

# Deuteronomy 24 - Laws of the Family

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## Deuteronomy 24

(d) Divorce and remarriage (24:1-4)

**1** "When a man takes a wife and marries her, and it happens, if she finds no favor in his eyes because he has found **some indecency** in her, that he writes her a certificate of divorce, puts *it* in her hand, and sends her away from his house,

**1** "When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some indecency in her, and he writes her a certificate of divorce and puts *it* in her hand and sends her out from his house,

**1** "If a man chooses to enter into marriage with a woman, but she finds herself displeasing to him because he has found something objectionable about her, he must draw up divorce papers, hand them to her, and then send her out of his house.

**1** When a man hath taken a wife, and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: then let him write her a bill of divorcement, and give it in her hand, and send her out of his house.

- "...some indecency" - see Mark 10:2ff (particularly notes on v4-5) on how Jesus addressed the rabbi's questions on this phrase

- The two prevailing views on divorce depended upon how one would interpret the phrase "some indecency" in v1-4. The followers of Rabbi Hillel were quite lenient and permitted a man to divorce his wife for any reason, even the burning of his food. The school of Rabbi Shammai was much more strict and taught that the critical words "some indecency" referred only to premarital sin.

— If a newly married husband discovered that his wife was not a virgin, he could put her away (divorce her)

2 and she leaves his house and goes and becomes another man's *wife*,

2 and she leaves his house and goes and becomes another man's *wife*,

2 If she goes out from his house, becomes the wife of another man,

2 And when she is departed out of his house, she may go and be another man's wife.

- Divorce as permitted in the Mosaic Law (Cf. Lev 21:7, 14; 22:13; Num 30:9), because of the hardness of the Israelites' hearts (Matt 19:8; Mark 10:5), endangered the dignity of women within the theocracy

- Hence, easy abuse of the permission was forestalled by circumscribing it with technicalities and restrictions

— Priests were forbidden to marry divorced people (Lev 21:7,14; 22:13)

3 and the latter husband turns against her, writes her a certificate of divorce and puts *it* in her hand, and sends her away from his house, or if the latter husband who took her to be his wife dies,

3 and if the latter husband turns against her and writes her a certificate of divorce and puts *it* in her hand and sends her out of his house, or if the latter husband dies who took her to be his wife,

3 and this second husband dislikes her, he, also, must draw up divorce papers, hand them to her, and then send her away from his house. Should the second husband die,

3 And if the latter husband hate her, and write her a bill of divorcement, and giveth it in her hand, and sendeth her out of his house; or if the latter husband die, which took her to be his wife;

4 *then* her former husband who sent her away is not allowed to take her again to be his wife, after she has been defiled; for that is an abomination before the LORD, and you shall not bring sin on the land which the LORD your God is giving you as an inheritance.

4 *then* her former husband who sent her away is not allowed to take her again to be his wife, since she has been defiled; for that is an abomination before the LORD, and you shall not bring sin on the land which the LORD your God gives you as an inheritance.

4 her first husband who married her and divorced her earlier must not remarry her, because she was defiled, since this is detestable to the LORD. Don't defile the land that the LORD your God is about to give you as a possession.

4 Her former husband, which sent her away, may not take her again to be his wife, after that she is defiled; for that is abomination before the LORD: and thou shalt not cause the land to sin, which the LORD thy God giveth thee for an inheritance.

- Adultery required the death penalty (22:13-20; Lev 20:10)

- Reasons are not mentioned in the text; a public official would apparently certify the documents given to the woman for her protection

Subsequently they could not be remarried if the woman had married another in the meantime (Cf. Jer 3:1). Stability of the home seems to be the primary intention. The main point of the present law, however, was that a man might not remarry his wife after he divorced her if she had meanwhile remarried, even though her second husband had divorced her or had died. With respect to the first husband, the remarried divorce was defiled (v4). Such was the abnormality of this situation, tolerated in OT times but abrogated by our Lord in the interests of the original standard (Matt 19:9; Mark 10:6-9; Cf. Gen 2:23-24).

Mosaic law under certain circumstances permitted divorce because of the hardheartedness of the Israelites (Matt 19:8; Mark 10:5).

Matt 5:31-32:

31 It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement:

32 But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced committeth adultery.

Matt 19:8-9:

8 He saith unto them, Moses because of the hardness of your hearts suffered you to put away your wives: but from the beginning it was not so.

