

**SESSION #52 (26 April 2011) Deut 24:1-7 The Rights of Marriage, Basic Assets, and Personal Freedom**

**I. INTRODUCTION & REVIEW**

1:1-5	Introduction to God’s spokesman, the 1 <sup>st</sup> Prophet Moses
1:6-4:40	1 <sup>st</sup> Exposition of the Torah = <u>motivation</u> to obey from (1) <u>past gracious actions</u> of Yahweh and (2) <u>sovereign destiny</u> of the nation ( <u>future gracious actions</u> of Yahweh)
4:41-49	Editorial comment on context of 2 <sup>nd</sup> Exposition of the Torah
5:1-26:19	2 <sup>nd</sup> Exposition of the Torah = proper response to Yahweh in heart and soul
5:1-11:32	Loving Yahweh with <u>all the heart</u>
12:1-26:19	Loving Yahweh with <u>all the soul</u> ( <i>nephesh</i> =life)
12:1-13:18	Theological unity of Israel’s tribes and its Enforcement (esp 1 <sup>st</sup> , 2 <sup>nd</sup> , and by implication the corresponding 9 <sup>th</sup> , 10 <sup>th</sup> commandments)
14:1-21	Enforcement of Distinct Cultural Sustenance from Life to Death (a witness consistent with Yahweh’s name, see 3rd commandment)
14:22-16:17	A Distinct Culture of Theocentric Faith in God’s Economic Order (with emphasis upon the 4 <sup>th</sup> and by implication the corresponding 8 <sup>th</sup> commandment)
16:18-18:22	A Distinct Culture of Human Authority Under God’s Justice (emphasis upon human authority starting in the home—the 5 <sup>th</sup> commandment and by implication the 7 <sup>th</sup> commandment)
19:1-21:23	Protocols for Implementing True “Social Justice” (emphasis upon dealing with deployment of civil authority’s lethal force—6 <sup>th</sup> commandment)
22:1-23:18	A Distinct Culture of Life-Protecting Boundaries (emphasis upon purity of national life—the context of the 7 <sup>th</sup> commandment)
23:19-24:7	A Distinct Culture of Respect for “Human Rights” (emphasis upon the implications of the 8 <sup>th</sup> commandment)
23:19-20	The Right of Economic Freedom
23:21-23	The Right of a Promisee to Expect Performance
23:24-25	Limits to the Right of Ownership
	<b>24:1-5 The Right of Marital Status</b>
	<b>24:6 The Right of Basic Life-Support Assets</b>
	<b>24:7 The Right of Personal Freedom</b>

The section from **23:19** to **24:7** seems to exposit the implications of the [8<sup>th</sup>] commandment. The concept of “ownership” is [enlarged] beyond what one normally thinks of:

- (1) the right of a theocratic (redeemed) citizen to “own” an existence free from debt-bondage
- (2) the right of a promisee to “own” an expectation of performance by the promisor (beginning with God Himself)
- (3) the derivative nature of ownership under God, a limitation of “ownership” (which has been perverted by pagan Gentile thinking into vassalage to the State)

And so “stealing” is a sin that also is more [pervasive] than one normally thinks of.

This enlargement explains praise verses such as **Psalm 15:4b-5**.

## II. THE RIGHT OF MARITAL STATUS (Deut. 24:1-5)

Another case that challenges us to think about our view of “ownership” which can be “stolen.”

Marriage is a [divine] institution (DI#2) meaning:

- (1) A creation design for creatures made in God’s image; lower life-forms usually have sexual distinction for [reproductive] purpose, but mankind has sexual distinction for [glorification] purpose.
- (2) Both male and female humans share God’s image (**Gen. 1:27** “in the image of God He created him; male and female He created them”); God reveals Himself as a Father but also as a “helper” and “nourisher” (note the name “Eleazer,” **Matt 23:37** “*How often I wanted to gather your children together as a hen gathers her chicks under her wings*”).
- (3) Marriage acts as a divine metaphor for the relationship between Yahweh and Israel and between Jesus Christ and the resurrected Church (its glorification purpose).
- (4) Marriage generates family which subsumes each generation under the previous one and renders redemption [possible] (**Rom. 5:12-17** expounds the “federal headship of Christ” that is grounded upon the “federal headship of Adam”); there is no such counterpart for the myriad of angelic creatures and therefore there is no redemption for them either.
- (5) Therefore, marriage is rooted in the physical, psychological, and spiritual nature of man; it is not an arbitrarily selected “relationship” by man.
- (6) And, therefore, marriage encompasses both believer and unbeliever—it is not only for believers.

Paganism, as the product of unregenerate human nature, despises all revelation of God, including the institution of marriage that “reminds” mankind of their Creator and Judge. Polygamy, homosexuality, and religious prostitution were common violations of God’s design for marriage.

