

Reuse of Deuteronomy 24:1–4 in Jeremiah 3:1–10: A Reexamination

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Introduction

The purpose of the following paper is to evaluate the textual basis for claiming that Jer 3:1–10 reuses and depends upon the prohibition against a husband remarrying his formerly divorced wife in Deut 24:1–4 and to demonstrate how the latter is incorporated into the line of thought of the former. Firstly, I want to argue that a case for reuse between Jer 3:1–10 and Deut 24:1–4 can be made. Secondly, I will point out textual indicators for why Jer 3:1–10 seems to be dependent upon Deut 24:1–4, and not vice versa. Thirdly, I will explain the role that Deut 24:1–4 seems to play in Jer 3:1–10.

Since Winfried Thiel's two-volume work *Die deuteronomistische Redaktion von Jeremia*, the majority of scholars see Jer 3:1–10 as dependent upon Deut 24:1–4. However, the textual support provided for this claim is often weak.¹ In the present study, I will apply William

¹ Winfried Thiel, *Die deuteronomistische Redaktion von Jeremia 1-25* (Wissenschaftliche Monographien zum Alten und Neuen Testament; Neukirchen-Vluyn: Neukirchener Verlag, 1973), especially 280–82; Winfried Thiel, *Die deuteronomistische Redaktion von Jeremia 26-45: Mit einer Gesamtbeurteilung der deuteronomistischen Redaktion des Buches Jeremia* (Wissenschaftliche Monographien zum Alten und Neuen Testament; Neukirchen-Vluyn: Neukirchener Verlag, 1981). See also Georg Fischer, *Jeremia: Der Stand Der Theologischen Diskussion* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2007), 134–36; Jack R. Lundbom, *Jeremiah 1–20: A New Translation with Introduction and Commentary* (AB Anchor Yale Bible; New York: Yale University Press, 2008), 300–301, 303, 307; Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Oxford University Press,

Tooman's methodology for determining inner-biblical reuse and the direction of dependence,² which facilitates a more precise and substantial analysis, to a reexamination of the relationship between Jer 3:1-10 and Deut 24:1-4. In this way, I will identify the strongest arguments and point out some factors in these passages that interpreters have missed.

Reuse

The phrase סֵפֶר כְּרִיתָת (‘‘bill of divorce’’) is only found in Deut 24:1, 3; Isa 50:1; and Jer 3:8.³ In the same context (Deut 24:1, 3–4; Isa 50:1; Jer 3:1, 8), we also find the *pi'el* of שָׁלַח in a technical usage referring to dismissal of a wife.⁴ Although Isa 50:1 is similar to Deut 24 and Jer 3 in that it uses סֵפֶר כְּרִיתָת + the *pi'el* of שָׁלַח, the closer similarity between the clauses וְהִלְכָהּ in Jer 3:1 and וְהִלְכָהּ וְהִיָּתָה לְאִישׁ-אֲחֵר in Deut 24:2 provide a stronger basis for identifying possible reuse between them. These two sets of clauses are

1988), 307–12; William Lee Holladay, *Jeremiah 1: A Commentary on the Book of the Prophet Jeremiah, Chapters 1-25* (Hermeneia - A Critical and Historical Commentary on the Bible; Philadelphia: Fortress, 1986), 112–16. For representatives of those who do not see reuse and dependence between Jer 3:1-5 and Deut 24:1-4, but rather a common legal inheritance, see T. R. Hobbs, ‘‘Jeremiah 3:1–6 and Deuteronomy 24:1–4,’’ *Zeitschrift für die Alttestamentliche Wissenschaft* 86 (1974); James D. Martin, ‘‘The Forensic Background to Jeremiah 3:1,’’ *VT* 19 (1969).

² William A. Tooman, *Gog of Magog: Reuse of Scripture and Compositional Technique in Ezekiel 38–39* (Tübingen: Mohr Siebeck, 2011), 23–35.

³ David Instone-Brewer points out that ‘‘there is no equivalent to the divorce certificate in any ancient Near Eastern culture outside Judaism’’ (David Instone-Brewer, *Divorce and Remarriage in the Bible: The Social and Literary Context* (Grand Rapids, Mich.: W.B. Eerdmans, 2002), 32).

