

Torah Portion: Ki Tetze (Deuteronomy 21:10-25:19)

[The focus of this Torah portion series is family structure and function as revealed in Scripture. I.e., headship, patriarchy, marriage, etc, graduating to understanding the community and Israel as a whole. If you have not read other portions up to this point, you may want to, as parts build on previous lessons in Torah, available at: <https://natsab.com/torah-portion-series/>]

As we approach the end of the Torah cycle, this is perhaps the most heavy laden portion as regards headship, patriarchy, and marriage. There are multiple passages that help establish the foundation for understanding proper marital relations, what is and is not acceptable before God, and what Messiah Yeshua will govern with. Let's buckle up and consider the everlasting Word of God as recorded by Moshe in the Torah.

Deuteronomy 21:¹⁰ "When you go out to battle against your enemies, and the Lord your God delivers them into your hands and you take them away captive, ¹¹ and see among the captives a beautiful woman, and have a desire for her and would take her as a wife for yourself, ¹² then you shall bring her home to your house, and she shall shave her head and trim her nails. ¹³ She shall also remove the clothes of her captivity and shall remain in your house, and mourn her father and mother a full month; and after that you may go in to her and be her husband and she shall be your wife. ¹⁴ It shall be, if you are not pleased with her, then you shall let her go wherever she wishes; but you shall certainly not sell her for money, you shall not mistreat her, because you have humbled her.

Men who went to battle were between the ages of 20 and 60. A very high percentage were married, yet here is a passage wherein God explains how to righteously take a 'war bride.' In the previous chapter, God said,

Deuteronomy 20:¹³ When the Lord your God gives it into your hand, you shall strike all the men in it with the edge of the sword. ¹⁴ Only the women and the children and the animals and all that is in the city, all

its spoil, you shall **take as booty** for yourself; and you shall use the spoil of your enemies which the Lord your God has given you. ¹⁵Thus you shall do to all the cities that are very far from you, which are not of the cities of these nations nearby.

God's command concerning war brides in chapter 21 does not have a caveat against married men taking a woman. In our passage, the woman is brought to his house, not his 'father's house' indicating that he is likely married. Simply, taking a second or third wife was and is not an issue with the Almighty. God *never* regulates a sin. If He puts boundaries on a practice, then by definition, the practice is righteous when done within His boundaries!

Western culture has this mindset that somehow we are 'enlightened' and 'don't do things like that.' We have a Greco-Roman idea that monogamy is more righteous, or that polygyny is barbaric, both ideas stemming from Catholic doctrines. But, a study of Scripture indicates that God has zero problem with a man having more than one bride when done within His guidelines.

Recall that Numbers 31 happened in the same time frame that this passage was written!! In Numbers 31, Moshe sent 12,000 men of war to destroy the Midianites. ALL 12,000 men returned, a miracle of epic proportions. But, more than just a crushing victory of the Midianites, they had an immense amount of booty including 32,000 maidens, 16,000 of which they got to keep for themselves. That means at least 4,000 of the men had more than one maiden from that battle. Even if all 12,000 were unmarried, which is HIGHLY unlikely, they still had more women than men. Consider this passage regarding men of valor from 1 Chronicles.

1 Chronicles 7:¹ Now the sons of Issachar were four: Tola, Puah, Jashub and Shimron. ²The sons of Tola *were* Uzzi, Rephaiah, Jeriel, Jahmai, Ibsam and Samuel, heads of their fathers' households. *The sons of Tola were mighty men of valor* in their generations; their number in the days of David was 22,600. ³The son of Uzzi *was* Izrahiah. And the sons of Izrahiah *were* Michael, Obadiah, Joel, Isshiah; all five of them *were* chief men. ⁴With them by their generations according to their fathers' households were 36,000 troops of the army for war, for **they had many wives and sons**. ⁵Their relatives among all the families of Issachar *were mighty men of valor*, enrolled by genealogy, in all 87,000.

An important additional note from our opening passage is that the treatment of these war brides is *very* gracious. Not only do they escape death, but they are granted mourning time and are then grafted into the family, not mere servants, slaves, or prostitutes as surrounding cultures handled

women they captured in battle. Further, note that if for some reason the relationship/marriage does not work out, the man cannot sell her as a servant or slave. He must let her go (leave) 'wherever she wishes.' He cannot further humble her.

Recall, a woman who was 'uncovered,' one who did not have a father or husband, was in a very bad and dangerous set of circumstances. Again, our presumed western 'enlightenment' assumes some superiority concerning the freedoms given women in this culture that allow them to work out of the covering of a man and function independently, but from a Scriptural position, this is straight rebellion. It is rejection of God's authority structure and the order He established for their protection and provision. No where in the Torah or anywhere else in Scripture is female independence encouraged or lionized as the feminist movement does.

