (Eccl 3:3), "a time for war and a time for peace" (Eccl 3:8). At times God called His people to kill others, whether individuals (1 Sam 15:32-33), or mass groups of people (Ex 32:27-28; 1 Sam 15:1-3). As a theocratic nation, Israel was under divine orders to kill all the wicked Canaanites (Deut 7:1-2; 20:17). David recognized that his military skills were from God when he said, "Blessed be the LORD, my rock, who trains my hands for war, and my fingers for battle" (Psa 144:1; cf., Psa 18:34). David was in God's will when he stood on a field of battle and killed his enemy (1 Sam 17:46-51), and later when

⁹ These included: intentional murder (Ex 21:12-14; Deut 19:10-13; cf., Gen 9:6), attacking or cursing a parent (Ex 21:15; Deut 21:18-21), kidnapping (Ex 21:16), habitual rebellion against God (Deut 17:12), worshipping pagan gods (Ex 22:20), blasphemy against God (Lev 24:15-16), working on the Sabbath (Num 15:32-36), being a false prophet and leading Israelites into idolatry (Deut 13:1-5), human sacrifice (Lev 20:2), the practice of divination, sorcery or witchcraft (Ex 22:18; Deut 18:9-14), adultery (Deut 22:22), sex with an animal (Ex 22:19; Lev 20:15-16), incest (Lev 20:11-12, 14), homosexuality (Lev 18:22; 20:13), and the rape of an engaged woman (Deut 22:25-27).

he rescued his family and belongings from Amalekites who destroyed and plundered the city of Ziklag (1 Sam 30:1-20). And David was justified in killing Goliath (1 Sam 17:48-51). Biblically, there are occasions when God sovereignly extends grace and mercy toward the guilty who humble themselves and display genuine repentance (2 Sam 11:1-5; 12:13; cf., Psa 32:1-5; Mic 7:18-19; John 8:1-11). Today, in the Church Age, God has delegated capital punishment solely to the governments of this world (Rom 13:1-6; 1 Pet 2:13-14). However, this does not prevent God's people from practicing self-defense, by lethal or nonlethal means.

Throughout the Bible we observe God's people engaging in self-defense to protect themselves as well as others. For example, in the book of Exodus, self-defense was permitted by a homeowner when confronting a thief, but only as the situation warranted. Moses wrote, "If the thief is caught while breaking in and is struck so that he dies, there will be no bloodguiltiness on his account [i.e., the killer]. But if the sun has risen on him, there will be bloodguiltiness on his account" (Ex 22:2-3). The distinction seems to be the whether the thief breaks in during daylight hours or at night. If it's dark, the homeowner cannot see whether his intruder is armed and is therefore justified in killing him. Another example is found in the book of Esther, as we're told that King Xerxes "granted the Jews who were in each and every city the right to assemble and to defend their lives, to destroy, to kill and to annihilate the entire army of any people or province which might attack them, including children and women, and to plunder their spoil" (Est 8:11). These Jewish men had the right to protect themselves, as well as innocent children and women. At one time, Jesus did not require His disciples to carry a sword, but then later told them to purchase one for self-defense (Luke 22:35-36).

If possible, Christians should "Pursue peace with all men" (Heb 12:14), avoiding trouble and even tolerating a certain amount of abuse. When Saul tried to kill David with a spear, "David fled and escaped that night" (1 Sam 19:10). And when hostile Jews wanted to stone Jesus, we're told, "Jesus hid Himself and went out of the temple" (John 8:59). In Jesus' Sermon on the Mount, He told His disciples, "I say to you, do not resist an evil person; but whoever slaps you on your right cheek, turn the other to him also" (Matt 5:39). A slap is a nonlethal assault, and the Christian should be willing to tolerate these sorts of abuses without seeking personal revenge. Solomon echoed this when he wrote, "A man's discretion makes him slow to anger, and it is his glory to overlook an offense" (Prov 19:11). The apostle Paul stated, "Never pay back evil for evil to anyone. Respect what is right in the sight of all men. If possible, so far as it depends on you, be at peace with all men. Never take your own revenge, beloved, but leave room for the wrath of God, for it is written, 'Vengeance is mine, I will repay,' says the Lord." (Rom 12:17-19). However, though we tolerate certain abuses according to the will of God, this does not mean lethal force cannot or should not be exercised on other occasions, and this according to the will of God. Remember, at one time Jesus allowed Himself to be beaten and crucified by order

of the Roman Governor, Pontus Pilate (John 19:1-16; cf., 1 Pet 2:21-23); however, this same Jesus will return at the Second Coming and suppress rebellion by personally killing many millions of people (Rev 19:11-21; cf. Isa 63:1-6).

As a nonlethal deterrent the Christian might exercise his legal rights to avoid a harmful or fatal attack. For example, when in Jerusalem, the apostle Paul found himself in a situation where he was about to be flogged by a Roman soldier—which might have killed him or crippled him for life—and he defended himself by exercising his legal rights as a Roman citizen (Acts 22:25-29). Paul was not averse to dying if he were actually guilty of a crime deserving of death (Acts 25:11), but if not guilty, he was ready to defend himself by legal means if necessary.

Additionally, when facing lethal force by an attacker, sometimes a verbal warning is sufficient to neutralize the threat. However, if the warning does not deter, then the believer has the right to escalate and use the necessary force to stop the attacker. For example, when Abner was being pursued by Asahel, Abner said, “Turn aside from following me. Why should I strike you to the ground?” (2 Sam 2:22). However, Asahel refused to heed Abner’s warning and “refused to turn aside; therefore, Abner struck him in the belly with the butt end of the spear, so that the spear came out at his back. And he fell there and died on the spot” (2 Sam 2:23).

Lastly, there may be times when we have no option of escape, nor the means to defend ourselves, and we should be ready to die a martyr’s death. Luke records such an event when Stephen was stoned to death with no way of escape, and rather than reacting with violence, he committed himself to the Lord. Luke wrote, “They went on stoning Stephen as he called on the Lord and said, ‘Lord Jesus, receive my spirit!’ Then falling on his knees, he cried out with a loud voice, ‘Lord, do not hold this sin against them!’ Having said this, he fell asleep” (Acts 7:59-60). Stephen’s words and actions modeled the humility and love Jesus displayed toward His enemies while being crucified (Luke 23:34, 46). In this situation, God did not rescue Stephen from death, but sustained him by means of the Holy Spirit (Acts 6:10) and stood in approval of his message and welcomed him as the first Christian martyr into heaven. The record of Stephen’s life was that he was a good man, full of faith, who helped the needy and preached the gospel.