⁴ Francis Brown et al., *Brown-Driver-Briggs Hebrew and English Lexicon* (Peabody, MA: Hendrickson, 2007), 1019; Ludwig Koehler et al., *The Hebrew and Aramaic Lexicon of the Old Testament* (Leiden: E.J. Brill, 1999), 1514–15; Richard M. Davidson, *Flame of Yahweh: Sexuality in the Old Testament* (Peabody, Mass.: Hendrickson, 2007), 394; Lundbom, *Jeremiah 1–20*, 301.

identical, with the exception of Jer 3:1 adding **מֵאֵתוֹ**. It is possible that this might relate to the presence of **וַיִּצְאָה מִבַּיִתוֹ** in the preceding clause of Deut 24:2, both identifying the location from where the woman is dispelled. **וְהָלְכָה מֵאֵתוֹ וְהִיְתָה לְאִשׁ-אַחֵר** in Jer 3:1 could either be seen as a possible conflation of **וְהָלְכָה וְהִיְתָה לְאִשׁ-אַחֵר** in Deut 24:2, or the latter as an elaboration of the former.⁵

MT Jer 3:1–10 seems to contain more parallels to Deut 24:1–4 than LXX Jer 3:1–10 does. Christl Maier points out that MT Jer 3:1–10 reflects Deut 24:1–4 in having the husband returning to the wife. This contrasts to LXX, where the woman returns to the husband.⁶ I will return to this difference below. But the return of the husband to the former wife in MT Jer 3:1–10 would again establish a parallel with Deut 24:1–4.⁷ Further, Lundbom points out that the MT’s idea of the defilement of the land in MT Jer 3:1–2, 9 also reflects the idea of the defilement of the land in Deut 24:2, in contrast to the LXX, which only views the woman as defiled.⁸

⁵ Fishbane writes: “It is notable that the lexical variations between the Pentateuchal [Deut 24:1–4] and prophetic [Jer 3:1–5] passages of the MT occur in the hortatory-paraenetic conclusion, not in the technical and operative sections of the legal topos” (Fishbane, *Biblical Interpretation in Ancient Israel*, 308). Hobbs has a point when arguing that 3:1 is characterized by non-legal language, even if I would disagree that this rules out the possibility of dependence upon legal material (Hobbs, “Jeremiah 3:1–6 and Deuteronomy 24:1–4,” 24). Also, James Martin’s criteria that Jer 3:1 needs to mirror the “exact legal wording” in Deut 24:1–4 including “all three of the legal conditions of the law” found there, is too rigid a criteria for reuse (Martin, “The Forensic Background to Jeremiah 3:1,” 88). It is not unexpected that the clear hortatory context of the verse would flavor it. On the other side, Bruke Long has shown against Hobbs that Jer 3:1 does reflect language found in legal disputes over the law (Burke O. Long, “The Stylistic Components of Jeremiah 3:1–5,” *Zeitschrift für die Alttestamentliche Wissenschaft* 88 (1976): 388–89).

⁶ Commenting on the woman’s defilement in Jer 3:1 Craigie, Kelley, and Drinkard argue that it reflects more the legal tradition in Deut 24:1–4, while the LXX “reflects an attempt to continue the surface logic of the preceding lines” (Peter C. Craigie et al., *Jeremiah 1–25* (WBC; Dallas, Tex.: Word Books, 1991), 49).

⁷ Christl M. Maier, *Daughter Zion, Mother Zion: Gender, Space and the Sacred in Ancient Israel* (Minneapolis: Fortress, 2008), 105.

