



Deuteronomy - Chapter Twenty Four

III Deuteronomy 12:1-26:19 - Moses' Second Speech: Specific Covenant Stipulations (continues)

Summary of Chapter Twenty Four

If a man divorces his wife and she remarries, then is either divorced or widowed, then her first husband may not marry her again. The rest of the chapter is taken up with a brief summary of miscellaneous laws.

III.m Deuteronomy 24:1-4 - Laws concerning Marriage and Divorce

This is a good example of 'case law,' where vv.1-3 present the situation ('When ...') and v.4 is the actual law ('then ...'). The law forbids the first husband taking back the wife he found no favour with after she is subsequently divorced or widowed. By charging his wife with some indecency, the first husband acquired her dowry – her father's marriage present to her – when he divorced her. Remarrying, she was given a second dowry. This example then implies that, when her second marriage ended, either through death or through more trivial grounds of divorce, she was able to keep her second dowry. The first husband is forbidden to remarry her to acquire her second dowry. This law protects the woman from exploitation by her first husband. This is the only OT law about divorce. Elsewhere divorce is presupposed, e.g. Leviticus 21:7 and 21:14; and Numbers 30:9. Refer also to Jesus' comments on this law in Matthew 5:31-32. In Matthew 19:7, Pharisees defend their position on divorce by appealing to this law; Jesus, however, appeals to the creation account in Genesis 1:27 and 2:24 to show God's ethical ideal. This law is a concession to hardness of hearts, preserving a minimum level of civility for the theocracy.

¹ Suppose a man enters into marriage with a woman, but she does not please him because he finds something objectionable about her, and so he writes her a certificate of divorce, puts it in her hand, and sends

her out of his house; she then leaves his house ² and goes off to become another man's wife.

Deuteronomy 24:1-2

She does not please him because he finds something objectionable about her.

This describes the grounds for divorce and indicates that a certificate of divorce could not be written for just any reason. It had to be founded on these two important clauses. There has to be something objectionable, some moral uncleanness in her. Some later Rabbis defined uncleanness as anything in the wife which might displease the husband. At the time of Jesus, some Rabbis taught that if a wife burned her husband's meal he could divorce her. However, Jesus carefully and properly defined what uncleanness is in Deuteronomy 24:1. He said: **<<whoever divorces his wife, except for unchastity, and marries another commits adultery>>** (Matthew 19:9). Jesus rightly understood that uncleanness refers to sexual immorality, a broad term referring to sexual sin, which includes, but is not restricted to, sexual intercourse with someone other than a spouse.

The Hebrew word translated something objectionable or uncleanness in itself implies the meaning of sexual immorality; it is literally, 'nakedness of a thing.' So, if a husband finds some uncleanness in his wife, he has the right to give her a certificate of divorce. However, he is not obligated to do so. It must also be that she finds no favour in his eyes because he has found some moral uncleanness in her. In other words, it must be that the husband is so troubled at his wife's sexual immorality that he simply cannot look upon her with favour in his eyes any more. The lack of favour in his eyes must be because of her uncleanness. This aids understanding of what Jesus said: **<<It was because you were so hard-hearted that Moses allowed you to divorce your wives, but at the beginning it was not so>>** (Matthew 19:8). If a woman did not have a hard heart, she would never commit sexual immorality against her husband, and there would be no need for divorce. If a husband did not have any hardness in his heart, he could forgive and still look upon his wife with favour in his eyes, even though she was guilty of sexual immorality. But because God knows there is hardness in human hearts, both in the offending and offended parties, he grants permission for divorce. In the days of Jesus, Rabbis taught that it was the duty of a godly man to divorce his wife if she displeased him. Both Moses and Jesus make it clear that God permits divorce in certain circumstances, but never commands it. Yet, if someone has Biblical grounds of divorce which, according to 1 Corinthians 7:15, includes abandonment by an unbelieving spouse, they certainly do have permission to divorce, and God does not 'hold it against them,' unless of course, he has specifically told them to not divorce and they are disobeying his specific word to their lives.

So he writes her a certificate of divorce. God commands here that any divorce be sealed with a certificate of divorce. In other words, it was not enough for a man to

just declare 'we're divorced' to his wife. The divorce had to be recognised legally just as the marriage had been, so a certificate of divorce, a legal document, must be issued, and properly served, i.e. the husband puts it in her hand.

