

Numbers 35: Biblical Reading and Reflections

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[0 : 0 0] Numbers chapter 35. The Lord spoke to Moses in the plains of Moab by the Jordan at Jericho, saying, Command the people of Israel to give to the Levites some of the inheritance of their possession, as cities for them to dwell in. And you shall give to the Levites pasture lands around the cities.

The cities shall be theirs to dwell in, and their pasture lands shall be for their cattle, and for their livestock, and for all their beasts. The pasture lands of the cities, which you shall give to the Levites, shall reach from the wall of the city outward a thousand cubits all around.

And you shall measure outside the city, on the east side, two thousand cubits, and on the south side, two thousand cubits, and on the west side, two thousand cubits, and on the north side, two thousand cubits, the city being in the middle. This shall belong to them as pasture land for their cities.

The cities that you give to the Levites shall be the six cities of refuge, where you shall permit the manslayer to flee, and in addition to them you shall give forty-two cities. All the cities that you give to the Levites shall be forty-eight with their pasture lands. And as for the cities that you shall give from the possession of the people of Israel, from the larger tribes you shall take many, and from the smaller tribes you shall take few, each in proportion to the inheritance that it inherits shall give of its cities to the Levites. The Lord spoke to Moses, saying, Speak to the people of Israel and say to them, When you cross the Jordan into the land of Canaan, then you shall select cities to be cities of refuge for you, that the manslayer who kills any person without intent may flee there. The cities shall be for you a refuge from the avenger, that the manslayer may not die until he stands before the congregation for judgment. And the cities that you give shall be your six cities of refuge. You shall give three cities beyond the Jordan, and three cities in the land of Canaan to be cities of refuge. These six cities shall be for refuge for the people of Israel, and for the stranger and for the sojourner among them, that anyone who kills any person without intent may flee there. But if he struck him down with an iron object so that he died, he is a murderer. The murderer shall be put to death. And if he struck him down with a stone tool that could cause death, and he died, he is a murderer. The murderer shall be put to death.

Or if he struck him down with a wooden tool that could cause death, and he died, he is a murderer. The murderer shall be put to death. The avenger of blood shall himself put the murderer to death. When he meets him, he shall put him to death. And if he pushed him out of hatred, or hurled something at him, lying in wait, so that he died, or in enmity struck him down with his hand, so that he died, then he who struck the blow shall be put to death. He is a murderer. The avenger of blood shall put the murderer to death when he meets him. But if he pushed him suddenly without enmity, or hurled anything on him without lying in wait, or used a stone that could cause death, or without seeing him dropped it on him, so that he died, though he was not his enemy, and did not seek his harm. Then the congregation shall judge between the manslayer and the avenger of blood, in accordance with these rules. And the congregation shall rescue the manslayer from the hand of the avenger of blood, and the congregation shall restore him to his city of refuge to which he had fled, and he shall live in it until the death of the high priest who was anointed with the holy oil. But if the manslayer shall at any time go beyond the boundaries of his city of refuge to which he fled, and the avenger of blood finds him outside the boundaries of his city of refuge, and the avenger of blood kills the manslayer, he shall not be guilty of blood. For he must remain in his city of refuge until the death of the high priest. But after the death of the high priest, the manslayer may return to the land of his possession. And these things shall be for a statute and rule for you throughout your generations and all your dwelling places. If anyone kills a person, the murderer shall be put to death on the evidence of witnesses. But no person shall be put to death on the testimony of one witness.

[3 : 42] Moreover, you shall accept no ransom for the life of a murderer who is guilty of death, but he shall be put to death. And you shall accept no ransom for him who has fled to his city of refuge, that he may return to dwell in the land before the death of the high priest. You shall not pollute the land in which you live, for blood pollutes the land, and no atonement can be made for the land for the blood that is shed in it, except by the blood of the one who shed it. You shall not defile the land in which you live, in the midst of which I dwell. For I, the Lord, dwell in the midst of the people of Israel.

