
DEUTERONOMY 19:1 When the LORD your God cuts off the nations, whose land the LORD your God gives you, and you succeed them, and dwell in their cities, and in their houses;

Three cities of refuge to be appointed in the midst of the promised land; the land being divided into three parts, a city is to be placed in each, a proper way to which is to be prepared, Deu 19:1-3. In what cases of manslaughter the benefit of those cities may be claimed, Deu 19:4-6. Three cities more to be added should the Lord enlarge their coasts, and the reasons why, Deu 19:7-10. The intentional murderer shall have no benefit from these cities, Deu 19:11-13. The landmark is not to be shifted, Deu 19:14. One witness shall not be deemed sufficient to convict a man, Deu 19:15. How a false witness shall be dealt with - he shall bear the punishment which he designed should have been inflicted on his neighbor, Deu 19:16-20. Another command to establish the lex talionis, Deu 19:21.

DEUTERONOMY 19:2 you shall set apart three cities for yourselves in the midst of your land, which the LORD your God gives you to possess it.

Verse 2

Thou shalt separate three cities - See on Num 35:11 (note), etc.

DEUTERONOMY 19:3 You shall prepare the way, and divide the borders of your land, which the LORD your God causes you to inherit, into three parts, that every man slayer may flee there.

Verse 3

Thou shalt prepare thee a way - The Jews inform us that the roads to the cities of refuge were made very broad, thirty-two cubits; and even, so that there should be no impediments in the way; and were constantly kept in good repair.

DEUTERONOMY 19:4 This is the case of the man slayer who shall flee there and live. Whoever kills his neighbour unawares, and didn't hate him in time past;

DEUTERONOMY 19:5 as when a man goes into the forest with his neighbour to chop wood, and his hand fetches a stroke with the axe to cut down the tree, and the head slips from the handle, and lights on his neighbour, so that he dies, he shall flee to one of these cities and live.

DEUTERONOMY 19:6 Otherwise, the avenger of blood might pursue the man slayer, while his heart is hot, and overtake him, because the way is long, and strike him mortally; even though he was not worthy of death, because he didn't hate him in time past.

DEUTERONOMY 19:7 Therefore I command you to set apart three cities for yourselves.

DEUTERONOMY 19:8 If the LORD your God enlarges your border, as he has sworn to your fathers, and gives you all the land which he promised to give to your fathers;

DEUTERONOMY 19:9 if you keep all this commandment to do it, which I command you this day, to love the LORD your God, and to walk ever in his ways; then you shall add three cities more for yourselves, besides these three.

Verse 9

Shalt thou add three cities more - This was afterwards found necessary, and accordingly six cities were appointed, three on either side Jordan. See Jos 21:1-3, etc. In imitation of these cities of refuge the heathens had their asyla, and the Catholics their privileged altars. See Exo 21:13 (note), Exo 21:14 (note), and Num 35:11 (note), etc.

DEUTERONOMY 19:10 This is so that innocent blood will not be shed in the midst of your land which the LORD your God gives you for an inheritance, leaving blood guilt on you.

DEUTERONOMY 19:11 But if any man hates his neighbour, lies in wait for him, rises up against him, strikes him mortally so that he dies, and he flees into one of these cities;

Verse 11

If any man hate his neighbor - See on Exo 21:13 (note).

DEUTERONOMY 19:12 then the elders of his city shall send and bring him there, and deliver him into the hand of the avenger of blood, that he may die.

DEUTERONOMY 19:13 Your eye shall not pity him, but you shall purge the innocent blood from Israel, that it may go well with you.

DEUTERONOMY 19:14 You shall not remove your neighbour's landmark, which they of old time have set, in your inheritance which you shall inherit, in the land that the LORD your God gives you to possess.

Verse 14

Thou shalt not remove thy neighbor's landmark - Before the extensive use of fences, landed property was marked out by stones or posts, set up so as to ascertain the divisions of family estates. It was easy to remove one of these landmarks, and set it in a different place; and thus the dishonest man enlarged his own estate by contracting that of his neighbor. The termini or landmarks among the Romans were held very sacred, and were at last deified.

To these termini Numa Pompilius commanded offerings of broth, cakes, and firstfruits, to be made. And Ovid informs us that it was customary to sacrifice a lamb to them, and sprinkle them with its blood: -

Spargitur et caeso communis terminus agno.

Fast. lib. ii., ver. 655.

And from Tibullus it appears that they sometimes adorned them with flowers and garlands: -

Nam veneror, seu stipes habet desertus in agris,

Seu vetus in trivio floridaserta lap is.

Eleg. lib. i., E. i., ver. 11. "Revere each antique stone bedeck'd with flowers,

That bounds the field, or points the doubtful way."

Grainger.

It appears from Juvenal that annual oblations were made to them: - - Convallem ruris aviti

Improbis, aut campum mihi si vicinus ademit,

Aut sacrum effodit medio de limite saxum,

Quod mea cum vetulo coluit puls annua libo.

Sat. xvi., ver. 36. "If any rogue vexatious suits advance

Against me for my known inheritance,

Enter by violence my fruitful grounds,

Or take the sacred landmark from my bounds,

Those bounds which, with procession and with prayer

And offer'd cakes, have been my annual care."

Dryden.

In the digests there is a vague law, de termino moto, Digestor. lib. xlvii., Tit. 21, on which Calmet remarks that though the Romans had no determined punishment for those who removed the ancient landmarks; yet if slaves were found to have done it with an evil design, they were put to death; that persons of quality were sometimes exiled when found guilty; and that others were sentenced to pecuniary fines, or corporal punishment.

DEUTERONOMY 19:15 One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sins. At the mouth of two witnesses, or at the mouth of three witnesses, shall a matter be established.

Verse 15

One witness shall not rise up, etc. - See Num 35:30 (note).

DEUTERONOMY 19:16 If an unrighteous witness rises up against any man to testify against him of wrongdoing,

DEUTERONOMY 19:17 then both the men, between whom the controversy is, shall stand before the LORD, before the priests and the judges who shall be in those days;

DEUTERONOMY 19:18 and the judges shall make diligent inquisition: and, behold, if the witness is a false witness, and has testified falsely against his brother;

DEUTERONOMY 19:19 then you shall do to him as he had thought to do to his brother. So you shall remove the evil from your midst.

Verse 19

Then shall ye do unto him as he had thought to have done unto his brother - Nothing can be more equitable or proper than this, that if a man endeavor to do any injury to or take away the life of another, on detection he shall be caused to undergo the same evil which he intended for his innocent neighbor.

Some of our excellent English laws have been made on this very ground. In the 37th of Edw. III., chap. 18, it is ordained that all those who make suggestion shall incur the same pain which the other should have had, if he were attainted, in case his suggestions be found evil. A similar law was made in the 38th of the same reign, chap. 9. By a law of the twelve Tables, a false witness was thrown down the Tarpeian rock. In short, false witnesses have been execrated by all nations.

DEUTERONOMY 19:20 Those who remain shall hear, and fear, and will never again commit any such evil in your midst.

DEUTERONOMY 19:21 Your eyes shall not pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

Verse 21

Life - for life, eye for eye, etc. - The operation of such a law as this must have been very salutary: if a man prized his own members, he would naturally avoid injuring those of others. It is a pity that this law were not still in force: it would certainly prevent many of those savage acts which now both disgrace and injure society. I speak this in reference to law generally, and the provision that should be made to prevent and punish ferocious and malevolent offenses. A Christian may always act on the plan of forgiving injuries; and where the public peace and safety may not be affected, he should do so; but if law did not make a provision for the safety of the community by enactment against the profligate, civil society would soon be destroyed.