⁸ Lundbom, *Jeremiah 1–20*, 301. Jonathan Klawans has shown that defilement of the land is particularly

We also find an indication in the LXX that the translators saw a reuse between Jer 3:1–10 and Deut 24:1–4. LXX Jer 3:8 reads εἰς τὰς χεῖρας αὐτῆς where MT has אֶל־יָדָיָהּ. If LXX rendered proto-MT here, this would not be a precise translation. Alternatively, perhaps the LXX had a different *Vorlage*. As the Greek can be retroverted into Hebrew with the phrase בְּיָדָהּ, it is difficult to ignore that this is the exact phrase we find in MT Deut 24:1,⁹ where LXX also has εἰς τὰς χεῖρας αὐτῆς. In this instance, the LXX translator seems to have recognized the reuse and to have taken the liberty to make the link even clearer. The fact that the prepositional phrase בְּיָדָהּ is not frequent in the Hebrew Bible¹⁰ makes it even more likely that the translator of LXX took a glance at Deut 24:1.¹¹ It is of course possible that LXX had a *Vorlage* different from MT Jer 3:8. Nevertheless, this does not undermine the observation in regard to reuse. Whether LXX altered a *Vorlage* similar to LXX Jer 3:8 to εἰς τὰς χεῖρας αὐτῆς or had a Hebrew *Vorlage* with בְּיָדָהּ in Jer 3:8, the inclusion of this phrase seems to indicate that either the LXX translator or its Hebrew *Vorlage* included this additional link between Deut 24:1 and Jer 3:8 as compared to the MT.

associated with moral impurity, in contrast to ritual impurity: “Whereas ritual impurity results in an impermanent defilement, moral impurity leads to a long-lasting, if not permanent, degradation of the sinner and, eventually, of the land of Israel” (Jonathan Klawans, *Impurity and Sin in Ancient Judaism* (Oxford: Oxford University Press, 2000), 26). See also p. 27 where he notes the defilement of the land in Jer 3:1, though in a footnote he expresses uncertainty whether Jeremiah here is primarily thinking of idolatry or adultery. On the meaning of רָגַח in Jer 3:1 as “a more extreme term”, with the idea of resisting the sacred, as compared to אָמַט in Deut 24:4, see Holladay, *Jeremiah 1–25*, 113. As argued in this paper, in Jer 3:1–10 I see idolatry and illegitimate political alliances as in the foreground, with adultery as a metaphor.

⁹ Even though בְּיָדָהּ is also used in Deut 24:3, it seems to me that Deut 24:1 was in the mind of the LXX translator. The close proximity between βιβλίον ἀποστασίου and εἰς τὰς χεῖρας αὐτῆς in LXX Jer 3:8, just as with סֵפֶר קְרִיאתָהּ and בְּיָדָהּ in Deut 24:1 indicates this connection.

¹⁰ Gen 39:12–13; Exod 15:20; 35:25; Deut 24:1, 3; Judg 4:21; Isa 51:18; Prov 14:1; Lam 1:17.

¹¹ A similar point has been made by William McKane, *A Critical and Exegetical Commentary on Jeremiah* (ICC; Edinburgh: T&T Clark, 1986), 65.

Direction of Dependence

Having argued for a reuse between Deut 24:1–4 and Jer 3:1–10, I now turn to arguing for why I believe it was Jeremiah that borrowed from Deuteronomy, and not vice versa.¹² Firstly, there is something awkward about the sequence of actions in Jer 3:8. In Deut 24:1 we find the formulation **וְכָתַב לָהּ סֵפֶר כְּרִיתוֹת וְנָתַן בְּיָדָהּ וְשָׁלְחָהּ מִבֵּיתוֹ**.¹³ This is repeated in 24:3 in relation to the second husband’s divorce of the woman. The sequence of events here follow the expected order. First the husband would write the bill of divorce, then give it to the wife, and finally send her off. But when we come to Jer 3:8 we read **שְׁלַחְתִּיהָ וְאַתָּן אֶת־סֵפֶר כְּרִיתוֹתֶיהָ אֵלֶיהָ**. Here the metaphorical wife, apostate Israel, is first sent off, and then given a bill of divorce. This could be an example of Seidel’s law of inversion,¹⁴ in which case it would indicate Jeremiah’s reuse of Deut 24:1–4. I cannot see any other reason for why he should alter an otherwise natural flow of events.¹⁵

¹² Michael Fishbane takes the disputed **לְאָמַר** in Jer 3:1 as a ‘citation formula’ introducing the reinterpretation of Deut 24:1–4 (Fishbane, *Biblical Interpretation in Ancient Israel*, 284, 307).