9 And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.

The RSV is correct in regarding Deut 24:1-4 as one sentence, with v1-3 the condition and v4 the conclusion. (The AV is liable to the interpretation that divorce was mandatory in the situation described. Actually, what was mandatory was not divorce, but (if divorce was resorted to) a legal process which included three elements:

(1) There must be a serious cause for the divorce

- The exact import of the words some uncleanness (v1; Cf. 23:14) is uncertain. Adultery is not meant, for the law prescribed the death penalty for that (22:13ff.; Lev 20:10; Cf. Num 5:11ff)

(2) A writ of separation was to be placed in the woman's hand for her subsequent protection

- The preparation of this legal instrument implies the involvement of a public official who might also have to judge of the adequacy of the alleged grounds of divorce

(3) The man must give her a formal dismissal—send her out of his house (v1)

#### (e) Marital duties (24:5)

**5** "When a man takes a new wife, he is not to go out with the army, nor be assigned any duty; he shall be free at home for one year and shall make his wife whom he has taken happy.

**5** "When a man takes a new wife, he shall not go out with the army nor be charged with any duty; he shall be free at home one year and shall give happiness to his wife whom he has taken.

**5** "When a man is newly married, he must not be sent out to war or have a related duty placed on him. Let him stay home for one year and be happy with his wife whom he has married.

**5** When a man hath taken a new wife, he shall not go out to war, neither shall he be charged with any business: but he shall be free at home one year, and shall cheer up his wife which he hath taken.

- The establishment of a home was not to be interrupted during the first year by military service (Cf. other considerations: 20:5-8). Conjugal respects (22:13-20).

#### (f) No taking of an instrument necessary for one's livelihood in a pledge (24:6)

**6** "No one shall seize a handmill or an upper millstone as a pledge *for a loan*, since he would be seizing *the debtor's* means of life as a pledge.

**6** "No one shall take a handmill or an upper millstone in pledge, for he would be taking a life in pledge.

**6** "Don't take a pair of millstones, especially the upper millstone, as collateral for a loan, because this means taking a man's livelihood.

**6** No man shall take the nether or the upper millstone to pledge: for he taketh a man's life to pledge.

#### (g) No kidnapping (24:7)

**7** "If someone is caught kidnapping any of his countrymen of the sons of Israel, and he treats him as merchandise and sells him, then that thief shall die; so you shall eliminate the evil from among you.

**7** "If a man is caught kidnapping any of his countrymen of the sons of Israel, and he deals with him violently or sells him, then that thief shall die; so you shall purge the evil from among you.

**7** "If a man is found kidnapping his relative, a fellow Israeli, and mistreats or sells him, that kidnapper must die. By doing this, you will remove this evil from among you.

**7** If a man be found stealing any of his brethren of the children of Israel, and maketh merchandise of him, or selleth him; then that thief shall die; and thou shalt put evil away from among you.

- A mill or millstone could not be taken as security for payment of debt since they were indispensable for the preparation of daily food. Their absence would threaten or endanger life itself.

Slave traffic and man stealing were forbidden under penalty of death. The rights and dignity of the individual person were to be properly safeguarded and protected. (A courtesy and integrity too often violated in the behavior of many Christians: slander and gossip is also a form of betrayal...)

(I) Laws arising from the ninth commandment (Deut 24:8—25:4)

(a) Leprosy (24:8-9)

**8** "Be careful about an infestation of leprosy, that you are very attentive and act in accordance with everything that the Levitical priests teach you; just as I have commanded them, you shall be careful to act.

**8** "Be careful against an infection of leprosy, that you diligently observe and do according to all that the Levitical priests teach you; as I have commanded them, so you shall be careful to do.

**8** "In cases of leprosy, be very careful to observe exactly what the Levitical priests instructed you. Carefully follow what I have commanded them.

**8** Take heed in the plague of leprosy, that thou observe diligently, and do according to all that the priests the Levites shall teach you: as I commanded them, so ye shall observe to do.

**9** Remember what the LORD your God did to Miriam on the way as you came out of Egypt.

**9** Remember what the LORD your God did to Miriam on the way as you came out of Egypt.

**9** Remember what the LORD your God did to Miriam along the way as you were coming out of Egypt."

9 Remember what the LORD thy God did unto Miriam by the way, after that ye were come forth out of Egypt.

- One of the most impressive warnings was the reminder of the incident which precipitated Miriam's leprosy (Num 12:10-15)

— If the sister of Moses—through whom God had revealed Himself to Israel—was smitten with leprosy for her murmuring and rebellion, how much more should the average Israelite take care lest he transgress and be smitten by divine judgment?