Israel is soon to enter the promised land, and we are nearing the end of the book of Numbers. In the concluding chapters of Numbers in the book of Deuteronomy, the Lord and Moses are preparing Israel for this transition, the graduation to life in the land. Principles for the division of the land, the ordering of life within it, and the patterns of their worship are here established. They are instructed in the import of the covenant and the law of Sinai. The land is being divided between 12 different tribes, but two of those tribes, Ephraim and Manasseh, descend from a single patriarch, Joseph. The land is divided into 12 portions, or perhaps 13 portions, if we count the Transjordanian territory of Manasseh separately from their possession in the promised land proper. There are 10 or 9.5 possessions in the promised land proper, and three tribal possessions, or 2.5, in the Transjordan, where Reuben, Gad, and half the tribe of Manasseh were settled. There is, however, one tribe that does not yet have any portion. In the book of Numbers, there have been several occasions where the Lord addresses the people more generally, before addressing the Levites more particularly.

The Levites, while being one of the tribes, are a special case. They were set apart to the ministry of the Lord, being servants, guardians, and bearers of his tabernacle and of his people. The special status of the tribe of Levi has a long and interesting backstory. In Genesis chapter 34, avenging the rape and abduction of their sister Dinah, Simeon and Levi had killed the men of Shechem, bringing opposition and trouble upon their father Jacob. As a result of their actions, in Genesis chapter 49, verses 5 to 7, Jacob had cursed the anger of Simeon and Levi.

Simeon and Levi are brothers. Weapons of violence are their swords. Let my soul come not into their council. O my glory, be not joined to their company. For in their anger they killed men, and in their willfulness they hamstrung oxen. Cursed be their anger, for it is fierce, and their wrath, for it is cruel. I will divide them in Jacob, and scatter them in Israel.

However, in Exodus chapter 32, after Israel's sin with the golden calf, Levi had rallied to the side of Moses to defend the covenant against their apostate brothers. On account of their zeal and their faithfulness to the covenant, the Levites were sanctified, and ultimately set apart from the rest of the children of Israel to be a tribe dedicated to the Lord, becoming the guardians of the holiness of the Lord's house and his people. They replaced the firstborn of Israel, who had been dedicated to the Lord through the Passover. The firstborn of a family can act as a sort of bridge between generations, representing the parents to the rest of the children, and the children to the parents. They set the pattern that the other children follow, and can instruct their younger siblings. This role of the firstborn would have been even more pronounced in the larger families that would have been common among Israel. The Levites were this within the nation more generally. The curse upon Levi and Simeon was that they would be divided within Israel, divided from the other, and also divided among themselves. Over the course of the book of Numbers, Simeon had lost much of its population, decreasing a number from 59,300 to 22,200 men, likely largely on account of their infidelity with Baal of Peor, whereas Simeonite prince was the leading apostate. Simeon would end up as an enclave of Judah. However, on account of their later faithfulness, Levi's division took a very different form. Levi's violent character, amply demonstrated and displayed in Genesis chapter 34, had not gone away, but it had been tempered and channeled into faithful zeal, precisely the characteristic that rendered them apt guardians of the people as the priests.

[7 : 55] The Levites were scattered throughout the land of Israel, given cities to dwell in by the other tribes. In contrast to the other tribes, they were not directly given possessions, but received their portions secondhand as a gift from the possessions of those other tribes. In such a manner, they were recipients of a sort of hospitality. The book of Deuteronomy frequently speaks of the Levite within the rest of the people's towns, suggesting that the Levites, while having their own cities, were more widely distributed through the towns and cities of the entire land. There they would presumably have been teaching the people the law, performing legal functions, and officiating at cleansing rituals and the like. The Levites then received their portions in the land in the form of offerings from the other tribes. In giving the cities to the Levites, the tribes were acknowledging the Lord himself by giving to his servants at his command. The Levites' inheritance was the Lord in his service, as we see in Deuteronomy chapter 10 verses 8 and 9. At that time the Lord set apart the tribe of Levi to carry the ark of the covenant of the Lord, to stand before the Lord, to minister to him, and to bless in his name, to this day.

