

## A little background on divorce.

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Putting away a wife had been going on with the Hebrews for quite some time in the desert there during the times of Exodus, Leviticus and Deuteronomy. This putting away was being done by very hardhearted Hebrews, remember, this is the same group of people who had made the golden calf to worship it. Many Hebrews had little concern for God or His statutes.

One symptom of this hardheartedness, among others, was a complete lack of regard for Gods union of marriage. These were casting aside their wives for no reason , which Moses had to permit or else risk having this monstrous men literally torment or kill their wives.

If you break open your bibles to Leviticus 21, you will see that neither the priests, nor the high priest, could marry a woman who was put away ('divorced') from her husband. The high priest couldn't even take widow . They were to marry ONLY a virgin of Israel.

(as a side note, if we use this for our basis, then some would have to claim that we can't even marry a widow, something completely lawful in Gods word)

These women who were not permitted to be taken by the priests there are these that had been put away from their husbands for just about any reason that the man could think up.

Also going back to Exodus 21:7-11, we clearly see conditions where this "wife" was permitted to walk out of her marriage a free woman. This is unrelated to the divorce by the man for 'some uncleanness' (for every cause) found in her by him, but it does help to prove that the ending of a marriage was not new to Deuteronomy as some assert.

**When** we get to Deut 24:1-4, Moses laying out regulation for a frivolous putting away that had already been going on by a husband who had no lawful claim against the wife (such as Exodus is against the husband). He isn't laying out an ordinance for some new thing called 'divorce', he was placing limitations on what was already occurring in Israel.

Thus he isn't 'defining' what is permissible for divorce in Deut 24:1, they had already defined this putting away 'for EVERY cause' with the manner in which they had been tossing their wives out, Moses is simply stating that if this man has put her away for the causes he had been, which is pretty much anything he deemed as 'unclean' about her, then he **MUST** give her a bill of divorce and once **RE** married she could never be his wife again.

Moses didn't define exactly what the cause of divorce was for in Deut 24:1-4, the Hebrew people did with their frivolous reasoning for this putting away, thus the reason for the ambiguous phrase "ervah dabar"...he is, in this regulation, saying that when this man has taken a wife and has found disfavor with her (as the Jews were doing), some ambiguous uncleanness' (ceremonial uncleanness is not completely out of line here), then he is to write her a bill of divorce and put it in her hand and send her out (if he wishes to do so, this wasn't an instruction obviously since God would never "instruct" a man to divorce frivolously).

To make it clearer, Moses isn't defining what they **CAN** put their wives over in Deut 24:1-4, he is defining what they **HAD** been putting away their wives for...which any study will show that it was for just about any reason they could think up.

This is the reason why, and you will find this absolutely to be the case, that no one, not even the Jews today, can put an **EXACT** meaning and intent to the phrase 'some uncleanness' in Deut 24:1-4 there. It simply wasn't **MEANT** to define anything because there were **MANY** reasons these men were finding to put their wives away for, not anything specific.

**The** problem in Jesus day was that instead of helping the situation, Deut 24:1-4 made it worse because now the men turned this regulation given in law there into an instruction by the Law **TO** divorce (**see Matt 19, they asked Him "is it LAWFUL.."**, they believed that the **LAW** permitted them to divorce for 'any cause') so that not only were these hardhearted ones putting away their wives for no just cause, but now they had a scapegoat to put the blame on....Moses...since supposedly he had given them instruction **TO** divorce when they found this cause to in the Law itself.

The school of Hillel held that the husband could show any reason whatsoever; that any act by the wife which displeased him gave him right to give her a bill of divorce. The opinion of the school of Hillel was the prevalent view at the time of Jesus ministry.

(Bear in mind that this is all happening under the the old covenant. Jesus was a Jew born under law. The new covenant would not take effect until His death on the cross. When Jesus shows them that what they are doing is a sin...it is under the law that this is declared....it isnt something that just took effect with the new covenant being ratified. Jesus declared what Moses hadnt...that this 'for EVERY cause' divorce to remarry IS sin.

