

This page contains a couple articles dealing with the issue that Deut 24 was not given concerning sexual sins of the betrothed wife that were punishable by death under the law, not divorce.

Deuteronomy 24:1-4 cannot be about sexual sin.

1.0

Divorce for 'every' cause/some 'uncleaness'

By WmTipton

Assertions/Conclusions of this article:

There is no clause for divorce in the law for sexual sin. The law prescribed only death for that crime. This article is to help discern those doctrines based on Deut 24:1-4 supposedly being about putting away a wife for sexual sin. These doctrines use this as their foundation to say that the rules were changed and that divorce, not death, was prescribed in the law for harlotry of a wife.

Some believe that the pharisees misinterpreted 'some uncleaness' in Deut 24:1 and that Moses really only meant it for sexual sins. Some also believe that Jesus is supposedly doing away with this mythical "allowance" for divorce for sexual sin in Matthew 19:9 by correcting their "interpretation" of Deut 24:1.

We show in this writing that ;

1) "some uncleaness" (ervah dabar) isn't referring to sexual sin or bodily nakedness (as ervah alone means) but is referring to a much broader range of 'uncleaness' instead.

In 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's 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 uncleaness' (ceremonial uncleaness 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 a commandment obviously since God would never "command" a man to divorce frivolously, but instead this precept lays out rules for WHEN this man does such a thing as cast her out without just cause).

To make it clearer, Moses isn't defining what they CAN put their wives away 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 uncleaness' 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.

We do not believe for a second, and it would go against the very nature of God or Moses, that Moses or God woke up one day and said "*Hey, lets allow men to divorce their wives for any petty reason they can come up with*".

This is the foolish JEWS interpretation of this law in Deut 24.

Are born again Christians as spiritually blind as unrepentant, hardhearted Jews that WE would actually believe that our God CATERED to mans sin in his own law created to correct and condemn sin?

Supporting evidence:

The Hebrew word 'ervah' is often used to convey the idea of "nakedness"...also inferring the idea of harlotry in many cases. This is the foundation for many doctrinal views out there that rely on Deut 24:1-4 being about sexual sin of a betrothed wife.

But the text of Deut 24 doesn't seem to imply a sexual sin at all, and the Israelites in general did not believe that it was meant to be limited to sexual sins but instead meant any 'uncleaness' about the wife that the husband had assigned to her. Take a quick look at Matthew 19:1-9 and you will see the phrase 'for every cause' there. This is in reference to Deut 24:1-4 and this term 'some uncleaness' used there.

What we are asserting in this article is that, while "ervah" alone does imply human nakedness and sexual sin, the phrase 'ervah dabar' isn't limited to those definitions but implies a broader range of 'uncleaness' instead.

Here is "ervah dabar" in Deut 24:1 :

Deu 24:1 When a man hath taken a wife, and married her, and it come to pass that she find no favor in his eyes, because he hath found some¹⁶⁹⁷ uncleaness⁶¹⁷² in her: then let him write her a bill of divorcement, and give it in her hand, and send her out of his house.

This is the word 'some' just before 'uncleaness'

H1697

da?ba?r

BDB Definition:

1) speech, word, speaking, thing

1a) speech

1b) saying, utterance

1c) word, words

1d) business, occupation, acts, matter, case, something, manner

Hebrew and Greek are like English in the aspect that a word can have a meaning that is modified by the wording and context around it. So the word Ervah is apparently modified by 'dabar' in such a way as to make it far more broad in intent than nakedness or sexual immorality.

Since the phrase is only used twice in the OT, we have to use the context in which it is used in Deut 23:14 to determine its use in Deut 24:1.

An easy example of how words in ANY language can be modified by the surrounding text might be something like this in our own;

"I'm going fishing at the lake"

vs

"I'm going fishing for men"

Same word 'fishing' in both statements, but in our minds the 'fishing' takes on two entirely different meanings just because of the way it is used.

One is LITERAL fishing, the other is far less literal and isn't about actual 'fishing' at all but is about going out and trying to lead men to Christ.

SAME word, FAR different intent.

So when folks push this idea that 'ervah' ALWAYS means sexual sin, they simply are refusing to accept the fact that context and usage of a word MUST be taken into account.

The phrases "some uncleaness" (Deut 24:1) and "unclean thing" are "ervah debar" in Hebrew.

We see this very same use of "ervah debar" used just one chapter before in Deut:23 in the phrase "unclean thing" (ervah debar). From our studies, the phrase 'ervah dabar only occurs twice in the Old testament. Once in Deut 24:1 above and once here in verse 23:14. When trying to understand the meaning of the phrase in Deut 24:1, we look to see how it is used elsewhere, Deut 23:14 being the only other occurrence we have to determine its exact use.

