

Deuteronomy 21:15-17

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Moses instructs the Israelite husband who has two wives to give a double portion of his inheritance to the firstborn son, even if his mother is less favored than the other

This section deals with the right of the firstborn son in a family where *a man has two wives* (v. 15). Though polygamy (one man being married to more than one wife at the same time) was widely practiced in the Ancient Near East, it was not prescribed or encouraged by the LORD ([Genesis 2:20 – 24](#); [Mark 10:5-9](#)). He did, however, allow it to be practiced in Israel ([2 Samuel 12:8](#)).

Also, the Old Testament does not present polygamy in a positive light. Instead, it contains stories where it caused significant problems ([Genesis 29:15 – 30:24](#); [1 Kings 11](#)).

This text speaks to a situation where two wives were in a marriage where one wife was *loved and the other unloved, and both the loved and the unloved have borne him sons*. The word *unloved* (Heb. “šānēa”) is usually translated “to hate.” However, in some contexts where a comparison is made, the verb simply conveys the idea of favoritism. An example of this is when the LORD said, “I have loved Jacob. But I have hated Esau” ([Malachi 1:2-3](#)). This means that the LORD chose to bestow His blessing on Jacob instead of Esau, favoring one over the other. Also, in terms of a covenant, the word *loved* is a technical term that denotes the Suzerain’s (Ruler’s) choice with whom he established a covenant relationship. In our context, it means that the husband favored one wife over the other.

The problem addressed here was when *the firstborn son belongs to the unloved*. Since the husband/father had discretion over how to distribute his estate, he might be tempted to give a greater portion of his estate to the firstborn of the wife he loved and ignore the true firstborn son. This is precisely the situation that existed with Jacob and his two wives. Jacob labored for seven years in order to gain Rachel as his wife, but was tricked and given Leah as a wife ([Genesis 29:15-30](#)). He eventually married Rachel also, and thereafter favored her.

This created many problems. Rachel's firstborn, Joseph, was Jacob's favorite. But Leah had the firstborn son, Reuben. It seems likely that in granting Joseph the many-colored coat, Jacob was making clear that Joseph was his favorite. The *firstborn* would inherit the position of authority over the family ([Genesis 37:5-7](#)).

Jacob apparently began to have Joseph oversee the family operations, apparently training him for future job as a *firstborn* ([Genesis 37:14](#)). It was then that his brothers captured and sold him into slavery to Egypt ([Genesis 37:23-28](#)). It seems that God here in [Deuteronomy 21](#) is prescribing a solution to prevent this from becoming a pattern. In the future, the father does not get to pick the *firstborn*. Rather, the *firstborn* is prescribed. Perhaps in order to eliminate competition, God prescribes that the *firstborn* rights will inure to whichever son is born first, irrespective of the husband's affinity for the mother.

That this provision is included in a section that appears to refer to the sixth commandment "not to murder," it might be connected with Joseph's brothers plotting his murder because of jealousy that he was being treated as the firstborn and being granted authority over them. Intrigue and murder has been common in family dynasties where succession to authority was not clear. By making the succession clear, and indisputable, this provision takes away a motive for murder that was inherent in Israel's family tree.

The issue would arise *in the day he wills what he has to his sons* (v. 16). The LORD made it clear that the father *cannot make the son of the loved wife the firstborn before the son of the unloved wife, who is the firstborn*. That is, he cannot change the rules of inheritance based on his attachment or favor of one wife over another. The father did not have absolute authority over who received the *firstborn* inheritance. He needed to follow the law of the LORD.

So, Moses issued a safeguard against overriding the right of the firstborn son. The husband/father was to *acknowledge the firstborn, the son of the unloved, by giving him a double portion of all that he has* (v. 17). The father was to recognize the *firstborn* son as such, regardless of his feelings and preference. The *double portion of all that he has* would have included the right and authority to be the leader of the family or clan.

The rationale for giving the *firstborn* son a *double portion* of the father's inheritance was because he was *the beginning of his father's strength*. The word translated as *strength* (Hebrew "ôn") refers to the reproductive power of the man. It is used in the same way in [Genesis 49](#) where Jacob said that

Reuben was his firstborn, his might, and the beginning of his *strength* ([Genesis 49:3](#)). Therefore, the firstborn was to receive a double portion, whether his mother was *loved* or *unloved*. To *him* belonged *the right of the firstborn*.

In many ancient Near Eastern nations, the firstborn son had the right to receive a much larger portion of his father's inheritance. This practice was also true in Israel.

It seems reasonable to deduce that the practical impact of this law would be to stabilize the family. The wives would have less motive to compete for favor against one another. And the brothers would have less motive to compete for favor. The favored wife would also have motivation to treat well the unfavored wife, lest her son take revenge upon her sons when he comes into his inheritance as the *firstborn*.

This law and the prior one (vv. 10 – 14) taught husbands/fathers that they did not have absolute authority in the family—the LORD did. This reflects that Rule of Law is one of the three pillars of self-governance embedded within the Ten Commandments; God is the ultimate authority, and sets the boundaries within which His people are encouraged to make good choices, and take responsibility for one another's welfare.

The husband/father was obliged to treat his wife and children with dignity and consideration. And the succession of authority over the family was to pass to the firstborn son regardless of the father's feelings toward his mother.

Biblical Text:

¹⁵If a man has two wives, the one loved and the other unloved, and both the loved and the unloved have borne him sons, if the firstborn son belongs to the unloved,¹⁶ then it shall be in the day he wills what he has to his sons, he cannot make the son of the loved the firstborn before the son of the unloved, who is the firstborn.¹⁷ But he shall acknowledge the firstborn, the son of the unloved, by giving him a double portion of all that he has, for he is the beginning of his strength; to him belongs the right of the firstborn.