

# Anyone Hung on a Tree is Cursed

## Deuteronomy 21

Expository Lessons from the Book of Deuteronomy

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### I. Introduction

- a. The **Book of Deuteronomy** consists of a few speeches that Moses gave to the Israelites near the end of their 40 years of wandering in the Wilderness.
- b. In a message on the previous chapter, **Deuteronomy 20**, we discussed various instructions that Moses gave the Israelites regarding when they went to war against other nations.
  - i. We considered practical lessons for us in the spiritual war we are all currently engaged in. It is against powerful spiritual forces, for which we have been given access to powerful spiritual weapons (offensive and defensive).
  - ii. This was a reminder that we Christians are still a nation at war, even though it may not appear that way on the outside (superficially).
  - iii. In a special supplemental lesson, we looked at the Biblical perspective we should have regarding participation in wars involving the modern state of Israel.
- c. Now, in **Deuteronomy 21**, we continue in Moses' second address, which provides some interesting instructions for the Jews to follow after Moses dies and they move into Canaan, the Promised Land.
- d. This chapter is devoted to various laws regarding family relations and other seemingly unrelated topics. It closes with an unusual curse that Paul quoted in **Galatians 3**, giving an unusual insight into the manner of Jesus' death. The topics discussed in this chapter include:
  - i. Unsolved murders in the countryside.
  - ii. How to treat foreign women taken captive in war.
  - iii. Being impartial regarding the inheritance rights of offspring.
  - iv. Disciplining of a son in the case of extreme, unrepentant rebellion.
  - v. A very unusual curse that points to the way Jesus was killed.

- e. There are some practical insights for us, generally in the later part of this lesson, including:
  - i. Insights into the character of God, which are revealed in these laws.
  - ii. Principles related to the discipline of children.
  - iii. A foreshadowing of Jesus and the cross.

## II. Regarding Guilt from a Man Being Murdered

- a. Read **Deuteronomy 21:1-9**.
- b. This tells the people what they should do when a man is found murdered in the countryside.
  - i. The matter is to be taken up in the nearest town.
  - ii. The local priests and Levites are gathered to pray and to help resolve the controversy.
  - iii. Then the elders of the town are gathered to affirm that they don't know of anyone in their town being guilty of the murder.
  - iv. The ritual involves the blood of a sacrificed animal, and washing their hands with water over the slain animal. It says that the blood shall atone for the people, that the Lord would not charge them with being guilty for the murder.
    - 1. Perhaps this is another example of foreshadowing of Jesus' sacrifice: that *blood* and *water* are both involved in our own atonement, to remove our guilt.

## III. Regarding Treatment of Women Taken Captive in War

- a. Read **Deuteronomy 21:10-14**.
- b. Many find this to be a rather disturbing passage.
- c. This pertains to what the Israelites will (and will not) be permitted to do with a beautiful woman who is taken captive following a war against their enemies.
  - i. In ancient times, typically the foreign women on the losing side of a battle were treated however their captors chose. That could include killing them, turning them into slaves and/or violating them sexually. They would have no rights, and no limits on what could be done to them.

- ii. Here, the Lord *puts limits* on what can be done with the vulnerable (attractive) foreign women in this situation.
  - 1. The Israelite men are permitted to *marry them*. However, even in that they are subject to following certain restrictions.
    - a. First, the woman will be allowed to mourn the loss of her parents for a full month.
    - b. Second, if the Israelite man who has taken her captive finds the woman attractive (and is considering taking her for his wife) must have her head shaved and her nails trimmed. Also, her prior clothing is to be replaced.
      - i. The superficial, outward things that might cause her to be attractive to the man are removed.
    - c. Only after the above two things have been done and a month is passed, the man may do one of two things. Either:
      - i. Take her as his wife; or
      - ii. Release her to go free (he may not sell her to others as a slave).
- d. **Question:** Does this unusual set of restrictions *tell us anything about the character of God?*
  - i. Early Christian writer Clement of Alexandria, writing c. 195 AD in *The Stromata, or Miscellanies*, said that we can see embedded throughout the requirements of the Law of Moses, examples of God's concern for the full range of virtues, including treating others justly. He addressed the passage we have just read as a classic example of this.
    - 1. "Further, it forbids intercourse with a female captive so as to dishonour her. 'But allow her', it says, 'thirty days to mourn according to her wish, and changing her clothes, associate with her as your lawful wife.' For it regards it not right that this should take place either in wantonness or for hire like harlots, but only for the birth of children.
    - 2. "Do you see humanity combined with continence [= *self restraint on one's own passions or lust*]. The master who has fallen in love with his captive maid it does not allow to gratify his pleasure, but puts a check on his lust by specifying an interval of time; and further, it cuts off the captive's hair, in order to shame disgraceful love: for if it is reason that induces

him to marry, he will cleave to her even after she has become disfigured.”