According to these laws, divorce was allowed in Israel but it was carefully regulated. Under God's law, the marriage contract cannot be simply dissolved as soon as one partner decides it should be so; there must be cause for a certificate of divorce. Even with cause, divorce was never to be seen as a preferred or easy option. The Hebrew word translated divorce has as its root the idea of 'a hewing off, a cutting apart', it is the amputation of that which is one flesh.

Most people think that in ancient Israel, only husbands had the right to divorce their wives, and wives did not have the right of divorce. But what is said here may be intended to be applied to both husband and wife. Jesus also said: *<<and if she divorces her husband and marries another, she commits adultery>>* (Mark 10:12), clearly saying that in his day, a wife had the right to seek a divorce.

C.S. Lewis wrote on the subject of divorce: "Christians all regard divorce as something like cutting up a living body, as a kind of surgical operation. Some think that the operation is so violent that it cannot be done at all; others admit that it is a desperate remedy in extreme cases. They are all agreed that it is more like having your legs cut off than it is like dissolving a business partnership or even deserting a regiment." However, most Christians would probably agree that, if a marriage relationship has not possibility of being reconciled, both parties would be better off apart.

³ Then suppose the second man dislikes her, writes her a bill of divorce, puts it in her hand, and sends her out of his house (or the second man who married her dies); ⁴ her first husband, who sent her away, is not permitted to take her again to be his wife after she has been defiled; for that would be abhorrent to the Lord, and you shall not bring guilt on the land that the Lord your God is giving you as a possession.

Deuteronomy 24:3-4

Her first husband, who sent her away, is not permitted to take her again to be his wife. This is a strong law, saying that if a divorced woman marries again, she could not return to her first husband, should her second marriage end through divorce or death. To break this law was abhorrent to the Lord.

It might seem that it would be a good thing for the first husband and wife to get back together. However, this command is made because God wanted both marriage and divorce to be seen as serious, permanent things. One could not

be married or divorced casually; it had to be carefully thought out because it was permanent. This law would also strengthen the second marriage; it would discourage a spouse from thinking they might as well just leave their second marriage and go back to their first spouse.

Speaking through the prophet, God shows how such a practice is like the ones who prostitute themselves before other gods and then expect to be able to return to God without bringing guilt on the land: <<*If a man divorces his wife and she goes from him and becomes another man's wife, will he return to her? Would not such a land be greatly polluted? You have played the whore with many lovers; and would you return to me? says the Lord*>> (Jeremiah 3:1).

III.n Deuteronomy 24:5-25:4 - Miscellaneous Laws

Various laws are summarised without any apparent overarching theme.

⁵ When a man is newly married, he shall not go out with the army or be charged with any related duty. He shall be free at home for one year, to be happy with the wife whom he has married.

Deuteronomy 24:5

He shall be free at home for one year. This was God's way of honouring and blessing the marriage covenant. He allowed men who were newly married to be exempt from military or other state service for one year. This may give the couple time to develop their relationship and to start a family.

To be happy with the wife whom he has married. This is an important job for every husband. Just as Christians find life in Christ: <<*Those who find their life will lose it, and those who lose their life for my sake will find it*>> (Matthew 10:39), so too a husband will find the most happiness if he will bring happiness to his wife.

As the role of the husband in Ephesians Chapter 5 is described, it is clear that God emphasises the essential oneness between husband and wife. The husband cannot make his wife happy without also bringing happiness into his own life. Conversely, he cannot bring misery into the life of his spouse without also bringing misery into his own life, for a happy wife is the foundation for a happy home; a bitter or contentious wife makes for a miserable home: <<*A continual dripping on a rainy day and a contentious wife are alike*>> (Proverbs 27:15), <<*It is better to live in a corner of the housetop than in a house shared with a contentious wife*>> (Proverbs 21:9), and: <<*It is better to live in a desert land than with a contentious and fretful wife*>> (Proverbs 21:19).

⁶ No one shall take a mill or an upper millstone in pledge, for that would be taking a life in pledge.

Deuteronomy 24:6

A mill or an upper millstone were both basic utensils for food preparation; if taken as a pledge or security for a loan, they would deprive the poor person of the means for grinding grain. This warns Israel against taking advantage of each other in times of great need: <<***They drive away the donkey of the orphan; they take the widow's ox for a pledge***>> (Job 24:3), instead, the command is to: <<***learn to do good; seek justice, rescue the oppressed, defend the orphan, plead for the widow***>> (Isaiah 1:17).

