

DEUTERONOMY 22:1 You shall not see your brother's ox or his sheep go astray, and hide yourself from them. You shall surely bring them again to your brother.

Ordinances relative to strayed cattle and lost goods, Deu 22:1-3. Humanity to oppressed cattle, Deu 22:4. Men and women shall not wear each other's apparel, Deu 22:5. No bird shall be taken with her nest of eggs or young ones, Deu 22:6, Deu 22:7. Battlements must be made on the roofs of houses, Deu 22:8. Improper mixtures to be avoided, Deu 22:9-11. Fringes on the garments, Deu 22:12. Case of the hated wife, and the tokens of virginity, and the proceedings thereon, Deu 22:13-21. The adulterer and adulteress to be put to death, Deu 22:22. Case of the betrothed damsel corrupted in the city, Deu 22:23, Deu 22:24. Cases of rape and the punishment, Deu 22:25-27; of fornication, Deu 22:28, Deu 22:29. No man shall take his father's wife, Deu 22:30.

Verse 1

Thou shalt not see thy brother's ox or his sheep go astray - The same humane, merciful, and wise regulations which we met with before, Exo 23:4, Exo 23:5, well calculated to keep in remembrance the second grand branch of the law of God, Thou shalt love thy neighbor as thyself. A humane man cannot bear to see even an ass fall under his burden, and not endeavor to relieve him; and a man who loves his neighbor as himself cannot see his property in danger without endeavoring to preserve it. These comparatively small matters were tests and proofs of matters great in themselves, and in their consequences. See the note on Exo 23:4.

DEUTERONOMY 22:2 If your brother isn't near to you, or if you don't know him, then you shall bring it home to your house, and it shall be with you until your brother comes looking for it, and you shall restore it to him.

DEUTERONOMY 22:3 So you shall do with his donkey. So you shall do with his garment. So you shall do with every lost thing of your brother's, which he has lost, and you have found. You may not hide yourself.

Verse 3

Thou mayest not hide thyself - Thou shalt not keep out of the way of affording help, nor pretend thou didst not see occasion to render thy neighbor any service. The priest and the Levite, when they saw the wounded man, passed by on the other side of the way, Luk 10:31, Luk 10:32. This was a notorious breach of the merciful law mentioned above.

DEUTERONOMY 22:4 You shall not see your brother's donkey or his ox fallen down by the way, and hide yourself from them. You shall surely help him to lift them up again.

DEUTERONOMY 22:5 A woman shall not wear men's clothing, neither shall a man put on women's clothing; for whoever does these things is an abomination to the LORD your God.

Verse 5

The woman shall not wear that which pertaineth unto a man - כלי גבר keli geber, the instruments or arms of a man. As the word גבר geber is here used, which properly signifies a strong man or man of war, it is very probable that armor is here intended; especially as we know that in the worship of Venus, to which that of Astarte or Ashtaroth among the Canaanites bore a striking resemblance, the women were accustomed to appear in armor before her. It certainly cannot mean a simple change in dress, whereby the men might pass for women, and vice versa. This would have been impossible in those countries where the dress of the sexes had but little to distinguish it, and where every man wore a long beard. It is, however, a very good general precept understood literally, and applies particularly to those countries where the dress alone distinguishes between the male and the female. The close-shaved gentleman may at any time appear like a woman in the female dress, and the woman appear as a man in the male's attire. Were this to be tolerated in society, it would produce the greatest confusion. Clodius, who dressed himself like a woman that he might mingle with the Roman ladies in the feast of the Bona Dea, was universally execrated.

DEUTERONOMY 22:6 If you come across a bird's nest on the way, in any tree or on the ground, with young ones or eggs, and the hen sitting on the young, or on the eggs, you shall not take the hen with the young.

DEUTERONOMY 22:7 You shall surely let the hen go, but the young you may take for yourself; that it may be well with you, and that you may prolong your days.

Verse 7

Thou shalt - let the dam go, and take the young to thee; that it may be well with thee - This passage may be understood literally. If they destroyed both young and old, must not the breed soon fail, and would it not in the end be ill with them; and by thus cutting off the means of their continual support, must not their days be shortened on the land? But we may look for a humane precept in this law. The young never knew the sweets of liberty; the dam did: they might be taken and used for any lawful purpose, but the dam must not be brought into a state of captivity. They who can act otherwise must be either very inconsiderate or devoid of feeling; and such persons can never be objects of God's peculiar care and attention, and therefore need not expect that it shall be well with them, or that they shall prolong their days on the earth. Every thing contrary to the spirit of mercy and kindness the ever blessed God has in utter abhorrence. And we should remember a fact, that he who can exercise cruelty towards a sparrow or a wren, will, when circumstances are favorable, be cruel to his fellow creatures. The poet Phocylides has a maxim in his admonitory poem very similar to that in the sacred text: - Μηδε τις ορυιθας καλιης άμα παντας έλεσθω· Μητερα δ' εκπρολιπτης, ιν' εχης παλι τησδε νεοττους.

Phocyl. Ποιημα Νουθετ., ver. 80. "Nor from a nest take all the birds away;

The mother spare, she'll breed a future day."

DEUTERONOMY 22:8 When you build a new house, then you shall make a railing around your roof, so that you don't bring blood on your house if anyone falls from there.

Verse 8

A battlement for thy roof - Houses in the East are in general built with flat roofs, and on them men walk to enjoy the fresh air, converse together, sleep, etc.; it was therefore necessary to have a sort of battlement or balustrade to prevent persons from falling off. If a man neglected to make a sufficient defense against such accidents, and the death of another was occasioned by it, the owner of the house must be considered in the light of a murderer.