- a. (Source: Clement of Alexandria, *The Stromata, or Miscellanies*, book 2, chapter 18; found in Ante-Nicene Fathers vol. 2, p. 367)

#### IV. No Discrimination Among Wives Regarding Offspring Rights

- a. Read **Deuteronomy 21:15-17**.
- b. Bear in mind that polygamy was allowed under the Law of Moses (but was later abolished by Jesus). This passage places some limits on the behavior of a husband toward his wives, if he has a second wife.
  - i. He had to uphold the rights of the less-loved wife (and her offspring) and not favor the one he loved the most.

#### V. Extreme Discipline for a Rebellious Son

- a. Read **Deuteronomy 21:18-21**.
- b. Very clear instructions regarding a rebellious son who refuses to listen to his parents, and who leads a dissolute life (becoming a glutton and a drunkard). His parents are instructed to:
  - i. Escalate this by bringing their son before the elders at the city gate.
  - ii. Present their specific charge regarding their son to the elders (who I presume will investigate further before rendering a verdict).
  - iii. All the men of the city (including, of course, all the fathers and grandfathers) will stone the disobedient son to death.
- c. Imagine the reaction of the other children on finding out about the unfortunate demise of one of their former friends (who ended up getting stoned to death by the men of the city for his disobedience to his parents)!
  - i. **Rhetorical Question:** Do you think this short passage might have been one of the favorites for Jewish parents to teach their children?
- d. **Question:** Why such an extreme and public punishment?
  - i. So that “the rest [*the other children in the town*] will hear and *be afraid*”.
  - ii. The fear of the consequences of punishment will have a strong but healthy impact on the community. Others who are tempted will be sobered and avoid falling into similar sin.

- iii. How a family or a church community addresses sin will impact everyone in the community (not just the sinner).
  - 1. If sin is tolerated without consequences, it will spread to others.
    - a. In addressing sexual sin in the church in Corinth, Paul reminded us: “Do you not know that a little leaven leavens the whole lump?” (**1 Corinthians 5:6**, NKJV)
  - 2. If sin is dealt with firmly and boldly, it will produce a healthy fear in the church, leading others to avoid the same sin!
    - a. “Do not receive an accusation against an elder except from two or three witnesses. Those who are sinning rebuke in the presence of all, *that the rest also may fear.*” (**1 Timothy 5:19–20**, NKJV)
- iv. **Question:** Is fear of consequences, and fear of God, still a good motivation for Christians?
  - 1. Jesus, Peter and Paul clearly thought so!
  - 2. There are so many examples throughout the New Testament where fear is considered a positive motivation for Christians, to spur us on toward righteousness.
    - a. Jesus said: “And I say to you, My friends, do not be afraid of those who kill the body, and after that have no more that they can do. But I will show you whom you should fear: Fear Him who, after He has killed, has power to cast into hell; yes, I say to you, fear Him!” (**Luke 12:4–5**, NKJV)
    - b. Peter admonished us: “Honor all people. Love the brotherhood. Fear God. Honor the king.” (**1 Peter 2:17**, NKJV)
      - i. Recall also that the apostle Peter, in **1 Peter 3:8–12**, pointed the Christians back to **Psalms 33/34** in his call for them to treat one another with kindness, so that their prayers would not be hindered. That psalm speaks clearly about how the fear of God is critical in keeping us under God’s protection. In that psalm, we are told that “the Angel of the Lord encamps around those who fear Him. And He will deliver them.” (**Psalms 33/34:8**)

- c. Paul wrote: "Therefore consider the goodness and severity of God: on those who fell, severity; but toward you, goodness, if you continue in His goodness. Otherwise you also will be cut off." (**Romans 11:22**, NKJV)