Thou shalt have a place also without the camp, whither thou shalt go forth abroad: And thou shalt have a paddle upon thy weapon; and it shall be, when thou wilt ease thyself abroad, thou shalt dig therewith, and shalt turn back and cover that which cometh from thee: For the LORD thy God walketh in the midst of thy camp, to deliver thee, and to give up thine enemies before thee; therefore shall thy camp be holy: that he see no unclean⁶¹⁷² thing¹⁶⁹⁷ in thee, and turn away from thee.

(Deu 23:12-14)

(in laymans terms, take a shovel with you, dig a hole and when you have relieved yourself, bury it)

In that passage the phrase "ervah dabar" isn't restricted to the fornications as some assert that ervah always means, but is clearly being used blanketly against all uncleanness in the camp (the example given being human excrement).

In fact, it isn't until verse 23:17 that the harlots/whores and sexual sin are brought into the conversation. This is probably why the scholars don't believe that "ervah debar" is about sexual sins of the wife in Deut 24:1-4.

Seeing that those sins are covered already just two chapters previously and that there are terrible contractions caused by trying to assert that Deut 24:1-4 is about sexual sins, including Deut 22:23-24 that presents that the woman might still be put to death by anyone else other than the husband if caught sinning against her husband in this manner.

Given that the phrase is exactly the same, in Deut 24:1 as it is in 23:14, we can conclude, just as the translators did, that it isn't necessarily in reference to fornication but of a more broader understanding of 'uncleanness'...just as the Jews divorced for and just what they were asking Jesus about in Matthew 19.

If we were to use the meaning of the phrase "ervah dabar" in Deut 24:1 as it appears in Deut 23:12-14 then what this "uncleanness" he has found in her is.....well, Im sure you readers can connect the dots. The main thing is that the phrase used in Deut 24:1 has nothing to do with her sexual sin but just a general uncleanness that has caused her to find no favor in his eyes...

"some uncleanness" in Deut 24:1 cannot be referring to sexual sins of the wife, betrothed or consummated for the following reasons.

1) *These sins were covered just two chapters prior in Deut 22. It makes no sense that there would be a change in part of the law so quickly in Deut 24 without also changing the other laws that would still affect this situation (see #3 below).*

2) *If Deut 24:1-4 were actually an amendment to Deut 22:13-21, then this means that God put a law into place, then amended part of it within weeks. God and Moses both would have to be very absent minded for this to work.*

3) *Deut 22:23-24 would still be in effect. This means that while Deut 24:1-4 would be saying that the husband would put her away for sexual sins now instead of having her stoned at her fathers door, that ANY other Israelite could levy charges against her and have her put to death anyway. A terrible hole in this idea that Deut 24 is about sexual sins.*

The fact is that all of the evidence is against "some uncleanness" being about sexual sin. The only thing that is any sort of 'evidence' for the view that it does mean sexual sins is that it 'sounds similar' to Deut 22:13-21....but in looking at the actual wording we see that its not that similar at all.

2.0

It is not logical that Deuteronomy 24:1-4 is concerning sexual sin

By WmTipton

[Assertions/Conclusions of this Article](#)

In this writing we will show a logical argument to prove that Deut 24:1-4 cannot possibly be about the sexual sins of the wife/betrothed wife using the details of the origins of Deuteronomy itself.

Supporting Evidence

What we're going to try to show is the depth of which this goes and the complete illogic of some views that say that Deut 24:1-4 is about sexual sins by using the details of Deut origin....

Deuteronomy - Introduction to Deuteronomy

The ordinary name of the book is derived, through the Septuagint and Vulgate from that sometimes employed by the Jews, "repetition of the Law," and indicates correctly enough the character and contents of the book.

The bulk of Deuteronomy consists of addresses spoken within the space of 40 days, and beginning on the first day of the 11th month in the 40th year.

-A Barnes

Deuteronomy - DEUTERONOMY, the second law, a title which plainly shows what is the object of this book, namely, a recapitulation of the law. It was given in the form of public addresses to the people;

-JFB

Deuteronomy -

This book repeats much of the history and of the laws contained in the three foregoing books: Moses delivered it to Israel a little before his death, both by word of mouth, that it might affect, and by writing, that it might abide. The men of that generation to which the law was first given were all dead, and a new generation was sprung up, to whom God would have it repeated by Moses himself, now they were going to possess the land of Canaan.