For that would be taking a life in pledge. Non-essential items could be taken as a pledge. Although interest could not be charged on a loan to an Israelite in need, a pledge could be taken - collateral to guarantee the repayment of the loan. This command forbids the taking of collateral that would take away a man's ability to provide for his family, or get himself out of debt.

⁷ If someone is caught kidnapping another Israelite, enslaving or selling the Israelite, then that kidnapper shall die. So you shall purge the evil from your midst.

Deuteronomy 24:7

If someone is caught kidnapping another Israelite. Kidnapping was usually done in the ancient world not so much for return and ransom, but so that one could sell the one abducted to slavery, just as was done to Joseph by his brothers in Genesis 37:28.

That kidnapper shall die. Kidnapping is essentially regarded as the theft of a person's freedom and is the only type of theft for which the death penalty applies; these laws place a higher value on people than on property: <<***Truly, no ransom avails for one's life, there is no price one can give to God for it. For the ransom of life is costly, and can never suffice***>> (Psalm 49:7-8).

So you shall purge the evil from your midst. Once again God identifies the type of disobedience that will lead the whole nation away from him if it goes unchecked. Justice protects those who are obedient to God.

⁸ Guard against an outbreak of a leprous skin disease by being very careful; you shall carefully observe whatever the levitical priests instruct you, just as I have commanded them. ⁹ Remember what the Lord your God did to Miriam on your journey out of Egypt.

Deuteronomy 24:8-9

A leprous disease. The priests were the ones to rule on leprous diseases, as leprosy, a general term for skin diseases, made a person unclean. Refer to

Leviticus Chapters 13-14 and the comments made on Leviticus 13:1-59. Miriam, Moses' sister, was struck with leprosy for opposing the will of God; refer to Numbers Chapter 12. If someone as prominent as Miriam was quarantined as a leper, it showed that every other leper in Israel should also be quarantined.

Leprosy comes from the Greek term *lepra* and included a variety of serious skin diseases and was not limited to what is today called leprosy or Hansen's disease. The OT provided specific guidelines for the examination and treatment of those with a variety of skin diseases generally called leprosy, many of which were highly contagious.

¹⁰ When you make your neighbour a loan of any kind, you shall not go into the house to take the pledge. ¹¹ You shall wait outside, while the person to whom you are making the loan brings the pledge out to you.

Deuteronomy 24:10-11

You shall not go into the house to take the pledge. The dignity of the poor person, who is forced into a loan, is preserved, and violence or theft is guarded against. God does not condemn the principle of taking a pledge, only commanding that it be received humanely: *<<If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them. If you take your neighbour's cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbour's only clothing to use as cover; in what else shall that person sleep? And if your neighbour cries out to me, I will listen, for I am compassionate>>* (Exodus 22:25-27). The idea of taking collateral for a loan is valid, because it encourages personal responsibility in the one receiving the loan.

¹² If the person is poor, you shall not sleep in the garment given you as the pledge. ¹³ You shall give the pledge back by sunset, so that your neighbour may sleep in the cloak and bless you; and it will be to your credit before the Lord your God.

Deuteronomy 24:12-13

You shall not sleep in the garment given you as the pledge. This forbids a person's cloak, which doubled as a blanket, to be taken away all night to secure a loan. The pledge had to be returned so the man could use it to keep warm overnight. The basic rights of a vulnerable person are protected. Amos 2:8 scourges those who blatantly flout this law.

And it will be to your credit before the Lord your God. Although the right way to act is not to do so for personal gain, it is shown here that God will reward those who do show acts of kindness and mercy when dealing with others: *<<If we*

diligently observe this entire commandment before the Lord our God, as he has commanded us, we will be in the right>> (Deuteronomy 6:25), <<*Therefore, O king, may my counsel be acceptable to you: atone for your sins with righteousness, and your iniquities with mercy to the oppressed, so that your prosperity may be prolonged*>> (Daniel 4:27), and: <<*When Jesus heard this, he said to him, ‘There is still one thing lacking. Sell all that you own and distribute the money to the poor, and you will have treasure in heaven; then come, follow me’*>> (Luke 18:22).

¹⁴ You shall not withhold the wages of poor and needy labourers, whether other Israelites or aliens who reside in your land in one of your towns. ¹⁵ You shall pay them their wages daily before sunset, because they are poor and their livelihood depends on them; otherwise they might cry to the Lord against you, and you would incur guilt.