v. Lessons for parents

1. While we Christians don't stone our children, we do need to discipline them when they are disobedient and rebellious, and escalate as appropriate to bring that behavior to an end.
2. While we want our children to love us, trust us and feel safe with us, that also involves applying appropriate discipline. If we do not restrain our children when they are disobedient, it will spread to other children in our family and to other families.
3. Parents are still called to chasten their children, to train them. That is assumed by the writer of Hebrews, who uses that as an example of how God, our own loving Father, disciplines us by putting us through painful hardships as Christians, to train us.
  - a. "And you have forgotten the exhortation which speaks to you as to sons: 'My son, do not despise the chastening of the LORD, Nor be discouraged when you are rebuked by Him; For whom the LORD loves He chastens, And scourges every son whom He receives.' (**Proverbs 3:11-12**) If you endure chastening, God deals with you as with sons; for *what son is there whom a father does not chasten?* But if you are without chastening, of which all have become partakers, then you are illegitimate and not sons.
  - b. "Furthermore, *we have had human fathers who corrected us, and we paid them respect.* Shall we not much more readily be in subjection to the Father of spirits and live? For *they indeed for a few days chastened us as seemed best to them*, but He for our profit, that we may be partakers of His holiness. *Now no chastening seems to be joyful for the present, but painful; nevertheless, afterward it yields the peaceable fruit of righteousness to those who have been trained by it.*" (**Hebrews 12:5-11**, NKJV)

## VII. The Unusual Curse

### a. Read **Deuteronomy 21:22-23**.

#### i. Summary of the passage:

1. If a man is guilty of committing some crime where the sentence is death, if you hang the man on a tree, you must not allow the body to remain on the tree overnight. You must take down the body and bury him that same day.
2. The reason for these special instructions is that *"anyone hung on a tree is cursed by God"*, and they were not to defile the land they would inherit (by leaving the body of the cursed person on the tree overnight).

#### ii. There are a few things to keep in mind regarding the phrases, *"...hang him on a tree"* and *"...he who is hanged on a tree is cursed..."*

##### **Deuteronomy 21:22-23.**

1. The Greek verb in the LXX (kremannumi/κρεμάννυμι) translated "hang/hanged" in this passage can refer to something (or someone) being *suspended by hanging*, such as a picture on a wall.
2. Also, the Greek word (xulon/ξύλον) in the LXX translated as "tree" here can also mean "wood".

#### iii. One would think that anyone executed for serious sin would be considered "cursed by God", whether by stoning, drowning, execution by sword, or whatever!

1. However, here *this one specific form of execution is singled out*, among all the others, in which the one suffering it is said to be "cursed by God".

### b. This passage is quoted by Paul and applied to Jesus in **Galatians 3**. However, there may be other New Testament references to it as well.

### c. There is an especially memorable reference to this passage by Justin Martyr, writing c. 160 AD. in his *Dialogue with Trypho, a Jew*.

- i. This work captures an extensive debate over the Christian faith between Trypho and his friends (Jews who did not accept Jesus as the Christ) and Justin (a Samaritan who had studied Greek philosophy and came to faith, being convinced by the evidence of the Old Testament prophecies being fulfilled).

- ii. After an extended debate about Jesus in which Trypho was softening to the idea that Jesus could be the Christ, Trypho mounts his last major objection to Justin's claim that Jesus was the Christ [*the promised Messiah*]. Trypho points back to this curse from **Deuteronomy 21:22-23**.
  - 1. "Then Trypho remarked, 'Be assured that all our nation waits for Christ; and we admit that all the Scriptures which you have quoted refer to Him. Moreover, I do also admit that the name of Jesus, by which the son of Nave [*following the LXX; = Nun*] was called, has inclined me very strongly to adopt this view.
  - 2. "But whether Christ should be so shamefully crucified, this we are in doubt about. *For whosoever is crucified is said in the law to be accursed, so that I am exceedingly incredulous on this point.* It is quite clear, indeed, that the Scriptures announce that Christ had to suffer; but we wish to learn if you can prove it to us whether it was by the suffering cursed in the law.'
  - 3. "...'Bring us on, then,' said [Trypho], 'by the Scriptures, that we may also be persuaded by you; for we know that He should suffer and be led as a sheep. But prove to us whether He must be crucified and die *so disgracefully and so dishonourably by the death cursed in the law.* For we cannot bring ourselves even to think of this.'"
  - a. (Source: Justin Martyr, *Dialogue of Justin with Trypho, a Jew*, chapter 89-90; found in Ante-Nicene Fathers vol. 1, p. 244)
- iii. In the next several chapters, Justin gives a masterful explanation of the prophecies related specifically to the manner in which Christ would be put to death (being crucified on a cross).
  - 1. In chapters 94-96, Justin explains (as Paul did in **Galatians 3**) that the whole human race was under a curse because of sin. For that reason, Christ took on the curse of the entire human family in his death.
  - 2. Trypho's difficulty in helping the Jews come to grips with this curse reminds me of what Paul said to the Corinthians regarding the cross.
    - a. "For Jews request a sign, and Greeks seek after wisdom; but we preach *Christ crucified, to the Jews a stumbling block* and to the Greeks foolishness, but to those who are called, both Jews and Greeks, Christ the power of