Therefore Levi has no portion or inheritance with his brothers. The Lord is his inheritance, as the Lord your God said to him. As the people were faithful to the Lord, giving their tithes and offerings, and living with generosity and justice in the land, the Levites would never be in lack. However, if the people rejected or neglected the worship of the Lord, the Levites would languish as a tribe. They enjoyed the gifts devoted to the Lord's service as their inheritance, as we see in Numbers chapter 18 verses 20 to 24.

And the Lord said to Aaron, You shall have no inheritance in their land, neither shall you have any portion among them. I am your portion, and your inheritance among the people of Israel. To the Levites, I have given every tithe in Israel for an inheritance, in return for their service that they do, their service in the tent of meeting, so that the people of Israel do not come near the tent of meeting, lest they bear sin and die. But the Levites shall do the service of the tent of meeting, and they shall bear their iniquity. It shall be a perpetual statute throughout your generations, and among the people of Israel they shall have no inheritance. For the tithe of the people of Israel, which they present as a contribution to the Lord, I have given to the Levites for an inheritance. Therefore I have said of them that they shall have no inheritance among the people of Israel. In some ways, the Levites' place among the people anticipated something of the Jewish people's later place among the nations. They would also be dependent upon the hospitality of others, a hospitality that manifested their recognition of the Lord's claims upon them. The Levites were to have a total of 48 cities, 4 times 12. As 4 is a number associated with the square, and with things such as the four horns of the altar, or the four winds of heaven, it can represent the land and its extent. The existence of 48 Levite cities, distributed throughout all the possessions of the 12 tribes, might be considered fitting for this reason. Besides the cities themselves, the Levites are given pasture land around their cities on all sides. We might be confused by the description of this pasture land, as it is described as reaching out from the wall of the city a thousand cubits in each direction. However then we are told that the measurement is two thousand cubits on each side. The solution is simple. The city is conceived of as a point in the center of a square, one thousand cubits from each side, with the square itself being two thousand cubits long on each side. The thousand cubits figure is the distance of the sides from the city in the center, and the two thousand cubits figure is the length of each side of the square perimeter of the city. The fact that the city is represented as a mere point in the center of a two thousand cubits square, might lead us to wonder about why it could be seen as so small, and about what might have happened as the city expanded in size. The first thing to recognize here is, as Gordon Wenham notes, that the cities might generally have been very small, with only a small cluster of houses at the center. Noting the relationship between the measuring of the Levite pasture lands, and the later determination of the length that someone might walk upon the Sabbath,

Jacob Milgram argues that the explanation also allows for the subsequent expansion of the Levite city's possessions. As the city at the heart grew over time, what began as a square with a single point at its center could become a rectangle, in addition to thousand cubit by thousand cubit squares of land, from each extremity of the city's walls. The city would possess four additional tracts of land of one thousand cubits, times whatever the length of the wall was on that given side. This would allow for the realistic growth of the cities over time. The cities to be given to the Levites were determined by lot in Joshua chapter 21, as were the clans of the Levites that were to dwell in the midst of each cluster of tribes. The Kohathites, descending from Aaron, the priestly Kohathites, received their portion of thirteen cities from the lands of Judah, Simeon and Benjamin. The location of the priestly Kohathites would influence the location of the tabernacle and temple. The rest of the Kohathites received ten cities as portions in Ephraim Dan and the half tribe of Manasseh that lived in the promised land. The Gershonites received their thirteen cities in the lands of Issachar, Asher, Naphtali and the Transjordanian half tribe of

Manasseh. The Morarites received their twelve cities in the territories of Reuben, Gad and Zebulun. One of the purposes of the cities of the Levites was to provide sanctuary for those who had committed manslaughter and needed to be tried. Some form of sanctuary already existed, as we see in Exodus chapter 21 verses 12 to 14. Whoever strikes a man so that he dies shall be put to death. But if he did not lie and wait for him, but God let him fall into his hand, then I will appoint for you a place to which he may flee. But if a man willfully attacks another to kill him by cunning, you shall take him from my altar, that he may die. We see an example of the altar as a site of sanctuary in 1 Kings chapter 2 verse 28, where Joab fled to the tabernacle and held on to the horns of the altar. The six Levite cities of refuge, divided throughout the land, are an alternative site of refuge, analogous to the horns of the altar.

