

Did God create/endorse divorce ?

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Assertions/Conclusions of this article

Here we will briefly show that, contrary to the error of some, fornication was not the only ‘allowance’ for leaving a marriage as some erroneously teach.

We do not believe that Deut 24:1-4 is a permission for divorce as at that time divorce had already been tolerated, but is only a regulation for these ‘for EVERY cause’ divorces already being suffered by Moses as it makes no sense that Moses just one day decided to write up a law allowing divorce without cause. It only stands to reason that Deut 24:1-4 is in RESPONSE to something already occurring...something he was trying to get under control.

We do believe, however, that there were other reasons laid out by God and Moses whereby a marriage might be lawfully left and that this law was put into place for the protection of the wife if her husband refused to provide for her, and also presented no ‘hardheartedness’ on her part, as some have said is always the case in divorce, but was because she was being deprived of things that were due her as a married woman.

Supporting Evidence

In this article we will look back into the Old Testament to see if there is any evidence that marriage was ever ended according to Gods own word that was for an actual breach of covenant instead of a frivolous allowance such as Deut 24:1-4 refers to, and if so, what the conditions laid out in the scriptures actually was. What we want to see here is if there was ever actually any legitimate reason that Gods word permitted walking away from a marriage.

We go to the book of Exodus.

And if a man sell his daughter to be a maidservant, she shall not go out as the menservants do. If she please not her master, who hath betrothed her to himself, then shall he let her be redeemed: to sell her unto a strange nation he shall have no power, seeing he hath dealt deceitfully with her. And if he have betrothed her unto his son, he shall deal with her after the manner of daughters. If he take him another wife; her food, her raiment, and her duty of marriage, shall he not diminish. And if he do not these three unto her, then shall she go out free without money.

(Exo 21:7-11)

Firstly, notice the words “duty of MARRIAGE”.

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From an unused root apparently meaning to dwell together; (sexual) cohabitation: - duty of marriage.

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BDB Definition:

1) cohabitation, conjugal rights

In this we see that this is pertaining to his absolute responsibility to this woman because of MARRIAGE...this isn't just because she is a slave as some might erroneously assert. If this were a simple matter of his being out of line as far as her having been a slave, the text would need to show this fact.

But instead we see that firstly she is to become as one of the fathers own daughters in all regards, then having been given to his son as a wife, she is regarded AS a wife and a daughter and all the rights bestowed upon such.

These rules apply to a wife. ANY wife, not just a slave girl.

We also look at the context there so that none may accuse us of failing to do so.

In this scenario, the father has bought a young woman as a slave/servant, most likely because her parents were poor. He apparently was going to take her for his own wife, then seems to have found something in her that is displeasing, but what we find odd here is that he then gives her to his son as a wife.

What man would knowingly give his own son a wife who he himself found to be failing in this regard? The text shows that the man has dealt 'deceitfully' with her, and so we see that there is some incrimination against the man already in this, even though she is supposedly the one who is not pleasing to him.

This man then takes this young woman, who some scholars believe may have already 'corrupted' her, and then gives her to his own son. Again, who gives a displeasing woman to his own son?

If this is done, then the father must treat this woman as his own daughter and all the rights given to such, meaning she must receive a dowry from him and when she was taken as the wife of the son, he also had to fulfill his required duties to this woman.

Even if the man were to take another wife, nothing was permitted to be lessened as far as this woman was concerned. She was to be provided for with the same food, the same clothing and the same sexual requirements as she had had before this man took another wife. If any single of these failed, she was permitted to go out free from this marriage.

We see here that God does make provision for a wife. He has set the tone for divorce here Himself by showing 'condition' in which a marriage may be left without this 'hard heartedness' as is shown as being present when men divorce 'for every cause' by finding 'some uncleanness' in this wife.

We are left with little choice but to accept the fact that all ending of a marriage in the Old Testament was not for 'hard heartedness' by default, but when the husband did not fulfill his duties owed to a wife (food, clothing, conjugal duty), she was permitted to leave the marriage, being freed from it.

Now, *IF* ALL 'divorce' (leaving/abandoning/ending of a marital covenant) is against Gods will then why is there provision here based on the husbands failing to provide for his wife? This woman, regardless of how she came to be this mans wife IS still his wife and is entitled to certain levels of accommodation as far as the husband is concerned and is required to supply.

The one that really sticks out in my mind is 'duty of marriage'. For the most part the scholars I've read believe this to be sexual duties of the marriage. What he is to provide for her in this area is not permitted to diminish.

If a man were to take a second wife, could he fulfill this obligation to both? How about a third wife? A fourth?

At what point would a mans 'duty of marriage' start to diminish with this first wife? How many wives could a man keep up with in this regard knowing that as soon as his relationship with his new wife makes him unable to perform this conjugal duty then the former has just cause to leave the marriage.

What I believe in my own mind was that this type of law was set into place to protect a wife firstly and to help control polygamy secondly. It seems to be a fairly effective manner in dealing with both issues.

What we see in this small passage is that it is quite probable that not all ending of marriages would be deemed as 'sin' in Gods eyes. If a husband was not fulfilling his duties to his wife, then she, as the innocent party, could walk away from her marriage without committing any transgression against Him or His law.

There are some who might say that this young woman was still a virgin, but the clear meaning and intent of the Hebrew presented above in green that it rendered as 'duty of marriage' in english simply dispels this false viewpoint entirely.

Hebrew betrothal custom would have presented that upon hometaking that this young bride would most assuredly have consummated her marriage (except where the text expresses otherwise such as with Joseph and Mary). To assert that this wife was still a virgin POST home taking is an illogical addition to the texts.