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Divorce and Remarriage

24: 1-4

Divorce and remarriage DIG: What was the purpose of this mitzvah? What does the phrase “something indecent” mean? How did the rabbis interpret that? What prophets used this mitzvah in their message? How did Yeshua expand the understanding of it?

REFLECT: If you are divorced, do you understand that even though God hates divorce; He doesn't hate divorced people. He loves people regardless of their sins. In addition, New Covenant believers are under no bondage if their spouse is guilty of adultery or desertion.

Following the general theme of Deuteronomy to protect the poor and the helpless, this mitzvah on divorce and remarriage was intended to protect the wife.

Deuteronomy 19:1 to 26:15 (to see link click [DI](#) - The Social and Family Mitzvot) deals with individual mitzvot, and to today's readers they might appear irrelevant at first, but the very principles behind these commandments were the ones that have brought dignity to mankind. We need to examine these mitzvot in depth to discover the spirit in which they were given, so that we can still live in obedience to **God's Word** today. For example, in **Numbers 18, the Israelites** were to bring **their tithes** to the Tabernacle because **the priests** and **Levites** had **no inheritance**. But today we have no Temple and no priesthood; however, we bring our tithes to our place of worship. That is the spirit of the mitzvah.

From **23:15 to 26:15, Moses** deals with **twenty** real life situations that the nation would need to function in a godly manner, and valuable lessons for us today as well: **number six.**



This section of Scripture does not deal with **divorce** in general, but with the issue of **remarriage** after **divorce**. This passage focuses on one issue. If a **man divorces his wife** and **she marries** another **man** who either dies or **divorces her**, the first **husband** is forbidden to **remarry her**. The first **three verses** set the conditions that apply to the mitzvah in **verse four**. This is a very interesting and exceptional example. It is very complicated, but it contains a lot of truth for us to learn from. The ridiculousness of this scene was what **marriage** had been reduced to in the days of **Moshe**. **The woman** is seen as the victim of **her two husbands** and the society in general.⁵¹¹

First, if a man marries a woman who becomes displeasing to him because he finds something indecent (Hebrew: *ervat davar*, meaning *shameful* or *disgraceful*) **about her**. What was it that **the husband “found”** in **his wife** that was *shameful* or *disgraceful*? **The rabbis debated the meaning of the term indecency apparently it refers to some repulsive act short of adultery, since adultery was punishable by death (Deuteronomy 22:22-24). The indecency was the basis for the man’s divorcing his wife.**⁵¹²

This mitzvah provoked discussion in later Jewish history. The conservative school Shammai believed **a man** could not **divorce his wife** unless **she** was unfaithful. The school of Hillel, however, was much more liberal. They believed that **the indecency** referred to anything displeasing to the **husband** - such as appearing in public with messy hair, exposing **her** arms in public, speaking indiscriminately with **men**, speaking disrespectfully of **her husband’s** parents in **his** presence, or cooking what **he** considered a bad meal. According to the liberal school of thought, these **women** only got one chance. If **they** burned some food, spoke too loudly, or exposed **their** arms in public, **they** were given **a certificate of divorce**. No pressure right!

We need to understand that **a marriage** should not be based on the feelings of **the husband**. **Marriage** is for life, and should not depend on the mood of either **the husband** or **the wife**. It is a divine institution. However, **God** holds that **man** responsible for what goes on in **the marriage** (see the commentary on **Genesis** and don't be fooled by the title **Lv - I Do Not Permit a Woman to Teach or Have Authority Over a Man, She Must Be Silent**).

Second, the husband wrote her a certificate of divorce (Hebrew: *sefer keritut*, meaning *a cutting off*), **gave it to her, and sent her from his house (24:1 NIV)**. **Marriage** was established by a formal legal covenant, and therefore a formal legal document was required to end **it**. The custom of writing **a certificate of marriage** was probably adopted during **the Israelite** bondage in Egypt. **The divorce** procedure was simple . . . but cruel, reflecting the generally low view of **women** worldwide. In ancient civilization, **women** were second-class citizens. In the pagan cultures around **Isra'el**, **women** were bought, sold, and treated like animals. Therefore, this mitzvah actually protected **the woman**. In fact, it hindered **the husband** from divorcing **his wife** rashly, since **a divorce** would make it illegal to take **her** back. However, if **he** did **divorce her**, **she** was awarded financial protection. Custom at that time required **the husband** who **divorced his wife** to **return** (Hebrew: *shuwb*) **her** dowry and give **her** a portion of **his own** estate equal to that dowry. **She** therefore left **the marriage** with twice the lands, property, or money that **she** brought into **the marriage**.⁵¹³

Third, and if after she leaves his house, she becomes the wife of another man (24:2 NIV). **His divorcing her** (in most cases) necessitated **her remarrying** for economic security, since ancient **Israelite women** lacked the means to support **themselves**.