When He said that adultery is committed when they do this the OLD covenant was still in effect (the new was not ratified until His death on the cross, which also took the old out of the way) so He was not saying that they WOULD be committing adultery under His NEW covenant, but they WERE even then...and if they WERE under the old covenant at any point, then they WERE the entire time.

Jesus did what Jesus did best with the Jews....exposed sin where they believed themselves guiltless.

Just as when He told them that they DID commit adultery when they lust after a woman. Did He mean ONLY after His new covenant took effect that this would be the case?

Absolutely not. They WERE, and HAD BEEN, committing adultery in their hearts any time they lusted in the manner He speaks of.

They WERE and HAD BEEN committing adultery when they were putting out their wives for some ambiguous 'uncleanness' to take another.

Jesus exposed their sin, it was nothing new or being defined as such only in this new covenant.)

Jesus shows that this is where they got it wrong. Moses hadnt 'instructed' them to do anything in this regard. He had tolerated their vile casting away of their wives and laid out regulation to try to control or end it.

The regulation in Deut 24:1-4 was given to this younger generation of Hebrews, most of those who had left Egypt were either very old or dead...remember they had been out there for decades...a whole new generation was alive now. At the end of this wilderness journey is when Moses gives these speeches to repeat the law and give some additions such as the regulation in Deut 24:1-4.

When you read all the relevant passages regarding this issue, keep these things in mind and see if they don't start all making sense to you.

I'm fully convinced, personally, that in His exceptions that Jesus' main intent is not to offer any instruction on 'why' we can divorce, but I believe that His point is that He is assigning guilt where no guilt was previously designated. Obviously any exception shows condition, and that condition would clearly exist or it would be falsehood. But I believe that Jesus' real point is mainly to show that even tho Moses hadnt said they were guilty of any crime in divorcing frivolously, that if they do so as they had been, the were guilty of sinning against their spouse who was put away for no just cause.

Moses had tolerated frivolous divorce from at least the time of Leviticus 21, but didn't actually assign any real 'sin' as being committed when this man cast out his wife for no just cause.

The tone seems to be one where we might try to convince a man of the idea 'NO...you CANNOT just go around killing people. ONLY if they are trying to kill you would you ever be justified in doing so'

You can see that there is no real 'permission' to kill people in what was said there, but only showing that while there may be some extreme circumstances that relieves one of guilt, killing is not generally tolerated.

The speaker there wouldn't be saying "Hey, wait till they try to kill you and THEN you can kill them (wink wink)". That wouldn't be the point at all.

Nor is it Jesus' point to say "well, you just wait for her to commit adultery and THEN you can toss her out (wink wink)"

I think this is the tone Jesus took in the gospels with divorce. No, Moses hadn't assigned guilt in the matter, but from the beginning it was not so. From the beginning man and woman were created to be companions for life and unless some extreme circumstance warrants putting her away. If you cast her out otherwise, and then think you are going to remarry, sorry, you commit adultery, as does she, and anyone who marries either of you.

I believe the reason Jesus made sure to include the persons marrying either of these two is to show the extent of the sin going on here. That this mans actions were so terrible that it didn't just affect him or his wife, that it was like leaven working its way out from one simple act that Moses had tolerated and swallowing up everyone in its path.

I believe in the gospels that Jesus is simply presenting that men were guilty where the law did not define guilt in their actions.

We see this very same concept just before Jesus' exception in Matt 5 where Jesus tells them that if they even think about a woman sexually they have already committed adultery with her.

*Mat 5:27-28 Ye have heard that it was said by them of old time, Thou shalt not commit adultery: (28) But I say unto you, That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart.*

Jesus is there also assigning guilt where the Jews believed themselves guiltless. Internalizing it, making it personal. Defining 'sin' where none was thought to exist before. God wasn't just watching the outside of the man, but the heart and mind as well.

Oddly enough, in Matt 5 there while Jesus is right on that very train of thought He lays out the MDR statement.