¹³ Thiel sees little reuse of Deuteronomistic language in Jer 3:6–12, but he takes the phrases **סֵפֶר כְּרִיתוֹת** in 3:8 and **בְּכָל־לְבָבָהּ** in 3:10 to indicate Jeremiah’s dependence upon Deuteronomy (Thiel, *Jeremia 1-25*, 88–89). Craigie, Kelley, and Drinkard emphasise the marital language and the use of the word **שׁוּב** as a possible links, as sees it as “unwise to press the opening analogy of marital law” any further than this (Craigie et al., *Jeremiah 1-25*, 51). But as I show, the links seem to go beyond such strict limitations. It could be asked whether the use of **רְבִיבִים** (see Deut 32:2) and **מְלֻקוֹשׁ** (see Deut 11:14) in Jer 3:3 could be pointing back to deuteronomistic language. Craig, Kelley, and Drinkard deny that Jeremiah is dependent on Hosea as the latter writes about remarriage in the context of “an anticipation of the new covenant” while Jeremiah’s focus is “on the possibility and necessity of *repentance*” (Craigie et al., *Jeremiah 1-25*, 51). Fishbane on his side sees influence from Hosea on Jeremiah here (Fishbane, *Biblical Interpretation in Ancient Israel*, 311–12).

¹⁴ See M. Seidel, “Parallels between Isaiah and Psalms,” *Sinai* 38 (1955–56); Michael A. Lyons, “Marking Innerbiblical Allusion in the Book of Ezekiel,” *Biblica* 88 (2007): 245–46.

¹⁵ Jan Joosten writes that a wayyiqtol following a qatal in discourse usually will take over the temporal perspective of the qatal, namely implying “an event time preceding the reference time” (Jan Joosten, *The Verbal*

Secondly, there seems to be a word-play in Jer 3:2 that scholars have missed. In Deut 24:1 עֲרוֹת דָּבָר constitutes the legitimate ground for divorce. The debate regarding the meaning of this phrase by later commentaries is well-known, and needs no repetition here.¹⁶ In Jer 3:2 the promiscuous people are כְּעֶרְבֵי בְּמִדְבָּר “like an Arab in the desert”. Why this comparison? It is used as a simile to the preceding clause that describes the people, which reads עַל-דְּרָכִים יֹשְׁבֹתָ (“you were sitting by roads [waiting] for them”). Prostitutes would typically sit waiting along roads (Gen 38:14; Prov 7:10–12).¹⁷ The phrase כְּעֶרְבֵי בְּמִדְבָּר would therefore seem to have a sexual connotation. The consonantal similarity to עֲרוֹת דָּבָר is striking. In both cases the phrases are used for something objectionable, possibly also a sexual offense. By this word-play, which makes sense if Jeremiah is reusing Deuteronomy, God in Jer 3 appears to imply that the people’s promiscuity with other lovers constituted an עֲרוֹת דָּבָר, and therefore a legitimate ground for divorce according to Deut 24:1.¹⁸ The LXX apparently misunderstood the root and

System of Biblical Hebrew: A New Synthesis Elaborated on the Basis of Classical Prose (Jerusalem: Simor, 2012), 182). In that case we could expect that the qatal+wayyiqtol represented a sequence. Still, it is also possible to read the וְאָתָּן of אֶת-סֵפֶר כְּרִיתָתֶיהָ אֵלֶיהָ in the epexegetical (“in the sense that I gave her a bill of divorce”) or pluperfect (“having given her a bill of divorce”) sense. In both cases this clause would explicate what was seen as implicit in שָׁלַחְתֶּיהָ (Bruce K. Waltke and M. O’Connor, *An Introduction to Biblical Hebrew Syntax* (Winona Lake, Ind.: Eisenbrauns, 1990), 551–53). This could be taken to weaken the use of these clauses to argue for the direction of dependence. Still, recognizing the reuse between Jer 3:1–10 and Deut 24:1–4, the more complex syntax of Jer 3:8 compared to Deut 24:1 needs an explanation. Further, reading וְאָתָּן in an epexegetical or a pluperfect sense can be taken as compatible with the idea that the author of Jer 3:8 wanted to mark dependence on Deut 24 by inverting the sequence, while still retaining a logical sequence of events.