-M Henry

Deuteronomy - INTRODUCTION TO DEUTERONOMY

This book is sometimes called "Elleh hadebarim", from the words with which it begins; and sometimes by the Jews "Mishneh Torah", the repetition of the law; and so in the Syriac version, with which agrees the Arabic title of it; and when the Greeks, and we after them, call it "Deuteronomy", it is not to be understood of a second, a new, or another law, but of the law formerly delivered, but now repeated, and also more largely explained; to which are likewise added several particular laws, instructions, and directions; all which were necessary, on account of the people of Israel, who were now a new generation, that either were not born, or not at an age to hear and understand the law when given on Mount Sinai;

-J Gill

Preface to the Book of Deuteronomy

We have borrowed the name of this book, as in former cases, from the Vulgate Latin, Deuteronomium, as the Vulgate has done from the Greek version of the Septuagint, δευτερονομιον, which is a compound term literally signifying the second law, because it seems to contain a repetition of the preceding laws, from which circumstance it has been termed by the rabbins משנה mishneh, the iteration or doubling.

It appears that both these names are borrowed from Deu_17:18, where the king is commanded to write him a copy of this law; the original is משנה התורה mishneh hattorah, a repetition or doubling of the law, which the Septuagint have translated το δευτερονομιον, this second law, which we, properly enough, translate a copy of the law: but in Hebrew, like the preceding books, it takes its name from its commencement, אלה הדברים Elleh Haddebarim, these are the words; and in the best rabbinical Bibles its running title is ספר דברים Sepher Debarim, the book of debarim, or the book of the words. Our Saxon ancestors termed it the after law.

-A Clarke

Now, let us note that it is agreed that Deut is basically a verbal repeating of the law (that apparently was also recorded in written form), and that some new things were added (such as we see with the regulation in Deut 24:1-4). Let us secondly notice that it was given verbally over about a 40 day span of time by Moses in the desert to this younger generation of Hebrews after the previous had pretty much died out and they were about to enter the promise land after 40 years in the wilderness.

Thinking this thru logically, if Levitical law required the death of a wife, espoused or otherwise, who had committed sexual sin against her husband then a repetition of this fact in Deuteronomy is completely logical seeing the purpose of Deuteronomy, that it was a repeating of the law to this younger generation. But we see that Moses added some items when he gave Deut, such as the regulation in Deut 24:1-4.

Now, logically, if the situation had actually changed and it was now DIVORCE that was to be the recourse for a wife being found not a virgin, do not we think it a bit odd to repeat the laws giving the death penalties for this crime (as repeated in spirit in Deut 22) if that penalty had been revoked by God or were to be within mere days of giving Deut 22:13-21 ?

Here is what Deut 22 lays out, its quite detailed compared to any Levitical counterpart.

Deu 22:13-21 If any man take a wife, and go in unto her, and hate her, (14) And give occasions of speech against her, and bring up an evil name upon her, and say, I took this woman, and when I came to her, I found her not a maid: (15) Then shall the father of the damsel, and her mother, take and bring forth the tokens of the damsel's virginity unto the elders of the city in the gate: (16) And the damsel's father shall say unto the elders, I gave my daughter unto this man to wife, and he hateth her; (17) And, lo, he hath given occasions of speech against her, saying, I found not thy daughter a maid; and yet these are the tokens of my daughter's virginity. And they shall spread the cloth before the elders of the city. (18) And the elders of that city shall take that man and chastise him; (19) And they shall amerce him in an hundred shekels of silver, and give them unto the father of the damsel, because he hath brought up an evil name upon a virgin of Israel: and she shall be his wife; he may not put her away all his days. (20) But if this thing be true, and the tokens of virginity be not found for the damsel: (21) Then they shall bring out the damsel to the door of her father's house, and the men of her city shall stone her with stones that she die: because she hath wrought folly in Israel, to play the whore in her father's house: so shalt thou put evil away from among you.

And this is Deut 24:1-4, the passage a few erroneously claim is amending/replacing Deut 22:13-21 above;

Deu 24:1-4 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. (2) And when she is departed out of his house, she may go and be another man's wife. (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) 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.

God is made to look the fool here by believing that Deut 24:1-4 is about sexual sins.

It would mean that He gave Deut 22:13-21 above then suddenly remembered a few days later that He had wanted to change her punishment to divorce instead of death then amended it in Deut 24:1-4....Whoops

Notice the repeating of this precept where a woman not betrothed (aka "bound in marriage") is concerned. Here we have the levitical law in the matter.

Exo 22:16 And if a man entice a maid that is not betrothed, and lie with her, he shall surely endow her to be his wife.

