

Laws of the Mosaic Covenant

Deuteronomy 24

Deuteronomy 24:1-4 - *“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 uncleanness in her, and he writes her a certificate of divorce, puts it in her hand, and sends her out of his house, ² when she has departed from his house, and goes and becomes another man’s wife, ³ if the latter husband detests her and writes her a certificate of divorce, puts it in her hand, and sends her out of his house, or if the latter husband dies who took her as his wife, ⁴ then her former husband who divorced her must not take her back 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.”*

Background Notes

In the first four verses, it is very important to note that the law dealing with marriage and divorce is in verse 4, **not** in verse 1. The King James translation is a little misleading in verse 1, because it sounds like the law said a man could get a divorce if his wife “found no favor in his eyes.” *“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” (v1 KJV).*

The phrase “then let him write her a bill of divorcement” should more properly be translated “when he writes her a bill of divorcement” or “if he writes her a bill of divorcement.” In other words, this law was not telling him to get a divorce. No. This law was dealing with a **condition** of divorce. The law actually comes in verse 4 where, under the **conditions** described in verses 1-3, the first husband was not allowed to remarry the first wife if she had remarried another man after the first divorce. So it was not a law **commanding** divorce, but rather it was a law **regulating** divorce and remarriage.

Doctrinal Points

1. Some of Israel’s laws regulated existing practices.

The law here in Deuteronomy 24 was not commanding divorce in a bad marriage, but rather it was regulating the existing practice of divorce that was going on in Israel. This explains the Lord’s answer to the Pharisees’ question in Matthew 19.

“They said to Him, “Why then did Moses command to give a certificate of divorce, and to put her away?” He said to them, “Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was

not so. And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery; and whoever marries her who is divorced commits adultery.” His disciples said to Him, “If such is the case of the man with his wife, it is better not to marry.”

The people of Israel probably picked up the practice of divorce in Egypt, and now God gave this law to **regulate that wrong practice**. He was not approving it! The law here was actually protection for women in that society. It is assumed that the phrase in verse 1 of “not finding favor in the husband’s eyes because of some indecency” was not referring to adultery or fornication, because those sins were punishable by death. Down through the years, the Jewish people debated and argued as to what constituted “indecency.” How serious did the “indecency” have to be, for it to qualify as grounds for divorce?

In any case, if the husband did divorce his wife wrongfully and she did remarry and the second marriage ended in divorce, then the law forbade the first husband to remarry the woman. I think you can see how this law prevented “legalized affairs” and “wife swapping.” It protected the woman from being abused as a sex object. Without the regulations of this law, the divorce problem would have gone from bad to worse. Some of Israel’s laws regulated existing practices.

2. Some of Israel’s laws anticipated potential problems.

There are a number of laws concerning Israeli social life in verses 5-22. Knowing all too well the fallen nature of man, God incorporated these laws into the Mosaic Covenant to protect His people from potential problems and sinful practices. Verse 5 was a law about a new marriage. *“When a man has taken a new wife, he shall not go out to war or be charged with any business; he shall be free at home one year, and bring happiness to his wife whom he has taken.”* Deuteronomy 20 taught that a man could get out of going to war if he had recently been married. Now Deuteronomy 24:5 stated that he must spend a year at home after marriage, even if he was willing to go to war. The Lord foresaw all the potential problems that could develop if marriage and family life did not get off to a good start. This law, of course, has good application for today. Newly married couples should spend quality time together and get to know one another well before the babies arrive!

Verse 6 was a law concerning pledges. *“No man shall take the lower or the upper millstone in pledge, for he takes one’s living in pledge.”* As collateral for a debt, a lender could not take the hand-held millstones that were used to grind grain for daily bread. Would anyone ever do that? In view of man’s sinful nature, yes - but God ordained this law to prevent that potential problem, and to protect a poor family’s ability to prepare their daily bread.

Verse 7 was a law against kidnapping. *“If a man is found kidnapping any of his brethren or the children of Israel, and mistreats him or sells him, then that kidnapper shall die; and you shall put away the evil from among you.”* I think we can all appreciate these reasons for the death penalty for kidnapping.

