**Deuteronomy 21:1-9**

[*https://thebiblesays.com/commentary/deut/deut-21/deuteronomy-211-9/*](https://thebiblesays.com/commentary/deut/deut-21/deuteronomy-211-9/)

*Moses deals with the issue of murder when the killer is unknown*

In this first case law, Moses explained what to do *if a slain person is found lying in the open country in the land which the LORD your God gives you to possess, and it is not known who has struck him* (v. 1). Unlike the previous cases which identified the evildoer (see [Deuteronomy 13:1](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Deuteronomy+13.1&t=NASB95); [17:2](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Deuteronomy+17.2&t=NASB95); [19:4](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Deuteronomy+19.4&t=NASB95); [11](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Deuteronomy+11&t=NASB95)), this case deals with an unsolved killing by an unknown person.

The *slain person* (Hebrew “ḥālāl”) literally means “pierced” or “someone stabbed to death” ([Numbers 19:16](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Numbers+19.16&t=NASB95)). This implied that the *slain person* likely bore some piercing marks indicating that he had been *struck* by someone else.

Although the death was caused by an unknown assailant, the Israelites still needed to purge the blood that was shed from their midst in order to restore their relationship with Yahweh. Therefore, Moses describes the ritual to be performed once *a slain person* was *found lying in open country in the land* *which the LORD* gave to Israel to *possess.*

Upon finding a slain body, Moses told the people that*your elders and your judges shall go out and measure the distance to the cities which are around the slain one*(v. 2). The *elders* (Heb. “zāqēn”) were those who were held in high esteem in the Israelite community and often served as authorities in their towns ([Deuteronomy 1:13](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Deuteronomy+1.13&t=NASB95)). The *judges* (Heb. “shāpat”) were those who conducted legal procedures among the Israelite community. Practically, the search for the nearest city and the involvement with that city’s leadership would cause the murder to be widely publicized, heightening the likelihood that the murderer would be found. This law would be known to prospective assailants, and act as a deterrent.

Once the elders and the judges found the city nearest to the dead body, *the elders of that city*were to*take a heifer of the herd*(v. 3)*.*A heifer is a young cow, one which has not given birth to a calf. Heifers were used commonly for plowing ([Judges 14:18](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Judges+14.18&t=NASB95)) and for threshing grain ([Hosea 10:11](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Hosea+10.11&t=NASB95)). But the heifer to be chosen in this case needed to be one *which had not been worked and which had not pulled in a yoke*. This *heifer* was to be sacrificed to remove the guilt associated with a murder committed by an unknown assailant.

Then, *the elders of that city* were to *bring* *the heifer down to a valley with running water, which* had *not been plowed or sown* (v. 4). The elders could not bring the heifer down to any location but to an ever-flowing stream. There they would *break the heifer’s neck in the valley,*taking the life of the heifer in place of the murdered man. It is interesting that a young, unworked heifer was to be brought to a portion of land that had not been worked or cultivated.

The idea here seems to be that an animal that had not become fully fruitful was to be sacrificed on land that had not yet been fruitful. This might picture the fact that a murder had prematurely terminated the fruitfulness of the victim’s life. Again, the elaborate ceremony involving the nearest city’s leaders as well as the affected landowner would elevate awareness of the crime.

After destroying the world with water to prevent the earth from filling with violence again ([Genesis 6:11](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Genesis+6.11&t=NASB95)), God gave moral authority to humans to take life as restitution for life taken ([Genesis 9:6](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Genesis+9.6&t=NASB95)). In this case, since the murderer was unknown, it was unknown what human life should pay restitution for the life taken. Therefore, a heifer would substitute, reminding Israel of the sanctity of life.

Next, *the priests, the sons of Levi, shall come near, for the Lord your God has chosen them to serve Him and to bless in the name of the Lord*(v. 5). The *priests* were of *the sons of Levi. Levi*was one of Jacob’s twelve sons and the *sons of Levi*constituted one of the tribes of Israel. These *sons of Levi*were appointed by God to be *priests.*They were chosen by the Suzerain (Ruler) God to serve as ministers before Him ([Deuteronomy 10:8](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Deuteronomy+10.8&t=NASB95); [2 Chronicles 29:11](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=2Chronicles+29.11&t=NASB95); [Ezekiel 44:15](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Ezekiel+44.15&t=NASB95)). Also, in their role as servants of the LORD, *every dispute and every assault*was to*be settled by them*, and their presence was required during the sacrifice ritual to ensure everything was done in God’s way, as well as to serve as witnesses before the Suzerain God. Later, God instructed Israel to appoint judges, who would decide cases ([Deuteronomy 16:18](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Deuteronomy+16.18&t=NASB95)). For now, God had appointed the *priests*to settle disputes.