And here we have the precept repeated in Deuteronomy

Deu 22:28-29 If a man find a damsel that is a virgin, which is not betrothed, and lay hold on her, and lie with her, and they be found; (29) Then the man that lay with her shall give unto the damsel's father fifty

shekels of silver, and she shall be his wife; because he hath humbled her, he may not put her away all his days.

So we see that the concepts are precisely the same.

In Leviticus there is law that a 'wife' (a betrothed woman is her husband's 'wife' merely lacking home-taking/consummation) is to be put to death if she commits adultery with another man. Deut 22 repeats these precepts, and even gives a bit more color in the matter as to how they might be punished where the betrothed wife is concerned (see Deut 22:13-21 above).

IF this woman is not betrothed she must be married by this man.

IF she is a wife (betrothed or consummated), then death is her penalty under both precepts given.

If these false views were correct and Deut 24:1-4 is about sexual sins of this wife, WHY then would God knowingly have REPEATED Levitical laws in Deut 22, knowing that just a few days later He would be CHANGING the punishments to DIVORCE instead in Deut 24:1-4 ?

Couldn't an eternal, omnipotent, PERFECT God get it right the first time? Did He 'forget' that He was about to change her punishment for sexual sins against her husband, tell Moses to give the instruction to have her killed then go ' wait, scratch that...' just mere days later?

There is a terrible gaping hole in the logic in thinking that it was necessary to repeat that death was to be her penalty in Deut 22 *IF* it was the intent to change it to divorce....keeping in mind that Deut was given over 40 days to this new generation.. .a 'repeating' of the laws to these children of those who had committed such horrid crimes so that they could carry Gods laws in their hearts into the promise land.

If it were the case that God WERE actually removing the death punishment for the betrothed wife then it makes no sense to even give it to this new generation at all.

And frankly, as far as I've studied, in Levitical law, it is only really a 'wife' who is mentioned as far as the death penalty and of course that includes the betrothed wife.

But we see that Deut 22 actually breaks it down into very clear detail....details NOT given in Levitical law.

Now, why did God waste His time not only repeating these laws from Leviticus IF His intent were to change her punishment from death to divorce, but actually ADD all the details about how she was to be punished in Deut 22:13-23 or so, when He would have KNOWN that in probably less than a week He would be changing those punishments to divorce instead of death ?

It would be illogical by human standards, let alone coming from an eternal, all-knowing God to not only repeat the law, but ADD greatly to its detail, only to REMOVE/CHANGE the law within what was probably no more than a week (between the giving of Deut 22 and Deut 24).

"Illogical" doesn't even remotely describe it...it must be offensive to God to call Him that ignorant.

No, logically Deut 24:1-4 simply cannot be about sexual sins and my guess is that is why, if you study this out, you will find very few, if any, who will try to make the claim that Deut 24:1-4 is about sexual sins already covered in Deut 22.

I won't even go into the fact that Deut 22:23-24 would still have been in effect meaning that while the husband would have been restrained from pushing the death penalty, any other Israelite who found this woman in sexual sin could have had her put to death.

Completely and illogical and utterly incapable of being harmonized with the facts from Gods whole word and the historical details..

3.0

Additional Evidence

The woman with five husbands

How is it that Jesus could acknowledge the woman's 5 husbands if one could only divorce for illicit betrothal sex ?

This would mean that this woman had literally married, then during her wedding night was found to not be a virgin and rejected/divorced by the man. Not just once....not twice...Not even three times....or even FOUR times, but FIVE separate times !

Given that Deut 22 shows that the man could have had her put to death, this woman would be taking a huge risk of death in marrying man after man and supposedly lying about her virginity.

Not to mention that after the first round of marriage and rejection her father would KNOW that she was not a virgin now.

Its fairly easily deduced that no father is going to risk his daughter and his own reputation trying to pawn off a non-virgin AS a virgin to 4 other men.

Jesus acknowledging that the woman at the well had had five husbands fairly conclusively shows that He DID agree that they WERE actually her husbands (especially when He compares them to the man she currently is with who is not her husband).

IF Deuteronomy 24:1-3 WERE about her not being found a virgin and *IF* this woman was not put away in such a manner, then Jesus could not acknowledge that she even had more than one husband to begin with as her 'divorces' would not have been valid.

Given the details it seems unlikely to downright impossible that Deut 24:1-4 is about the husband finding his new wife to not be a virgin on the night he was first with her.

Of course we COULD say that this woman wasnt a Jew so Gods law didnt apply to her, but then we'd have the mess that Jesus actually ACKNOWLEDGED gentile marriage custom and even their divorces.