DEUTERONOMY 22:9 You shall not sow your vineyard with two kinds of seed, lest all of the fruit be defiled, the seed which you have sown, and the increase of the vineyard.

Verse 9

Divers seeds - See the note on Lev 19:19.

DEUTERONOMY 22:10 You shall not plough with an ox and a donkey together.

Verse 10

Thou shalt not plough with an ox and an ass - It is generally supposed that mixtures of different sorts in seed, breed, etc., were employed for superstitious purposes, and therefore prohibited in this law. It is more likely, however, that there was a physical reason for this; two beasts of a different species cannot associate comfortably together, and on this ground never pull pleasantly either in cart or plough; and every farmer knows that it is of considerable consequence to the comfort of the cattle to put those together that have an affection for each other. This may be very frequently remarked in certain cattle, which, on this account, are termed true yoke-fellows. After all, it is very probable that the general design was to prevent improper alliances in civil and religious life. And to this St. Paul seems evidently to refer, 2Cor 6:14 : Be ye not unequally yoked with unbelievers; which is simply to be understood as prohibiting all intercourse between Christians and idolaters in social, matrimonial, and religious life. And to teach the Jews the propriety of this, a variety of precepts relative to improper and heterogeneous mixtures were interspersed through their law, so that in civil and domestic life they might have them ever before their eyes.

DEUTERONOMY 22:11 You shall not wear clothes of wool and linen woven together.

DEUTERONOMY 22:12 You shall make yourselves fringes on the four corners of your cloak with which you cover yourself.

Verse 12

Fringes - See on Num 15:38 (note).

DEUTERONOMY 22:13 If any man takes a wife, and goes in to her, hates her,

DEUTERONOMY 22:14 accuses her of shameful things, and gives her a bad name, and says, "I took this woman, and when I came near to her, I didn't find in her the tokens of virginity";

DEUTERONOMY 22:15 then the young lady's father and mother shall take and bring the tokens of the young lady's virginity to the elders of the city in the gate.

Verse 15

Tokens of the damsel's virginity - This was a perfectly possible case in all places where girls were married at ten, twelve, and fourteen years of age, which is frequent in the East. I have known several instances of persons having had two or three children at separate births before they were fourteen years of age. Such tokens, therefore, as the text speaks of, must be infallibly exhibited by females so very young on the consummation of their marriage.

DEUTERONOMY 22:16 The young lady's father shall tell the elders, "I gave my daughter to this man as his wife, and he hates her.

DEUTERONOMY 22:17 Behold, he has accused her of shameful things, saying, 'I didn't find in your daughter the tokens of virginity;' and yet these are the tokens of my daughter's virginity." They shall spread the cloth before the elders of the city.

Verse 17

They shall spread the cloth, etc. - A usage of this kind argues a roughness of manners which would ill comport with the refinement of European ideas on so delicate a subject. Attempts have been made to show that the law here is to be understood metaphorically; but they so perfectly fail to establish any thing like probability, that it would be wasting my own and my reader's time to detail them. A custom similar to that above is observed among the Mohammedans to the present day.

DEUTERONOMY 22:18 The elders of that city shall take the man and chastise him.

DEUTERONOMY 22:19 They shall fine him one hundred shekels of silver, and give them to the father of the young lady, because he has given a bad name to a virgin of Israel. She shall be his wife. He may not put her away all his days.

DEUTERONOMY 22:20 But if this thing is true, that the tokens of virginity were not found in the young lady;

DEUTERONOMY 22:21 then they shall bring out the young lady to the door of her father's house, and the men of her city shall stone her to death with stones, because she has done folly in Israel, to play the prostitute in her father's house. So you shall remove the evil from your midst.

DEUTERONOMY 22:22 If a man is found lying with a woman married to a husband, then they shall both die, the man who lay with the woman and the woman. So you shall remove the evil from Israel.

Verse 22

Shall both of them die - Thus we find that in the most ancient of all laws adultery was punished with death in both the parties.

DEUTERONOMY 22:23 If there is a young lady who is a virgin pledged to be married to a husband, and a man finds her in the city, and lies with her;

DEUTERONOMY 22:24 then you shall bring them both out to the gate of that city, and you shall stone them to death with stones; the lady, because she didn't cry, being in the city; and the man, because he has humbled his neighbour's wife. So you shall remove the evil from your midst.

DEUTERONOMY 22:25 But if the man finds the lady who is pledged to be married in the field, and the man forces her, and lies with her; then only the man who lay with her shall die;

Verse 25

And the man force her - A rape also, by these ancient institutions, was punished with death, because a woman's honor was considered equally as precious as her life; therefore the same punishment was inflicted on the ravisher as upon the murderer. This offense is considered in the same point of view in the British laws, and by them also it is punished with death.

DEUTERONOMY 22:26 but to the lady you shall do nothing. There is in the lady no sin worthy of death; for as when a man rises against his neighbour, and kills him, even so is this matter;

DEUTERONOMY 22:27 for he found her in the field, the pledged to be married lady cried, and there was no one to save her.

DEUTERONOMY 22:28 If a man finds a lady who is a virgin, who is not pledged to be married, grabs her, and lies with her, and they are found;

DEUTERONOMY 22:29 then the man who lay with her shall give to the lady's father fifty shekels of silver. She shall be his wife, because he has humbled her. He may not put her away all his days.

DEUTERONOMY 22:30 A man shall not take his father's wife, and shall not uncover his father's skirt.

Verse 30

A man shall not take his father's wife - This is to be understood as referring to the case of a stepmother. A man in his old age may have married a young wife, and on his dying, his son by a former wife may desire to espouse her: this the law prohibits. It was probably on pretense of having broken this law, that Solomon put his brother Adonijah to death, because he had desired to have his father's concubine to wife, 1Kgs 2:13-25.