God and the wisdom of God. Because the foolishness of God is wiser than men, and the weakness of God is stronger than men.” (1 **Corinthians 1:22–25**, NKJV)

- b. The idea that the Christ would be crucified (hung on a cross) was highly offensive and a *stumbling block* to the Jews. The reason it was a “stumbling block” for them includes the manner in which He died, being hung on a cross (the manner of death specifically cursed by God).
- iv. Consider a side point made by some early Christian writers.
1. In *Dialogue with Trypho*, in the extended discussion on this curse in chapters 94-96, Justin clarifies to his Jewish opponent that despite the curse, “no curse lies on the Christ of God, by whom all that have committed things of a curse are saved”. Justin asserts that no curse was on Jesus, since He was innocent and committed no sin. (See Ante-Nicene Fathers vol. 1, p. 246-247.)
    - a. **Question:** Does Justin’s point here contradict what Paul wrote in **Galatians 3**? Perhaps not. Consider that in light of Tertullian’s discussion of this curse, which follows below.
  2. Tertullian, writing c. 197 AD in his *Answer to the Jews* (in Ante-Nicene Fathers vol. 3, pp.164-165) made an interesting point by going back to the text of **Deuteronomy 21:22-23**. Note that the passage speaks of a person who is involved in some sin “incurring the judgment of death” being hung on a tree (and thereby cursed). Tertullian pointed out that since Jesus did not commit any sin deserving death, He therefore was not actually “cursed by God”. Note that Paul...
    - a. “[*Addressing the Jews*] Concerning the last step, plainly, of His passion you raise a doubt; affirming that the passion of the cross was not predicted with reference to Christ, and urging, besides, that it is not credible that God should have exposed His own Son to that kind of death; because Himself said, ‘Cursed is every one who shall have hung on a tree.’
    - b. “But the reason of the case antecedently explains the sense of this malediction; for He says in **Deuteronomy**: ‘If, moreover, (a man) shall have been (involved) in some sin incurring the judgment of death, and shall die, and you shall suspend him on a tree, his body shall not

remain on the tree, but with burial you shall bury him on the very day; because cursed by God is every one who shall have been suspended on a tree; and you shall not defile the land which the Lord thy God shall give thee for (your) lot. (**Deuteronomy 21:22-23**)'

- c. "Therefore He did not maledictively [= *cursing for evil*] adjudge Christ to this passion, but drew a distinction, that whoever, in any sin, had incurred the judgment of death, and died suspended on a tree, he should be 'cursed by God,' because his own sins were the cause of his suspension on the tree.
- d. "On the other hand, Christ, who spoke no guile from His mouth, and who exhibited all righteousness and humility, not only (as we have above recorded it predicted of Him) was not exposed to that kind of death *for his own deserts*, but (was so exposed) in order that what was predicted by the prophets as destined to come upon Him through your means might be fulfilled; just as, in the **Psalms**, the Spirit Himself of Christ was already singing, saying, 'They repaid me evil for good' (**Psalms 34/35:12**) and, 'I paid for things I did not steal' (**Psalms 68/69:4-5**)."
- i. (Source: Tertullian, *An Answer to the Jews*, chapter 10; found in Ante-Nicene Fathers vol. 3, pp. 164–165)
  - ii. If Tertullian's assessment is correct, Christ was under a curse (as Paul said in **Galatians 3**), in fulfillment of the prophecy. However, perhaps he was not actually "cursed *by God*" according to **Deuteronomy 21:23** since he did not meet the conditions of the prior verse (**Deuteronomy 21:22**). That is because He was an innocent man who committed no crime worthy of a death sentence!
    1. Perhaps in this light, Jesus' condition would be similar to what it says in **Isaiah 53**, "He was *considered* among the lawless" (**Isaiah 53:12**, LXX); despite the fact that He was innocent of lawlessness.
- v. **Question:** We all know Jesus was nailed to a wooden cross. However, is there anything in the gospels that specifically mentions that the

cross was *made of wood from a tree*? Is there anything about that anywhere in the New Testament?