[14 : 05] If the altar represents the land as a site of offering to the Lord, and its four corners represent its extremities and overseeing authorities, the Levites scattered throughout the land in four times twelve cities, are altar-like. Fleeing to one of the Levite cities of refuge is like fleeing to the altar. The people, as we see in Deuteronomy chapter 4 verses 41 to 43, originally had three cities of refuge in various parts of the Transjordan. Then Moses set apart three cities in the east beyond the Jordan, that the Manslayer might flee there. Anyone who kills his neighbour unintentionally, without being at enmity with him in time past, he may flee to one of these cities and save his life.

Beza in the wilderness on the tableland for the Reubenites, Ramoth in Gilead for the Gadites, and Golan in Bashan for the Manassites. The people would later add further cities of refuge, evenly divided within the promised land proper, as we see in Deuteronomy chapter 19 verses 1 to 3.

When the Lord your God cuts off the nations whose land the Lord your God has given you, and you dispossess them, and dwell in their cities and in their houses, you shall set apart three cities for yourself in the land that the Lord your God has given you to possess. You shall measure the distances and divide into three parts the area of the land that the Lord your God gives you as a possession, so that any manslayer can flee to them. The cities within the promised land proper are appointed in Joshua chapter 20 verses 6 to 9. And he shall remain in that city until he has stood before the congregation for judgment, until the death of him who is high priest at the time. Then the manslayer may return to his own town and his own home, to the town from which he fled. So they set apart Kedesh and Galilee in the hill country of Naphtali, and Shechem in the hill country of Ephraim, and Kiriath-Aba, that is Hebron, in the hill country of Judah. And beyond the Jordan east of Jericho, they appointed Bezer in the wilderness on the table land from the tribe of Reuben, and Ramoth and Gilead from the tribe of Gad, and Golan and Bashan from the tribe of Manasseh. These were the cities designated for all the people of Israel and for the stranger sojourning among them, that anyone who killed a person without intent could flee there, so that he might not die by the hand of the avenger of blood till he stood before the congregation. Just as they are to add three cities of refuge to the number of the Transjordanian cities of refuge when they enter the land, so instruction is given for a situation where their territory expands even further. In such an eventuality, three further cities of refuge could be added, as we see in Deuteronomy chapter 19 verses 8 and 9. The cities of refuge were a mechanism for dealing with situations of manslaughter in the land, as there would not have been a police force, and while the threat of private vengeance was practically needed to curb violence, it could not be allowed to operate unchecked. The underlying concern is that innocent blood not be shed, polluting the land, whether that blood be the blood of the one who committed accidental manslaughter, or the one intentionally murdered. Such pollution of the land by unjust bloodshed would bring the Lord's judgement upon the people, so such cases of manslaughter needed to be handled carefully and appropriately. That these instructions are given near the very end of the book, shortly before they are about to enter into the land, perhaps underlines how weighty this matter is. It was essential to determine between malicious and premeditated assault, a negligence or accident leading to the death of another. Deuteronomy chapter 19 verse 5 gives the example of a man accidentally killing his neighbour, with whom he had no prior quarrel, with the head of an axe that accidentally came off. Such a man might have been negligent, but that is not to be assumed. This was a very different sort of case from that of a premeditated murder for which the death penalty was applied, or the murderer was subject to private vengeance. The avenger of blood, elsewhere called the kinsman or redeemer, would have been a close relative of the person who had lost their life, not just a bounty hunter. In other situations such a character might redeem a relative's property, perform lever at marriage for a deceased brother, or perform some other act on behalf of their relative. Fleeing to the city of refuge would allow the person to await trial, would encourage due process of public justice, rather than private vigilantes acting to achieve their own vengeance. The Levites, because they were associated with the central sanctuary, with the unified law of the people, were a centralising force, connected with a unified governing agency. Fleeing to Levite cities centralised the management of such cases, rather than allowing each tribal clan to handle matters in their own preferred manner.