Verses 8-9 contained the law for leprosy and skin diseases. *“Take heed in an outbreak of leprosy, that you carefully observe and do according to all that the priests, the Levites, shall teach you; just as I commanded them, so you shall be careful to do. Remember what the Lord your God did to Miriam on the way when you came out of Egypt!”* The fact that Miriam was given here as an example seems to suggest that God might sometimes use leprosy as discipline in the life of the community - or the life of an individual, as in the case of proud King Uzziah. In any case, if and when this potential situation took place, the regulations of Leviticus 13-14 were to be strictly applied.

Verses 10-13 contained another law about pledges. *“When you lend your brother anything, you shall not go into his house to get his pledge. ¹¹ You shall stand outside, and the man to whom you lend shall bring the pledge out to you. ¹² And if the man is poor, you shall not keep his pledge overnight. ¹³ You shall in any case return the pledge to him again when the sun goes down, that he may sleep in his own garment and bless you; and it shall be righteousness to you before the Lord your God.”* The bottom line here was maintaining the dignity of the debtor, especially if he was poor. “His home was his castle,” and was not to be entered in demand of some immediate payment. And the poor debtor was not to be humiliated by the lender keeping overnight any pledged items that were necessary for living.

Verses 14 and 15 contain a law requiring that wages not be withheld from the poor and needy. *“You shall not oppress a hired servant who is poor and needy, whether one of your brethren or one of the aliens who is in your land within your gates. ¹⁵ Each day you shall give him his wages, and not let the sun go down on it, for he is poor and has set his heart on it; lest he cry out against you to the Lord, and it be sin to you.”* Wages were not to be withheld from the poor. In fact, the poor and needy were to be paid daily, because they needed to provide for the basic needs of their families.

How many of you have been in that situation? You’ve done the work and you need to be paid because you don’t have savings to meet your present needs. We can understand the importance of this law because it’s human nature for an employer not to pay daily if it’s not required. Notice that the worker was not to be paid ahead of time, but after the work was done. That’s a good practical application as well!

Verse 16 gave a law about individual guilt. *“Fathers shall not be put to death for their children, nor shall children be put to death for their fathers; a person shall be put to death for his own sin.”* Even though parental input and how children are raised have a lot to do with how the children turn out, parents were not to be put to death if a sin of their offspring demanded capital punishment. And children were not to be put to death for a sin of a parent that required the death penalty. In the surrounding foreign nations, entire families were sometimes put to death. By the way, in the case of Achan and his family who were all put to death, it is assumed that the whole family was guilty of helping to conceal the stolen property (Joshua 7).

In verses 17-22 we have laws protecting and providing for the widow, the orphan, and the alien, or a jobless immigrant. *“You shall not pervert justice due the stranger or the fatherless, nor take a widow’s garment as a pledge. ¹⁸ But*

you shall remember that you were a slave in Egypt, and the Lord your God redeemed you from there; therefore I command you to do this thing.

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 for the stranger, the fatherless, and the widow, that the Lord your God may bless you in all the work of your hands. ²⁰ When you beat your olive trees, you shall not go over the boughs again; it shall be for the stranger, the fatherless, and the widow. ²¹ When you gather the grapes of your vineyard, you shall not glean it afterward; it shall be for the stranger, the fatherless, and the widow. ²² And you shall remember that you were a slave in the land of Egypt; therefore I command you to do this thing.”

Notice how these “gleaning” laws were very different from today’s welfare programs in our own country. There were no “free handouts” in Israel. Gleaning was hard work, sometimes taking all day to gather enough for the family’s needs. In all of these laws we see God’s wisdom. He included safeguards in the Mosaic Covenant to guard against future problems. Some of Israel’s laws anticipated potential problems.

Practical Application

Learn to say “Keep the change” more often.

The laws in Deuteronomy 24 dealing with social life in Israel teach us that God was (and still is) very concerned about protecting and providing for the poor, for people who are in need, and for orphans, widows, and aliens. But at the same time there was “no free lunch.” People were expected to work. They were to do what they could to make ends meet.

How do we apply these same principles in dealing with needy people today - in our churches, in our fellowship groups, or even in our neighborhoods? We should learn to say, “Keep the change” more often. In other words, we shouldn’t create a welfare system where people get something for nothing. We should try to provide work, and we should pay well for work well done - and we should learn to say “keep the change” more often!