¹⁶ Cf. Jacob Neusner, *The Rabbinic Traditions about the Pharisees before 70, Part 2: The Houses* (Eugene, Oreg.: Wipf and Stock, 1971), 37–39; Fishbane, *Biblical Interpretation in Ancient Israel*, 309; Instone-Brewer, *Divorce and Remarriage*, 110–14.

¹⁷ Georg Fischer, *Jeremia 1–25* (Freiburg: Herder, 2005), 186; Lundbom, *Jeremiah 1–20*, 302.

¹⁸ It is also possible that use of the words חָנַף, שָׁגַל, רָעָה and זָנָה in Jer 3:1–10 is intended as an elaboration of the sexual offense of עֲרוֹת דָּבָר in Deut 24:1.

took it as I עֵרָב ('a raven') rather than עֵרָבִי ('an Arab/Bedouin'), showing that the translator missed the point of the word-play in Hebrew.

Thirdly, Jeremiah uses literal divorce between a man and his wife as a metaphor for the relationship between God and his people. By definition, metaphorical language is secondary. This in itself cannot establish that Jer 3:1–10 reused Deut 24:1–4. But the metaphorical use of divorce here presupposes that a certain norm in regard to divorce was well-known both by Jeremiah and his readers. Without such a norm as a benchmark for comparison, Jeremiah's line of logic falls flat.¹⁹ Given that there is reuse between these two passages, the metaphorical use of technical terms in Jer 3:1–10 also found in Deut 24:1–4 could therefore be taken as a support for saying that Jeremiah is the one borrowing from the norm expressed in Deuteronomy, and not vice versa.

The Role of Deut 24:1–4 in Jer 3:1–10 and its context

Jer 2:1–4:4 appears to be one literary unit within the book of Jeremiah, with the dominant theme of calling the people to repent and return.²⁰ In Jer 2, God has been accusing the people of having turned away from Him. Judah has whored both with gods (see הַבְּעָלִים in 2:23), apparently on the 'bare heights' (שָׁפִימִים in 3:2), and with foreign nations such as Egypt and Assyria (2:18, 36).²¹ As we come to Jer 3, God informs the people that there are some problems

¹⁹ Craig, Kelley, and Drinkard call Jer 3:1 a "paraphrase of the substance of the law also known in Deut 24:1–4" (Craigie et al., *Jeremiah 1-25*, 50).

²⁰ Fischer, *Jeremia 1–25*, 184; Lundbom, *Jeremiah 1–20*, 299.

²¹ See Maier, *Daughter Zion, Mother Zion*, 104. The rape of 3:2 is probably not done by the הַבְּעָלִים, but

attached to their returning, illustrated through a metaphorical use of customs relating to remarriage after a divorce has taken place. In 3:12, God nevertheless says he does not “bear a grudge for all time,”²² thus opening an invitation for the people to return. In 3:22 he further encourages the people to turn back. At the end of this literary unit, in 4:1–2, God holds up the Abrahamic promise (“Nations shall bless themselves by you”) on the condition that the people return to God (“If you return, O Israel” and “if you return to me”). Thus, 3:1–10 seems not so much to emphasize the legal difficulties associated with God’s acceptance of the people, as much as God crossing legal boundaries in lovingly receiving them again to himself.²³ Rather than a negative thrust, the passage is therefore filled with an invitation to and hope in the possibility of a return. Jer 3:1–10 should therefore not be seen as a legal exegesis of Deut 24:1–4. Rather, it uses the law relating to divorce and remarriage metaphorically for the relationship between God and his people.²⁴

According to Jer 3:1, it was God who divorced his people due to their adulterous behavior. It was not the fornication itself that constituted the divorce, but it constituted the

rather by Egypt and Assyria (see Konrad Schmid, *The Old Testament: A Literary History* (trans. Linda M. Maloney; Minneapolis: Fortress, 2012), 127).

²² This comes as a response to the people in 3:5 asking whether God will bear a grudge for all time.