1. While it says in the gospels that He was nailed to the cross, I am not aware of anywhere in the gospels where it specifically says it was wood (or a tree).
  2. However, in **Acts 5**, it says, "But Peter and the other apostles answered and said: 'We ought to obey God rather than men. The God of our fathers raised up Jesus whom you murdered by *hanging on a tree*. Him God has exalted to His right hand to be Prince and Savior, to give repentance to Israel and forgiveness of sins. And we are His witnesses to these things, and so also is the Holy Spirit whom God has given to those who obey Him.'" (**Acts 5:29–32**, NKJV)
  3. In **Acts 10**, Peter says, "And we are witnesses of all things which He did both in the land of the Jews and in Jerusalem, whom they killed *by hanging on a tree*." (**Acts 10:39**, NKJV)
    - a. This phrase used by Peter, "*...hanging on a tree*", follows the same Greek wording found in the **Deuteronomy 21:22-23** passage in the LXX.
  4. Note that Peter again refers to the "wood/tree" on which Jesus died, in **1 Peter**.
    - a. "...who Himself bore our sins in His own body *on the tree*..." (from **1 Peter 2:24**, NKJV)
- vi. In close, the conclusive passage from Paul in **Galatians 3**:
1. "For as many as are of the works of the law are under the curse; for it is written, 'Cursed is everyone who does not continue in all things which are written in the book of the law, to do them.' (**Deuteronomy 27:26**) But that no one is justified by the law in the sight of God is evident, for 'the just shall live by faith.' (**Habakkuk 2:4**) Yet the law is not of faith, but 'the man who does them shall live by them.' (**Leviticus 18:5**) Christ has redeemed us from the curse of the law, having become a curse for us, for it is written, 'Cursed is everyone who hangs on a tree' (**Deuteronomy 21:23**), that the blessing of Abraham might come upon the Gentiles in Christ Jesus, that we might receive the promise of the Spirit through faith." (**Galatians 3:10–14**, NKJV)

#### d. Conclusion and Take-Aways

- i. Not only the suffering of Jesus, but also the exact manner of his death (being hung or suspended from a wooden cross) were prophesied by Moses, about 1400 years prior to the birth of Christ.
- ii. Jesus' suffering on the cross is an example *for all of us to follow* in our own lives. Consider:
  1. "Then Jesus said to His disciples, *"If anyone desires to come after Me, let him deny himself, and take up his cross, and follow Me.* For whoever desires to save his life will lose it, but whoever loses his life for My sake will find it. For what profit is it to a man if he gains the whole world, and loses his own soul? Or what will a man give in exchange for his soul?" (Matthew **16:24–26**, NKJV)
  2. "For to this you were called, because Christ also suffered for us, *leaving us an example, that you should follow His steps: 'Who committed no sin, Nor was deceit found in His mouth' (Isaiah 53:9);* who, when He was reviled, did not revile in return; when He suffered, He did not threaten, but committed Himself to Him who judges righteously; who Himself bore our sins in His own body on the tree, that we, *having died to sins, might live for righteousness—*by whose stripes you were healed." (1 Peter **2:21–24**, NKJV)
  3. "Therefore Jesus also, that He might sanctify the people with His own blood, suffered outside the gate. Therefore *let us go forth to Him, outside the camp, bearing His reproach.*" (Hebrews **13:12–13**, NKJV)
  4. And as Paul explained in **Philippians 2**, we are called to *follow Jesus' example of suffering and dying on the cross* on behalf of others. This will keep us from pride, arrogance, selfishness, complaining, and disputing with one another!
    - a. "Let nothing be done through selfish ambition or conceit, but in lowliness of mind let each esteem others better than himself. Let each of you look out not only for his own interests, but also for the interests of others. Let this mind be in you which was also in Christ Jesus, who, being in the form of God, did not consider it robbery to be equal with God, but made Himself of no reputation, taking the form of a bondservant, and coming in the likeness of men.
    - b. "And being found in appearance as a man, He humbled Himself and became obedient to the point of death, even

the death of the cross. Therefore God also has highly exalted Him and given Him the name which is above every name, that at the name of Jesus every knee should bow, of those in heaven, and of those on earth, and of those under the earth, and that every tongue should confess that Jesus Christ is Lord, to the glory of God the Father.

- c. "Therefore, my beloved, as you have always obeyed, not as in my presence only, but now much more in my absence, work out your own salvation with fear and trembling; for it is God who works in you both to will and to do for His good pleasure.
- d. "Do all things without complaining and disputing, that you may become blameless and harmless, children of God without fault in the midst of a crooked and perverse generation, among whom you shine as lights in the world, holding fast the word of life, so that I may rejoice in the day of Christ that I have not run in vain or labored in vain." (**Philippians 2:3-16**, NKJV)