Now comes the specific mitzvah, **fourth**, if **a woman** was **divorced** from **her** second **husband** she could not **return** to **her first husband**. Even if **her second husband** died, **she** could not **return** to **the first husband**, because **she** had been **defiled**. **And if her second husband dislikes her and writes her a certificate of divorce, gives it to her and sends her from his house, or if he dies (24:3 NIV), then her first husband, who divorced her, is not allowed to marry her again after she has been defiled**. If **divorce** became too easy, then **it** could be abused and would become a “legal” form of committing adultery, which **would be detestable in the eyes of the LORD (24:4a)**.

Do not bring sin upon the land ADONAI your God is giving you as an

inheritance (24:4b NIV). This mitzvah did not indicate that **YHVH** commanded **divorce**, for **He** would later say: **I hate divorce (Malachi 2:16)**. Rather, **He** condoned **divorce** in certain circumstances, and gave guidelines to control a problem that was evident even before **Deuteronomy** was written.

Three prophets used this mitzvah in their message:

First, **Jeremiah** asks whether **Isra'el**, having committed spiritual adultery, could simply be taken back by **YHVH**. **Isra'el** was indeed unfaithful to **her husband YHVH**, and **He** did give **her a certificate of divorce** (see the commentary on **Jeremiah At - Unfaithful Isra'el**). But in **the near historical future**, **she** would repent, and **they** were reunited after the Babylonian Captivity (see the commentary on **Jeremiah Gu - Seventy Years of Imperial Babylonian Rule**). So, while it seems that human **divorce** is final, **God's** is not.

Secondly, **Isaiah** looked for a **certificate of divorce** in **the far eschatological future** for the nation of **Isra'el** at the end of the Great Tribulation, saying: **Where is the divorce certificate by which I sent your mother away (Isaiah 50:1)**. But **the prophet** found none because **her sin** had been **pardoned** by **the Suffering Servant, Yeshua** (see the commentary on **Isaiah Ir - Because the Sovereign LORD Helps Me, I Will Set My Face Like a Flint**).

Thirdly, for **Hosea**, **divorce** was a painful personal experience. It seems that once again **Ha'Shem** was operating by different rules than us humans. But in **Hosea's** case, **he** was commanded to buy **his wife** back from adultery. Though it was significant that **she** had returned to prostitution and had not been married to another **man (Hosea 3:1-3)**.⁵¹⁴

In the B'rit Chadashah, **Yeshua** taught the complete equality of **men** and **women** in **the marriage** bond. In **His** view the possibility of **divorce** came about only as a concession of the hardness of the human heart. The aim of **marriage**, as set out in **Genesis**, was that **the man** and **the woman** would be loyal to each other for **their** entire lives (see the commentary on **Genesis Ax - Then the LORD God Made a Woman from the Rib He had Taken Out of the Man**). But if **divorce** did occur, as **Yeshua Himself** points out (see the commentary on **The Life of Christ Ij - Is It Lawful for a Man to Divorce His Wife?**), the Torah gave this mitzvah to regulate the mess.⁵¹⁵

*Dear Heavenly **Father**, Praise **You** for being the best spouse that ever could be.*

Though there is great joy in human relationships, spending time with **You** brings an even deeper peace and contentment. We seek to live in relationships with others that please you. **For I am jealous over you with a godly jealousy. For I betrothed you to one husband, to present you to Messiah as a pure virgin (Second Corinthians 11:2).** Life is busy and full of many important things, but spending time meditating on your Word and praising **You** are top priorities. **You** are whom our hearts long to please and we look forward to spending all eternity worshipping and praising **You**. In **Yeshua's** holy name and **His** power of resurrection. Amen