

CHAPTER 19

The laws which Moses had hitherto been repeating and urging mostly concerned the acts of religion and devotion towards God; but here he comes more fully to press the duties of righteousness between man and man. This chapter relates,

- I. To the sixth commandment, “Thou shalt not kill” (v. 1-13).
- II. To the eighth commandment, “Thou shalt not steal” (v. 14).
- III. To the ninth commandment, “Thou shalt not bear false witness,” (v. 15, etc.).

DEUTERONOMY 19:1-13

THE CITIES OF REFUGE

It was one of the precepts given to the sons of Noah that *whoso sheddeth man's blood by man shall his blood be shed*, that is, by the avenger of blood, ⁽⁰⁰¹⁶⁾Genesis 9:6. Now here we have the law settled between blood and blood, between the blood of the murdered and the blood of the murderer, and effectual provision made,

I. That the cities of refuge should be a protection to him that slew another casually, so that he should not die for that as a crime which was not his voluntary act, but only his unhappiness. The appointment of these cities of refuge we had before (⁽⁰²¹³⁾Exodus 21:13), and the law laid down concerning them at large, ⁽⁰⁶⁵⁰⁾Numbers 35:10, etc. It is here repeated, and direction is given concerning three things: —

1. The appointing of three cities in Canaan for this purpose. Moses had already appointed three on that side Jordan which he saw the conquest of; and now he bids them, when they should be settled in the other part of the country, to appoint three more, v. 1-3, 7. The country was to be divided into three districts, as near by as might be equal, and a city of refuge in the centre of each so that every corner of the land might have one within reach. Thus Christ is not a refuge at a distance, which we must ascend to heaven or go down to the deep for, but the word is nigh us, and Christ in

the word, ⁵¹⁸Romans 10:8. The gospel brings salvation *to our door*, and there it knocks for admission. To make the flight of the delinquent the more easy, the way must be prepared that led to the city of refuge. Probably they had causeways or street-ways leading to those cities, and the Jews say that the magistrates of Israel, upon one certain day in the year, sent out messengers to see that those roads were in good repair, and they were to remove stumbling-blocks, mend bridges that were broken, and, where two ways met, they were to set up a Mercurial post, with a finger to point the right way, on which was engraven in great letters, *Miklat, Miklat — Refuge, Refuge*. In allusion to this, gospel ministers are to show people the way to Christ, and to assist and direct them in flying by faith to him for refuge. They must be ready to remove their prejudices, and help them over their difficulties. And, blessed be God, *the way of holiness*, to all that seek it faithfully, is a highway so plain that *the wayfaring men, though fools, shall not err therein*.

2. The use to be made of these cities, v. 4-6.

(1.) It is supposed that it might so happen that a man might be the death of his neighbour without any design upon him either from a sudden passion or malice prepense, but purely by accident, as by the flying off of an axe-head, which is the instance here given, with which every case of this kind was to be compared, and by it adjudged. See how human life lies exposed daily, and what deaths we are often in, and what need therefore we have to be always ready, our souls being continually in our hands. How are the sons of men *snared in an evil time, when it falls suddenly upon them!*

³⁹²Ecclesiastes 9:12. An evil time indeed it is when this happens not only to the slain but to the slayer.

(2.) It is supposed that the relations of the person slain would be forward to avenge the blood, in affection to their friend and in zeal for public justice. Though the law did not allow the avenging of any other affront or injury with death, yet the avenger of blood, the blood of a relation, shall have great allowances made for the heat of his heart upon such a provocation as that, and his killing only, should not be accounted murder if he did it before he got to the city of refuge, though it is owned he was not worthy of death. Thus would God possess people with a great horror and dread of the sin of murder: if mere chance-medley did thus expose a man, surely he that wilfully does violence to the blood of any person, whether from an old grudge or upon a sudden provocation, must flee to the

pit, and *let no man stay him* (^{<2187>}Proverbs 28:17); yet the New Testament represents the sin of murder as more heinous and more dangerous than even this law does. ^{<6185>}1 John 3:15, *You know that no murderer has eternal life abiding in him.*