(b) Debtor's rights (24:10-11)

**10** "When you make your neighbor a loan of any kind, you shall not enter his house to take his pledge.

**10** "When you make your neighbor a loan of any sort, you shall not enter his house to take his pledge.

**10** "When you loan something to your neighbor, don't enter his house to seize what he offered as collateral.

**10** When thou dost lend thy brother any thing, thou shalt not go into his house to fetch his pledge.

11 You shall stand outside, and the person to whom you are making the loan shall bring the pledge outside to you.

11 You shall remain outside, and the man to whom you make the loan shall bring the pledge out to you.

11 Stay outside and let the man to whom you made the loan bring it out to you.

11 Thou shalt stand abroad, and the man to whom thou dost lend shall bring out the pledge abroad unto thee.

- Though interest on loans to Israelite neighbors was forbidden (23:19-20), a pledge might be taken as security; but even this was not to be acquired in such a way as to prejudice the dignity, let alone the life, of the debtor

- Men were not to be deprived of articles indispensable to life and health. In this category were the millstone (v6), the quadrangular mantle used as cover in sleeping (v10-13; Cf. Ex 22:26-27), and the day laborer's wages (Deut 24:14-15; Cf. Lev 19:13).

(c) No taking advantage of the poor (24:12-15)

(i) Regarding the poor man's pledge (24:12-13)

12 And if he is a poor man, you shall not sleep with his pledge.

12 If he is a poor man, you shall not sleep with his pledge.

12 If he is a poor man, don't go to sleep with his collateral in your possession.

12 And if the man be poor, thou shalt not sleep with his pledge:

13 When the sun goes down you shall certainly return the pledge to him, so that he may sleep in his cloak and bless you; and it will be righteousness for you before the LORD your God.

13 When the sun goes down you shall surely return the pledge to him, that he may sleep in his cloak and bless you; and it will be righteousness for you before the LORD your God.

13 Be sure to return his garment to him at sunset so that he may sleep with it, and he will bless you. It will be a righteous deed in the presence of the LORD your God.

13 In any case thou shalt deliver him the pledge again when the sun goeth down, that he may sleep in his own raiment, and bless thee: and it shall be righteousness unto thee before the LORD thy God.

- Their attitude toward the needy would be reckoned by God as righteousness (when performed by one who was in a love relationship with God)

(ii) Regarding the poor man's wages (24:14-15)

**14** "You shall not exploit a hired worker *who is* poor and needy, whether *he is* one of your countrymen or one of your strangers who are in your land in your towns.

**14** "You shall not oppress a hired servant *who is* poor and needy, whether *he is* one of your countrymen or one of your aliens who is in your land in your towns.

**14** Don't take advantage of a hired person who is poor and needy, whether he's your fellow citizen or a foreigner who lives in your city.

**14** Thou shalt not oppress an hired servant that is poor and needy, whether he be of thy brethren, or of thy strangers that are in thy land within thy gates:

15 You shall give him his wages on his day before the sun sets—for he is poor and sets his heart on it—so that he does not cry out against you to the LORD, and it becomes a sin in you.

15 You shall give him his wages on his day before the sun sets, for he is poor and sets his heart on it; so that he will not cry against you to the LORD and it become sin in you.

15 Pay his wages that same day before the sun sets, because he is poor and his livelihood depends on it. Otherwise, he may cry out to the LORD against you, and you will incur guilt."

15 At his day thou shalt give him his hire, neither shall the sun go down upon it; for he is poor, and setteth his heart upon it: lest he cry against thee unto the LORD, and it be sin unto thee.

- The love for one's neighbor shows up in many pragmatic ways: remaining current on payables is one that should receive more attention even today!

- Mistreatment of fellow men reflected a lack of proper respect and reverence for God

- Withholding that which was due from the needy might result in poor man's appeal to God for help so that a divine rebuke was pending (Cf. James 5:1-6)

(d) Individual responsibility for sins (24:16)

**16** "Fathers shall not be put to death for *their* sons, nor shall sons be put to death for *their* fathers; everyone shall be put to death for his own sin *alone*.

**16** "Fathers shall not be put to death for *their* sons, nor shall sons be put to death for *their* fathers; everyone shall be put to death for his own sin.

**16** "Fathers must not be put to death on account of their children's sin; nor shall children die on account of their fathers' sin. Each person is to be put to death for his own sin.

**16** The fathers shall not be put to death for the children, neither shall the children be put to death for the fathers: every man shall be put to death for his own sin.