Moreover, *all the elders of that city which*was*nearest to the slain man* were to *wash their hands* *over the heifer whose neck was broken in the valley* (v. 6). The washing of the hands symbolized the innocence of the elders and the community of Israel. Washing of the hands as a sign of a declaration of innocence was common in ancient times. In [Psalm 26](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Psalm+26&t=NASB95), the Psalmist prayed that God might vindicate him because he walked in his integrity (v. 1). He declared, “I shall wash my hands in innocence, I will go about your altar, O LORD, that I may proclaim with the voice of thanksgiving and declare all Your wonders” (vv. 6-7; cf. [Isaiah 1:15-16](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Isaiah+1.15-16&t=NASB95)). This custom was still in practice during the time of Jesus, as the Roman governor Pilate washed his hands publicly in a (futile) attempt to demonstrate his innocence in condemning Jesus to death, whom he had declared to be innocent of any wrong-doing ([Matthew 27:24](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Matthew+27.24&t=NASB95)).

After the symbolic act of washing their hands to symbolize their innocence, the elders were to make a public declaration of their innocence and the innocence of the Israelite community by saying *our hands did not shed this blood, nor did our eyes see it*(v. 7)*.* The elders spoke for themselves and for the entire community. In this manner, the political leaders (elders) as well as the spiritual leaders (priests) were acknowledging the importance of life, and declaring that they would enforce God’s law if they had the means to do so. They are making it clear that they are not just looking the other way, or saying, “Not our problem.” In making this statement, it is inferred that they would have made a thorough search and good faith attempt to locate and identify the murderer.

They were then to pray to the LORD, the Suzerain (Ruler) God—*Forgive Your people Israel whom You have redeemed, O Lord, and do not place the guilt of innocent blood in the midst of Your people Israel* (v. 8)*.* The verb *forgive* (Heb. “kāpar”) has the idea of wiping out someone’s offense from memory. When used in conjunction with sin, it means “to atone for.” So, here the elders were to ask the LORD to set them (and the Israelite community) free from *the guilt of innocent blood*. After the prayer,*the bloodguiltiness*would*be forgiven them*. Thus, as the elders prayed, they reminded God that He was the one who *redeemed* the Israelites, a clear reference to Israel’s liberation from Egypt from the hand of Pharaoh ([Exodus 14-15](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Exodus+14-15&t=NASB95)). This prayer would remind the city’s leaders that they had responsibility before God to pursue justice and solve this crime if possible.

The elders were to do all of this in order to*remove the guilt of innocent blood from your midst*(v. 9)*.*The verb *remove* (Heb. “bā’ar,” “sweep away”, “get rid of”) connotes the idea of burning something to remove it completely from a certain spot. In this context, the elders were to perform this ritual with the heifer when the murderer was unknown. The guilt needed to be removed from the Israelite community because to do so was to *do what is right in the eyes of the Lord*.

Doing this would result in the Israelites enjoying a peaceful and prosperous life as they served and obeyed their Suzerain God faithfully. In this instance, they were acknowledging the law as well as the crime, as well as their service to their Suzerain God, but also declaring an inability to enforce the law themselves, since the murderer was unknown, and therefore leaving it in the hands of God. The fact they were required to go through this exercise ensured that there would be no taking of life in Israel that was merely ignored. This underscores the biblical ethic that all human life is valuable, as each person was created in the image of God.

**Biblical Text:**

**1If a slain person is found lying in the open country in the land which the Lord your God gives you to possess, *and* it is not known who has struck him, 2then your elders and your judges shall go out and measure *the distance* to the cities which are around the slain one. 3It shall be that the city which is nearest to the slain man, that is, the elders of that city, shall take a heifer of the herd, which has not been worked and which has not pulled in a yoke; 4and the elders of that city shall bring the heifer down to a valley with running water, which has not been plowed or sown, and shall break the heifer’s neck there in the valley. 5Then the priests, the sons of Levi, shall come near, for the Lord your God has chosen them to serve Him and to bless in the name of the Lord; and every dispute and every assault shall be settled by them. 6All the elders of that city which is nearest to the slain man shall wash their hands over the heifer whose neck was broken in the valley; 7and they shall answer and say, ‘Our hands did not shed this blood, nor did our eyes see *it*. 8Forgive Your people Israel whom You have redeemed, O Lord, and do not place the guilt of innocent blood in the midst of Your people Israel.’ And the bloodguiltiness shall be forgiven them. 9So you shall remove the guilt of innocent blood from your midst, when you do what is right in the eyes of the Lord.**