²³ McKane comments: “Although Yahweh in exiling her issued her with a bill of divorce, he is not bound by legal protocol as are husbands who divorce their wives” (McKane, *Jeremiah*, 66). Fishbane states it probably more precisely: “It is just because the meaning and force of the civil *Rechtspraxis* is not in doubt that the prophet is able to achieve such a striking theological tension and reversal. And yet it may be argued that Jeremiah is not at all innovative in implying a double standard of justice here—one civil, for humans, the other theological, for YHWH—but that he is merely giving a theological reflex to a common social-legal practice” (Fishbane, *Biblical Interpretation in Ancient Israel*, 311).

²⁴ Roy E. Gane, “Old Testament Principles Relating to Divorce and Remarriage,” *JATS* 12 (2001): 51.

legitimate ground for the YHWH-husband to divorce his Israel-wife in light of the dynamics of literal divorce in Deut 24:1. According to Deut 24:4 the woman “has been defiled” (הִטְמְאָה) by her second marriage. Jonathan Klawans summarizes this and similar cases as follows: “In these situations, the woman does not defile ritually, but she is still defiled in that she suffers a permanent and degrading change in status.”²⁵ In Deut 24:4 the prohibition against bringing sin upon the land, וְלֹא תַחֲטִיִּיא אֶת־הָאָרֶץ, is directed against the male as the potential divorcing husband. By reusing Deut 24:1–4 the implication would be that the YHWH-husband would himself bring sin upon the land by taking back his people. Jeremiah, however, seems to consciously avoid this connotation. First of all, in 3:1, 7, 10 it is the unfaithful people that are expected to return to God.²⁶ Further, while MT Jer 3:1 does follow the legal lead of Deut 24:4 in speaking about the impossibility of the husband returning to his divorced wife, as this would pollute the land (הֲלוֹא חֲנוּף תַּחֲנַף הָאָרֶץ הַהִיא), in the rest of the passage the danger of polluting the land is defined otherwise. In 3:2 (וַתַּחֲנִיפֵי אֶרֶץ בְּזִנוּתֶיךָ וּבִרְעָ) and 3:9 (וַתַּחֲנַף אֶת־) (הָאָרֶץ) it is the adultery of the people that has defiled the land. Jeremiah therefore places the sole blame for defiling the land upon the people.²⁷

²⁵ Klawans, *Impurity and Sin*, 29.

²⁶ Fishbane writes that the phrase לָשׁוּב in Deut 24:4, where it means ‘return’, “undergoes a semantic transformation [in Jer 3:1–5], and refers to *religious return*—or repentance—not palingamy” (Fishbane, *Biblical Interpretation in Ancient Israel*, 309).

²⁷ It is possible that the LXX translator imported the scenario from MT Jer 3:6–11, with the wife returning to the husband, into his rendering of 3:1 (μη ἀνακάμπτουσα ἀνακάμψει πρὸς αὐτὸν ἔτι). A difference, however, is that LXX only has the wife being defiled (οὐ μαινομένη μαινοθήσεται ἢ γυνὴ ἐκείνη), as in Deut 24:4, but not also the land. MT Jer 3:1–10 focus more upon the land being defiled. Hobbs argues that probably the “LXX reflects the original reading”, while the MT is a later edition (Hobbs, “Jeremiah 3:1–6 and Deuteronomy 24:1–4,” 23). He continues to argue that since Jer 3:1–5 “is from the early ministry of the prophet” it is unlikely “to have been directly dependent upon a written account of a law which had hardly, if at all, been published” (Hobbs, “Jeremiah 3:1–6 and

In Jer 3:4–5a the people invoke the first love of God, as in their initial walk in the wilderness together (cf. 2:2), asking a rhetorical question to affirm that God will not rage against the people forever: “Do you not now call to me: ‘My father, you are the companion of my youth! Does one hate forever? Does one guard forever?’ That is what you said.” But in 3:5b, God exposes this as vain talk: “But you did evils, and you still can.” As Georg Fischer points out, not only have they acted promiscuously with multiple lovers and therefore deserve the capital punishment of Deut 22:22, but by appealing to God to take them back, they also become guilty of setting Deut 24:1–4 aside.²⁸ Still, as pointed out above, this is exactly what God says he needs to do—and is willing to do—to receive the people back.

