**Deuteronomy 21:22-23**

[*https://thebiblesays.com/commentary/deut/deut-21/deuteronomy-2122-23/*](https://thebiblesays.com/commentary/deut/deut-21/deuteronomy-2122-23/)

*Moses instructs the Israelites on how to handle the dead body of a person who has committed a capital offense and has been put to death*

Having just dealt with the matter of capital punishment for unruly children (21:18-21), Moses now explained what was to be done *if a man has committed a sin worthy of death, and he is put to death, and you hang him on a tree* (v. 22). To *hang* up someone *on a tree* means to fix the dead body to a pole or a stake driven into the ground. This practice was widely used both in Israel and in the other ancient Near Eastern nations either as a way of executing criminals ([Joshua 8:23](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Joshua+8.23&t=NASB95); [Esther 2:23](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Esther+2.23&t=NASB95); [5:14](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Esther+5.14&t=NASB95)) or as a way of shaming someone who had already been killed ([Genesis 40:19](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Genesis+40.19&t=NASB95); [2 Samuel 4:12](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=2Samuel+4.12&t=NASB95)). In either case, the shaming was to remind others of the consequences of breaking the law, and to act as a deterrent for future crimes.

In this context, Moses placed the act of hanging the dead body on the tree after the act of killing the individual. It is noteworthy to say that Moses did not prohibit the practice of hanging criminals on trees in Deuteronomy since the practice was well known to the Israelites. He simply imposed certain limitations on the practice to ensure that the Israelites did it in a way that pleased their Suzerain (Ruler) LORD and still honored the sanctity of human life.

Moses set this limitation by saying that *his corpse shall not hang all night on the tree* (v. 23). Instead, they were to *bury* *him* *the same day*. This was likely to prevent the body from being eaten by birds or animals. Also, the LORD probably did not want the Promised Land to be associated with death, or to encourage the people to be obsessed with death (like the Egyptians were). If one obeyed the covenant, there would be life, but breaking the covenant by committing a crime worthy of death would result in death.

An example of this was when Joshua, Moses’ successor, had conquered Ai. There, “he hanged the king of Ai on a tree until evening; and at sunset Joshua gave command and they took his body down from the tree and threw it at the entrance of the city gate, and raised over it a great heap of stones” ([Joshua 8:29](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Joshua+8.29&t=NASB95)).

The rationale for this law was because *the* *one who is hanged is accursed of God*. It seems that the individual hanged on the tree was under God’s curse because he broke God’s covenant. This provision has a prophetic application, in that it pictured Jesus being hung on a cross for our sins ([Colossians 2:14](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Colossians+2.14&t=NASB95); [Galatians 3:13](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Galatians+3.13&t=NASB95)).

They were to bury the dead criminal before sunset *so that you do not defile your land which the Lord your God gives you as an inheritance*. The verb translated *defile* (Heb. “ṭāmē’”) means “to become unclean.” It is not explained how the curse on the executed criminal would be applied to the Promised Land, but the LORD assures that it would.

In this case, to *defile* the land would be to make it unclean by allowing the dead body to remain on it. In a literal sense, the corpse of the criminal could defile the land if left on the tree because the decaying body parts would eventually be broken up and spread by birds and animals. Symbolically, the Promised Land was to be seen as a gift from the Israelites’ Suzerain LORD, and to leave a dead body visible for a long time was unnecessary, ugly, and sullied the look of the Land, and perhaps the society of the Israelites. God wanted them to live in harmony with one another, to focus on loving one another and walking in fellowship with Him, not littering their communities with gallows and rotting flesh. The dead person was to be hung for a time, the lesson learned, then life was to resume, and the dead to be buried properly.

Paul quotes verse 23 in [Galatians 3:13](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Galatians+3.13&t=NASB95) when speaking of what Jesus Christ did for us on the cross. He was crucified “on a tree” (a poetic reference to the cross made of wood) and thus became a “curse for us” so that we would not be under God’s curse because of our sin. It could be that this provision had a prophetic application, since Jesus was taken down from the cross on the same day He was crucified, and buried before nightfall ([Matthew 27:45](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Matthew+27.45&t=NASB95),[57](https://www.blueletterbible.org/search/preSearch.cfm?Criteria=Matthew+27.57&t=NASB95)).

**Biblical Text:**

**22If a man has committed a sin worthy of death and he is put to death, and you hang him on a tree, 23his corpse shall not hang all night on the tree, but you shall surely bury him on the same day (for he who is hanged is accursed of God), so that you do not defile your land which the Lord your God gives you as an inheritance.**