The manslayer's life could be forfeit if he went beyond the boundaries of the city of refuge, as the avenger of blood would be allowed to take his life with impunity. If the man were found guilty of intentional murder, the avenger of blood would put him to death. Exodus chapter 21 verse 30, where the negligent owner of the goring ox can spare his own life by paying ransom, suggests situations where compensation was possible. However, the person who has fled to the city of refuge forfeits any right he might have to ransom his life. The manslayer was to remain in the city of refuge until the death of the high priest, at which point he could leave and the avenger of blood would be guilty of murder if he took his life. The institution of the asylum cities is an accommodation to an imperfect situation, where the more centralised administration of justice was weak and honour culture and its dynamics of private vengeance and violence were more operative. The cities of refuge would have encouraged people to turn to more unified and centralised administration of justice that the Levites represented, and would likely have reduced the levels of violence over time. While the cities of refuge would have served to encourage the administration of public justice over private vengeance and reduce violence within the land, we must appreciate that the greatest concern underlying the institution concerns the people's relationship with the Lord. Injustice and the shedding of innocent blood are offences against God, and so the proper administration of justice in cases of murder is not merely about establishing justice between persons, but about preserving the holiness of the people and ensuring that the land not spew them out on account of their bloodshed. This is perhaps most clearly seen in the ritual that needed to be performed in cases of unsolved murders in the open country, described in Deuteronomy chapter 21, verses 1-9. If in the land that the Lord your God is giving you to possess, someone is found slain, lying in the open country, and who has known who killed him. Then your elders and your judges shall come out, and they shall measure the distance to the surrounding cities. And the elders of the city that is nearest to the slain man shall take a heifer that has never been worked, and that has not pulled in a yoke. And the elders of that city shall bring the heifer down to a valley with running water, which is neither ploughed nor sown, and shall break the heifer's neck there in the valley. Then the priests, the sons of Levi, shall come forward, for the Lord your God has chosen them to minister to him, and to bless in the name of the Lord. And by their word every dispute and every assault shall be settled. And all the elders of that city nearest to the slain man shall wash their hands over the heifer whose neck was broken in the valley, and they shall testify, Our hands did not shed this blood, nor did our eyes see it shed, except atonement, O Lord, for your people Israel, whom you have redeemed. And do not set the guilt of innocent blood in the midst of your people Israel, so that their blood guilt be atoned for. So you shall purge the guilt of innocent blood from your midst, when you do what is right in the sight of the Lord. The pollution of blood needs to be dealt with through sacrifice, atonement, and expiation. The death of the high priest substitutes for the death of the manslayer, allowing the manslayer to return to his home. As we saw in chapter 33, the death of Aaron the high priest was singled out as a watershed moment for the people of Israel. With the death of the high priest Aaron, the people are finally released from the exile imposed upon them on account of their rebellion, and are able to enter into the promised land.

The book of Numbers extends principles of holiness that are chiefly related to the tabernacle and the priesthood in the book of Leviticus, applying them to the people more generally, and to their entire camp.

[22 : 04] At the end of Numbers, these principles of holiness are extended even further, relating them not merely to the war camp, but to the entire land that Israel will inhabit. In Leviticus chapter 15 verse 31, the people were warned about defiling the tabernacle in their midst, in which the Lord dwelt. In Numbers chapter 5 verse 3, they were warned about defiling their camp, in the midst of which the Lord dwells.

In the final verse of this chapter, the warning has extended yet further, they shall not defile the land in which they live, in the midst of which the Lord dwells. In the book of Numbers, we see the realm in the midst of which God is seen to dwell, expanding beyond the tabernacle, beyond even the camp, to fill the borders of the whole land that they have been promised.

A question to consider, how might the fact the manslayer is released from his exile in the city of refuge by the death of the high priest, help us better to understand the nature of the high priestly office?