Deuteronomy 24:14-15

You shall not withhold the wages of poor and needy labourers. A servant or hired worker might be oppressed by not being paid, or by brutal or unsafe working conditions. God commanded employers to treat their employees fairly and kindly: <<*Whoever is kind to the poor lends to the Lord, and will be repaid in full*>> (Proverbs 19:17), and: <<*for the scripture says, ‘You shall not muzzle an ox while it is treading out the grain’, and, ‘The labourer deserves to be paid’*>> (1 Timothy 5:18).

Otherwise they might cry to the Lord against you. The Lord hears the cry of the oppressed. The NT warns the rich man who oppresses his workers: <<*Listen! The wages of the labourers who mowed your fields, which you kept back by fraud, cry out, and the cries of the harvesters have reached the ears of the Lord of hosts*>> (James 5:4).

¹⁶ Parents shall not be put to death for their children, nor shall children be put to death for their parents; only for their own crimes may persons be put to death.

Deuteronomy 24:16

Only for their own crimes may persons be put to death. God commanded that each individual be responsible for their own sin. A father cannot be blamed and responsible for the sin of their adult children, and the children cannot be blamed and responsible for the sin of their parents: <<*In those days they shall no longer say: ‘The parents have eaten sour grapes, and the children’s teeth are set on edge.’ But all shall die for their own sins; the teeth of everyone who eats sour grapes shall be set on edge*>> (Jeremiah 31:29-30). It is wrong for a parent to

automatically blame themselves for their wayward children; although they may have been part of the problem, it is not always the case.

There are instances when God commands that a whole family be punished for sin, such as with the family of Achan in Joshua 7:16-26. When God deals with a whole family, it shows that there must have been some conspiracy between family members, for each is responsible for his own sin. The account of Korah's family is interesting for they all died for their rebellion: <<*The earth opened its mouth and swallowed them up, along with their households – everyone who belonged to Korah and all their goods*>> (Numbers 16:32); yet God's grace shines through: <<*Notwithstanding, the sons of Korah did not die*>> (Numbers 26:11). In other words, his family line did not die out.

¹⁷ You shall not deprive a resident alien or an orphan of justice; you shall not take a widow's garment in pledge. ¹⁸ Remember that you were a slave in Egypt and the Lord your God redeemed you from there; therefore I command you to do this.

Deuteronomy 24:17-18

You shall not deprive a resident alien or an orphan of justice; you shall not take a widow's garment in pledge. These three groups, as landless people, represented the most vulnerable in the land; refer to Deuteronomy 10:18-19 and the comments made there. If Israel kept remembering how much God had done for them, it would make them more compassionate and fair in dealing with others. Israel's own time spent in Egypt as slaves was to motivate their proper treatment of landless people. Christians must always deal with others by remembering how much God has blessed and forgiven them.

¹⁹ When you reap your harvest in your field and forget a sheaf in the field, you shall not go back to get it; it shall be left for the alien, the orphan, and the widow, so that the Lord your God may bless you in all your undertakings. ²⁰ When you beat your olive trees, do not strip what is left; it shall be for the alien, the orphan, and the widow. ²¹ When you gather the grapes of your vineyard, do not glean what is left; it shall be for the alien, the orphan, and the widow. ²² Remember that you were a slave in the land of Egypt; therefore I am commanding you to do this.

Deuteronomy 24:19-22

When you reap your harvest. These laws make provision for the poor. The blessings of the land are for the people as a whole to share. Refer also to Leviticus 19:9-10. To see this law in practice, refer to Ruth Chapter 2.

It shall be left for the alien, the orphan, and the widow. This was one of God's welfare programs for Israel, establishing the right of the gleaner. Farmers were instructed to not completely harvest their fields, so that some would be left behind for the hard-working poor to gather for themselves. During the Babylonian exile the prophet foresaw a time when this law would be extended to sharing the entire land: **<<So you shall divide this land among you according to the tribes of Israel. You shall allot it as an inheritance for yourselves and for the aliens who reside among you and have begotten children among you. They shall be to you as citizens of Israel; with you they shall be allotted an inheritance among the tribes of Israel. In whatever tribe aliens reside, there you shall assign them their inheritance, says the Lord God>>** (Ezekiel 47:21-23). Sadly, history has shown a lack of willingness for Israel to share the land; hence the Palestinian problem that continues even today.

Therefore I am commanding you to do this. This was a wonderful way of helping the poor. It commanded farmers to have a generous heart, and it made the poor to be active and work for their food. It made a way for them to provide for their own needs with dignity.