Conclusion

My line of argumentation began with evidence of reuse between Jer 3:1–10 and Deut 24:1–4. The close parallels between the clauses **וְהִלְכָה מֵאִתּוֹ וְהִיְתָה לְאִשׁ-אַחֵר** in Jer 3:1 and **וְהִלְכָה וְהִיְתָה לְאִשׁ-אַחֵר** in Deut 24:2, where both passages use the phrase **סֵפֶר כְּרִיתֹת** (“bill of divorce”), *piel* of **שָׁלַח** as a technical term for divorce, isolate the two passages and strongly indicate a literary relation between the two, with a possible conflation of **וְהִלְכָה וְהִיְתָה לְאִשׁ-אַחֵר** in

Deuteronomy 24:1–4," 24). But he does not provide convincing arguments for the choice regarding the relative priority of LXX over MT, and neither considers much of the evidence for reuse and direction of dependence provided in this paper. Holladay argues that since MT is the *lectio difficilior* it would be difficult to explain how it could have arisen as a secondary reading, and therefore prefers MT over LXX (Holladay, *Jeremiah 1–25*, 113). To Craigie, Kelley and Drinkard “the differences between LXX and MT . . . more probably reflect the varieties between two textual traditions” (Craigie et al., *Jeremiah 1–25*, 49).

²⁸ Fischer, *Jeremia 1–25*, 185.

Deut 24:2 with **וְהָלַכְהָ מֵאִתּוֹ** in Jer 3:1.

Once reuse between the two passages was established, the next question was the direction of dependence. I have mentioned three main reasons for seeing Jeremiah as dependent upon Deuteronomy: (1) the awkward sequence of **וְאַתָּן אֶת־סִפְרֵי כְרִיתֹתֶיהָ אֵלֶיהָ** in Jer 3:8, (2) the word-play of **כְּעֵרְבִי בַמְדַבָּר** in Jer 3:2 on **עֲרוֹת דְּבָר** in Deut 24:1, and (3) the metaphoric language in Jer 3:1–10 of the concept of divorce, used literally in Deut 24:1–4. Even if we should use word-play and metaphor with care to argue for the direction of dependence, their use in Jer 3:1–10 on key concepts found in Deut 24:1–4 do seem to point to the former’s dependence on the latter. This would point in the direction that the author of Jer 3:1–10 was aware of a text like Deut 24:1–4, or something very similar to it, and not simply that the two passages shared a common legal inheritance.

Reuse of Deut 24:1–4 can be seen both in MT and LXX Jer 3:1–10. Still, a certain difference between the two manuscripts can also be observed. On the one hand, MT Jer 3:1–10 follows Deut 24:1–4 in having the first husband return to the wife, in contrast to the wife returning to the husband in LXX. The defilement of the land in MT Jer 3:1–2, 9 also reflects the idea of the defilement of the land in Deut 24:2, in contrast to LXX, which only regards the woman as defiled. On the other hand, the MT **אֵלֶיהָ** is rendered in LXX Jer 3:8 as εἰς τὰς χεῖρας αὐτῆς, which is also used in LXX Deut 24:1. At this point the translator of LXX Jer 3:1–10 appears to have incorporated a phrase taken from Deut 24:1–4 itself, instead of simply providing a literal translation.

Even if Jer 3:1–10 assumes knowledge of Deut 24:1–4, it should not be understood as a

legal exegesis of the latter. Instead it uses the law of divorce and remarriage from Deut 24:1–4 metaphorically for the relationship between God and his people. We should therefore not use Jer 3:1–10 to expound the legal meaning of the law in Deut 24:1–4. The reuse functions rather as a warning to Judah that exile threatens them in a similar way as Israel was exiled in 722 B.C., when God “divorced” the northern kingdom. Even more, the entire thrust of Jer 2:1–4:4 is a call to Judah to repent and return to God. It is an open invitation, describing how God is willing to cross expectations based on legal boundaries in Deut 24:1–4 to again welcome His people back.