Just as the first passage protects women, particularly in battle, the next few verses protect a woman and her offspring in the family.

Deuteronomy 21:¹⁵ "If a man has two wives, the one loved and the other unloved, and *both* the loved and the unloved have borne him sons, if the firstborn son belongs to the unloved, ¹⁶ then it shall be in the day he wills what he has to his sons, he cannot make the son of the loved the firstborn before the son of the unloved, who is the firstborn. ¹⁷ But he shall acknowledge the firstborn, the son of the unloved, by giving him a double portion of all that he has, for he is the beginning of his strength; to him belongs the right of the firstborn.

Notice, God could have said, 'If a man has two wives, he needs to divorce the second.' Or, He could have condemned or even advised against having a second wife. No where, not even in the wisdom literature is there even a hint of such an idea. Instead, as we have here, God gives boundaries to protect and provide for women and guide men in how they lead their house.

Much hay is often made of the 'unloved' in this passage. In truth, no reason for the relational fracture is given. God simply says, 'The true firstborn is the firstborn, regardless of who the mother is.' Favoritism, preference, etc are immaterial. But, the mere giving of the command validated yet again that God has no problem with a man having more than one wife. Period!

[stoning a son? Headship, rebellion?]

[22:9 Mixed seed?]

Yet another passage appears in this portion specifically designed to protect a woman.

Deuteronomy 22:¹³ "If any man takes a wife and goes in to her and *then* turns against her, ¹⁴ and charges her with shameful deeds and publicly defames her, and says, 'I took this woman, *but* when I came near her, I did not find her a virgin,' ¹⁵ then the girl's father and her mother shall take and bring out the *evidence* of the girl's virginity to the elders of the city at the gate. ¹⁶ The girl's father shall say to the elders, 'I gave my daughter to this man for a wife, but he turned against her; ¹⁷ and behold, he has charged her with shameful deeds, saying, "I did not find your daughter a virgin." But this is the evidence of my daughter's virginity.' And they shall spread the garment before the elders of the city. ¹⁸ So the elders of that city shall take the man and chastise him, ¹⁹ and they shall fine him a hundred *shekels* of silver and give it to the girl's father, because he publicly defamed a virgin of Israel. And she shall remain his wife; he cannot divorce her all his days.

Certainly sensitive, this passage illustrates again God's concern for the care, protection, and even reputation of a woman. Without question, arriving at the point of needing to employ this passage would be a counselor's gordian knot. By some series of circumstances, the man has taken a woman and then turned against her. Then, apparently, he falsely accuses her of not being a virgin.

Unlike western culture, honor and shame are central to eastern cultures, Israelite being one. If indeed she committed a shameful deed or was misrepresented to the man as a virgin, then this is an exceedingly shameful circumstance for the woman and her parents/family. Likewise, a false accusation is equally shameful for the man. The mere threat of this passage should quash any false accusation which would be a monstrous blot on the character of the woman likely preventing her from ever marrying again if true. However, if proven false, the man is not allowed to try to send her away by some other means. He must remain married to her all of his days. While their relationship may be irreparably broken, her provision and protection in the face of very bad circumstances is ensured.

However, if the charge is true, the consequences are severe.

Deuteronomy 22:²⁰ "But if this charge is true, that the girl was not found a virgin, ²¹ then they shall bring out the girl to the doorway of her father's house, and the men of her city shall stone her to death because she has committed an act of folly in Israel by playing the

harlot in her father's house; thus you shall purge the evil from among you.

Western postmodern culture places little value on a woman's virginity, however, God's Word repeatedly confirms the importance of a woman's chastity, even more so than the man. Specifically, as we have discussed earlier, a woman can be compared to a field wherein seed is planted and the Torah warns multiple times of the problem of mixing seed. Further, the way a woman is designed, she bonds most readily with her first sexual encounter and each successive encounter with a different man is less bonding than the first, particularly when the first is through a covenantal relationship. Therefore, she must carefully guard herself until that first and long term bond with her husband.

This is not to say that a man does not need to guard himself, he most certainly does, however, men are wired differently and *can* maintain and bond in more than one relationship, evidenced by the way in which God structured marriage instructions.

Our portion gives additional instructions regarding sexual relations. Previously, we have discussed the fact that adultery *only* occurs when a *married* woman has relations with a man that is not her husband. This next verse highlights this fact.

Deuteronomy 22:²² "If a man is found lying with a married woman, then both of them shall die, the man who lay with the woman, and the woman; thus you shall purge the evil from Israel.

Yeshua deepens the meaning of this verse to a heart issue, but confirms the understanding that the woman is married.

Matthew 5:²⁷ "You have heard that it was said, 'You shall not commit adultery'; ²⁸ but I say to you that everyone who looks at a woman with lust for her has already committed adultery with her in his heart.