- This refutes the notion of "Generational Sin" (Ex 34:6-7; Ezek 18)

(e) No twisting of justice for the poor (24:17-18)

**17** "You shall not pervert the justice due a stranger *or* an orphan, nor seize a widow's garment as a pledge.

**17** "You shall not pervert the justice due an alien *or* an orphan, nor take a widow's garment in pledge.

**17** "Don't deny justice to a foreigner or to an orphan, nor take a widow's garment as collateral for a loan.

**17** Thou shalt not pervert the judgment of the stranger, nor of the fatherless; nor take a widow's raiment to pledge:

- Personal responsibility was emphasized. The guilty individual alone was to be punished, and not innocent members of his family (Cf. 2 Kings 14:6).

- There is no contradiction between this and the divine judgment as described in the Decalogue (Deut 5:9; Ex 20:5), for the latter does not say that God afflicts the innocent.

— Those who share in the visitation of judgment upon the fathers' iniquities are such as share also in the fathers' hatred of God.

— On the other hand, there is no repudiation of the principle of the corporate responsibility which obtains in certain group situations.

(This seems to be abrogated by trends in the legal environment where the assignment of blame goes to the deepest pockets rather than to the one who made the decision. Caveat vendor has replaced caveat emptor. "Thou shalt not steal" enforces the right to property).

- Hate and revenge for wrongdoings will be dealt with in the next chapter.

18 But you are to remember that you were a slave in Egypt, and that the LORD your God redeemed you from there; therefore I am commanding you to do this thing.

18 But you shall remember that you were a slave in Egypt, and that the LORD your God redeemed you from there; therefore I am commanding you to do this thing.

18 Remember to observe this because you were slaves in Egypt, and the LORD your God redeemed you from there. That is why I am commanding you to do this.

18 But thou shalt remember that thou wast a bondman in Egypt, and the LORD thy God redeemed thee thence: therefore I command thee to do this thing.

(f) Leaving a harvest for the poor (24:19-22)

**19** "When you reap your harvest in your field and forget a sheaf in the field, you are not to go back to get it; it shall belong to the stranger, the orphan, and to the widow, in order that the LORD your God may bless you in all the work of your hands.

**19** "When you reap your harvest in your field and have forgotten a sheaf in the field, you shall not go back to get it; it shall be for the alien, for the orphan, and for the widow, in order that the LORD your God may bless you in all the work of your hands.

**19** "When you are reaping in the field, and you overlook a sheaf, don't return to get it. Let it remain for the foreigner, the orphan, or the widow, in order that the LORD your God may bless everything you undertake.

**19** When thou cuttest down thine harvest in thy field, and hast forgot a sheaf in the field, thou shalt not go again to fetch it: it shall be for the stranger, for the fatherless, and for the widow: that the LORD thy God may bless thee in all the work of thine hands.

- They were repeatedly reminded that they had come out of bondage (v18,22)

- They had been the recipients of God's mercy

- Their love for God was to be wholehearted and reflected in their consideration of their fellowmen

20 When you beat *the olives* off your olive tree, you are not to search through the branches again; *that* shall be *left* for the stranger, the orphan, and for the widow.

20 When you beat your olive tree, you shall not go over the boughs again; it shall be for the alien, for the orphan, and for the widow.

20 When you harvest the olives from your trees, don't go back to the branches a second time. What remains is for the foreigner, the orphan, or the widow.

20 When thou beatest thine olive tree, thou shalt not go over the boughs again: it shall be for the stranger, for the fatherless, and for the widow.

**21** "When you gather the grapes of your vineyard, you are not to go over it again; *that* shall be *left* for the stranger, the orphan, and the widow.

**21** "When you gather the grapes of your vineyard, you shall not go over it again; it shall be for the alien, for the orphan, and for the widow.

21 When you harvest the grapes in your vineyard, don't go back a second time. What remains are for the foreigner, the orphan, or the widow.

21 When thou gatherest the grapes of thy vineyard, thou shalt not glean it afterward: it shall be for the stranger, for the fatherless, and for the widow.

22 And you shall remember that you were a slave in the land of Egypt; therefore I am commanding you to do this thing.

22 You shall remember that you were a slave in the land of Egypt; therefore I am commanding you to do this thing.

22 Remember to do this because you were slaves in the land of Egypt. That is why I'm commanding you to do this."

22 And thou shalt remember that thou wast a bondman in the land of Egypt: therefore I command thee to do this thing.