(3.) It is provided that, if an avenger of blood should be so unreasonable as to demand satisfaction for blood shed by accident only, then the city of refuge should protect the slayer. Sins of ignorance indeed do expose us to the wrath of God, but there is relief provided, if by faith and repentance we make use of it. Paul that had been a persecutor obtained mercy, because he did it ignorantly; and Christ prayed for his crucifiers, *Father, forgive them, for they know not what they do.*

3. The appointing of three cities more for this use in case God should hereafter enlarge their territories and the dominion of their religion, that all those places which came under the government of the law of Moses in other instances might enjoy the benefit of that law in this instance, v. 8-10. Here is,

(1.) An intimation of God's gracious intention to enlarge their coast, as he had promised to their fathers, if they did not by their disobedience forfeit the promise, the condition of which is here carefully repeated, that, if it were not performed, the reproach might lie upon them, and not on God. He promised to give it, *if thou shalt keep all these commandments*; not otherwise.

(2.) A direction to them to appoint three cities more in their new conquests, which, the number intimates, should be as large as their first conquests were; wherever the border of Israel went this privilege must attend it, that *innocent blood be not shed*, v. 10. Though God is the saviour and preserver of all men, and has a tender regard to all lives, yet the blood of Israelites is in a particular manner precious to him, ^{<5124>}Psalm 72:14. The learned Ainsworth observes that the Jewish writers themselves own that, the condition not being performed, the promise of the enlarging of their coast was never fulfilled; so that there was no occasion for ever adding these three cities of refuge; yet the holy blessed God (say they) *did not command it in vain, for in the days of Messiah the prince* three other cities shall be added to these six: they expect it to be fulfilled in the letter, but we know that in Christ it has its spiritual accomplishment, for the borders of the gospel Israel are enlarged according to the promise, and in Christ,

the Lord our righteousness, refuge is provided for those that by faith flee to him.

II. It is provided that the cities of refuge should be no sanctuary or shelter to a wilful murderer, but even thence he should be fetched, and delivered to the avenger of blood, v. 11-13.

1. This shows that wilful murder must never be protected by the civil magistrate; he bears the sword of justice in vain if he suffers those to escape the edge of it that lie under the guilt of blood, which he by office is the avenger of. During the dominion of the papacy in our own land, before the Reformation, there were some churches and religious houses (as they called them) that were made sanctuaries for the protection of all sorts of criminals that fled to them, wilful murderers not excepted, so that (as Stamford says, in his *Pleas of the Crown*, lib. II. c. 38) the government follows not Moses but Romulus, and it was not till about the latter end of Henry VIII's time that this privilege of sanctuary for wilful murder was taken away, when in that, as in other cases, the word of God came to be regarded more than the dictates of the see of Rome. And some have thought it would be a completing of that instance of reformation if the benefit of clergy were taken away for man-slaughter, that is, the killing of a man upon a small provocation, since this law allowed refuge only in case of that which our law calls chance-medley.

2. It may be alluded to to show that in Jesus Christ there is no refuge for presumptuous sinners, that *go on still in their trespasses*. If we thus *sin wilfully*, sin and go on in it, there *remains no sacrifice*, ~~306~~ Hebrews 10:26. Those that flee to Christ from their sins shall be safe in him, but not those that expect to be sheltered by him in their sins. Salvation itself cannot save such: divine justice will fetch them even from the city of refuge, the protection of which they are not entitled to.

~~694~~ DEUTERONOMY 19:14-21

FALSE WITNESSES

Here is a statute for the preventing of frauds and perjuries; for the divine law takes care of men's rights and properties, and has made a hedge about them. Such a friend is it to human society and men's civil interest.

I. A law against frauds, v. 14.

1. Here is an implicit direction given to the first planters of Canaan to fix land-marks, according to the distribution of the land to the several tribes and families by lot. Note, It is the will of God that every one should know his own, and that all good means should be used to prevent encroachments and the doing and suffering of wrong. When right is settled, care must be taken that it be not afterwards unsettled, and that, if possible, no occasion of dispute may arise.