The contemporary scene:

- (1) Homosexual “marriage” violates the design because it denies the psychological-physical unity of sexual identity (i.e. homosexuality expresses the psychological “male”/“female” nature but denies its designed expression physically); it then leads to the problem of redefining “family.”
- (2) “Family diversity” proponents now are trying to convince us that it is socially beneficial to redefine “family” using the terminology “intentional family,” i.e. adults are free to intend to form a family in any manner of their choosing.
- (3) “Single Mothers by Choice” (SMBC):

“[SMBC] ranks include women who became unexpectedly pregnant and, deciding against adoption, abortion, or marriage, choose to raise their babies alone; women who adopt alone; those who intentionally stop using birth control in order to become ‘accidentally’ pregnant in a causal relationship; but mostly (and getting most of the headlines) women who choose their baby’s absent father from a sperm bank. Chapters of SMBC around the country have grown from 12 to 24 in just the last three years. Of late the movement has adopted a new, edgier, and decidedly American moniker: the ‘choice mom.’” Elizabeth Marquardt, *Do Fathers and Mothers Matter?* (Institute for American Values).

“Browse the newspapers of the world and you can read reports of the proud new single father by choice (SFBC). . . .In California a destination of choice for would-be fathers from around the world, anything goes. A man can purchase his eggs, pick his surrogate, and head home with his three babies. . . .In the UK

Ian Mucklejohn became the father of triplets conceived with an egg donor and a separate ‘gestational’ surrogate mother, both living in the US. . . . [The] only remaining and sometimes significant legal struggle is to convince the local authorities to provide the children citizenship and birth certificates with a blank in the space for ‘mother.’”

“So long as the absence of a mother (or a father) is intentional, such a family structure is seen as being fine for children. And the only reason this change has occurred is because—increasingly in the eyes of society’s leaders—an adult’s right to children outweighs children’s hardwired need for their mother and father.”

#### **24:1 man takes a wife. . .**

The view of the Bible is that the man “\_[takes]\_” and is “\_[lord]\_” (24:4) of the woman, so this section on marriage occurs under the 8<sup>th</sup> commandment section as well as other passages on marriage that occurred in the previous section under the 7<sup>th</sup> commandment. This passage \_[limits]\_ “ownership” just as 23:24-25 did.

#### **found some uncleanness**

Some sort of fornication (includes more than adultery—□ remarital promiscuity, lesbianism). Num 5 gives us one example of how “uncleanness” was found. Joseph with Mary is another.

#### **writes a certificate of divorce. . .**

Evidence that betrothal and marriage were considered as \_[formal]\_ contracts.

#### **24:2 becomes another man’s wife**

Divorce here grants remarriage because it nullifies the previous marriage.

#### **24:3 latter husband. . . writes. . . or dies. . .**

2<sup>nd</sup> marriage also ended.

#### **24:4 former husband must not take her back after she has been defiled. . .**

Clearly a restriction on his “ownership rights”: he can have no claim in this case. Once he relinquishes ownership—his choice—he can’t reclaim it.

This restriction also expresses God’s hatred for divorce (Mal. 2:13-16)—this woman isn’t a “plaything” to be tossed around man-to-man; once divorce and remarriage has occurred, always divorced.

Moses permitted divorce on several grounds. He himself apparently was divorced (Exod 2:16-22; 4:24-26; 18:1-12; Num 12:1ff).

POINT: Marriage involves rights of ownership like vows and derivative ownership of property; messing with it is a form of \_[theft]\_.

#### **24:5 new wife. . . one year. . .**

Another case that is repeated in two places; cf. 20:7 that was explained under the 6<sup>th</sup> commandment section—though exercise of lethal force in just war was important, it was not as important as marriage and family since the latter generate \_[positive culture]\_ whereas the former merely \_[restrains evil]\_.

### **III. THE RIGHT OF BASIC LIFE-SUPPORT ASSETS (Deut. 24:6)**

Another passage similar to that of 23:19-20 that spoke of the incongruity of debt-slavery for a redeemed theocratic saint—indebtedness can be a form of “theft.”

#### **24:6 lower or upper millstone**

Tool to grind grain in the home for food. Redeemed theocratic citizen not to be reduced to starvation. Collateral was \_[legitimate]\_, but the \_[assets]\_ used for collateral was limited. Intruding into the basic life-support assets by a banker/loaner is a form of “theft.”

#### **IV. THE RIGHT OF PERSONAL FREEDOM (24:7)**

**24:7 stealing** [Heb. participle = character, i.e. a business] **nephesh from his brother....**

Theme of 8<sup>th</sup> commandment again.

**mistreats or sells. . .**

May be associated with **24:6**—literally confiscates the man = ownership claim over him.

**Exod 21:16** “*He who kidnaps a man and sells him, or if he is found in his hand, shall surely be put to death.*”

This included all involved in this slavery business.

Applies to previous centuries and to our times.

#### **V. CONCLUSION**

Conclusion to the section on the implications of the 8<sup>th</sup> commandment.

Ownership:

- Is derivative under the absolute ownership of God → owner responsible to God for use of what he/she owns;
- Is restricted from taking from the truly poor and in taking people for property;
- Is created by vows and contractual promises for the promisee;
- Is involved in marriage.