2. An express law to posterity not to remove those land-marks which were thus fixed at first, by which a man secretly got that to himself which was his neighbour's. This, without doubt, is a moral precept, and still binding, and to us it forbids,

(1.) The invading of any man's right, and taking to ourselves that which is not our own, by any fraudulent arts or practices, as by forging, concealing, destroying, or altering deeds and writings (which are our land-marks, to which appeals are made), or by shifting hedges, meer-stones, and boundaries. Though the land-marks were set by the hand of man, yet he was a thief and a robber by the law of God that removed them. Let every man be content with his own lot, and just to his neighbours, and then we shall have no land-marks removed.

(2.) It forbids the sowing of discord among neighbours, and doing any thing to occasion strife and law-suits, which is done (and it is very ill done) by confounding those things which should determine disputes and decide controversies. And,

(3.) It forbids breaking in upon the settled order and constitution of civil government, and the altering of ancient usages without just cause. This law supports the honour of prescriptions. *Consuetudo facit jus* — *Custom is to be held as law.*

II. A law against perjuries, which enacts two things: —

1. That a single witness should never be admitted to give evidence in a criminal cause, so as that sentence should be passed upon his testimony, v. 15. This law we had before, ^{<4651>}Numbers 35:30, and in this book, ^{<6176>}Deuteronomy 17:6. This was enacted in favour to the prisoner, whose life and honour should not lie at the mercy of a particular person that had a pique against him, and for caution to the accuser not to say that which he

could not corroborate by the testimony of another. It is a just shame which this law puts upon mankind as false and not to be trusted; every man is by it suspected: and it is the honour of God's grace that the record he has given concerning his Son is confirmed both in heaven and in earth by *three witnesses*, ^{<BIB>}1 John 5:7. *Let God be true and every man a liar*, ^{<BIB>}Romans 3:4.

2. That a false witness should incur the same punishment which was to have been inflicted upon the person he accused. *If two, or three, or many witnesses, concurred in a false testimony, they were all liable to be prosecuted upon this law.*

(2.) The person wronged or brought into peril by the false testimony is supposed to be the appellant, v. 17. And yet if the person were put to death upon the evidence, and afterwards it appeared to be false, any other person, or the judges themselves, *ex officio* — *by virtue of their office*, might call the false witness to account.

(3.) Causes of this kind, having more than ordinary difficulty in them, were to be brought before the supreme court, *The priests and judges*, who are said to be *before the Lord*, because, as other judges sat in the gates of their cities, so these at the gate of the sanctuary, ^{<BIB>}Deuteronomy 17:12.

(4.) There must be great care in the trial, v. 18. A diligent inquisition must be made into the characters of the persons, and all the circumstances of the case, which must be compared, that the truth might be found out, which, where it is thus faithfully and impartially enquired into, Providence, it may be hoped, will particularly advance the discovery of.

(5.) If it appeared that a man had knowingly and maliciously borne false witness against his neighbour, though the mischief he designed him thereby was not effected, he must undergo the same penalty which his evidence would have brought his neighbour under, v. 19. *Nec lex est justior ulla* — *Nor could any law be more just*. If the crime he accused his neighbour of was to be punished with death, the false witness must be put to death; if with stripes, he must be beaten; if with a pecuniary mulct, he was to be fined the sum. And because to those who considered not the heinousness of the crime, and the necessity of making this provision against it, it might seem hard to punish a man so severely for a few words' speaking, especially when no mischief did actually follow, it is added: *Thy eye shall not pity*, v. 21. No man needs to be more merciful than God. The

benefit that will accrue to the public from this severity will abundantly recompense it: *Those that remain shall hear and fear*, v. 20. Such exemplary punishments will be warnings to others not to attempt any such mischief, when they see how he that *made the pit and digged it has fallen into the ditch which he made*.