Christendom tries to shame men by claiming that looking upon *any* woman with desire, even young available maidens, is sin. This is wrong for two reasons.

The English does not demonstrate that Yeshua speaks exactly in line with the Torah by referring to unlawfully desiring a married or betrothed woman. In fact, Greek has multiple words for women at different stages of life and Yeshua uses γυναῖκα from γυνή *gynē* G1135. Strong's defines this as **γυνή gynē**, goo-nay'; probably from the base of G1096; a woman; specially, a wife:—wife, woman. Thayer's Greek Lexicon expands the meaning to

1. universally, **a woman** of any age, whether a virgin, or married, or a widow: 2. **a wife**.

The challenge to this is that almost every single use of the word in the New Testament is referring to a married woman or a woman with children. The few instances where it is not specified, one can safely assume the author meant married women or mature women who had been 'mastered.' To make the word mean something other than married or betrothed demands reading that idea into the text.

The Torah exactly supports understanding Yeshua's statement as referring to a married or betrothed woman. In fact, there is no sin in desiring to take/possess, *lawfully* a single available maiden. God gave women curves and softness precisely to make them desirable to men!!

Christendom defines lust as 'strongly desiring something,' but a better translation of the word used there in this context would be *covet, to desire UNlawfully*. Yeshua was not adding to Torah by declaring that a man could not notice, admire, or even desire an available maiden, else men would never marry!! What Yeshua said exactly parallels Deuteronomy 22:22! Do not desire to take a woman who belongs to another man! Deuteronomy 22:22 says that the *act* is punishable by death while Yeshua says plotting the act in your heart is the equivalent of taking her.

What Yeshua did *not mean*, and never condemned in Scripture, is admiring a woman for the beauty that she is. Consider the same thought process with a different object: If you had a red Lamborghini in your drive, it is okay for me to say, 'Wow!! Nice car. Simply beautiful.' However, I *cannot* look at it and plot how I might get it from you and put it in my driveway or take it for a spin. That would be coveting (desiring unlawfully) followed by stealing. If that same car was on the dealer's lot and therefore available, I *can* ponder how to get the funds to lawfully purchase it, but not ponder how to sneak it off the lot and steal it.

The following verses in our portion deal with unlawfully taking a maiden that *is (or may be)* available.

Deuteronomy 22:²³ "If there is a girl who is a virgin engaged to a man, and *another* man finds her in the city and lies with her, ²⁴ then you shall bring them both out to the gate of that city and you shall stone them to death; the girl, because she did not cry out in the city, and the man, because he has violated his neighbor's wife. Thus you shall purge the evil from among you.

An important point to notice is that betrothal is equivalent to being married, or in Biblical terminology, mastered or taken. In this case, while the relationship may not be consummate, the woman is considered to already belong to her future husband. She is effectively ‘under contract’ and not available. Therefore, the act described above is adultery and receives the same level of punishment. Because she is in the city, it is assumed that because of the density of population, she can cry out and someone would come to her defense. If she doesn’t, then she is considered complicit.

Deuteronomy 22:²⁵ “But if in the field the man finds the girl who is engaged, and the man forces her and lies with her, then only the man who lies with her shall die. ²⁶ But you shall do nothing to the girl; there is no sin in the girl worthy of death, for just as a man rises against his neighbor and murders him, so is this case. ²⁷ When he found her in the field, the engaged girl cried out, but there was no one to save her.

God’s concern for the protection of the weaker vessel is apparent in this verse. The girl is unable, or not strong enough to protect herself, therefore, she is not liable and the man alone is punished as an adulterer. Presumably, he knows or is informed by her that she is ‘taken’ or ‘under contract’ and he chooses to proceed with his intention. The girl will have other difficult issues to overcome stemming from the rape.

Deuteronomy 22:²⁸ “If a man finds a girl who is a virgin, who is not engaged, and seizes her and lies with her and they are discovered, ²⁹ then the man who lay with her shall give to the girl’s father fifty *shekels* of silver, and she shall become his wife because he has violated her; he cannot divorce her all his days.

Here, the circumstances are changed such that the girl is an available virgin. The man seizes her (the Hebrew implies force) and rapes her. In doing so, her value has been significantly diminished and her ability to be honorably taken has been destroyed. This is a significant theft *from the father* and a humbling of the girl. The perpetrator is now saddled with a bride price, in this case equivalent to about \$15,000, and he is required to maintain her food, clothing and shelter, all her days.

[How I arrive at \$15,000: 50 shekels = 508 grams = 17.92 ounces of silver. Silver *should* be valued at nearly \$1,000 an ounce by historical standards, so a slight round down = \$15,000, a very reasonable amount for a bride price.]

The father is allowed to demand the bride price while refusing the marriage, thus protecting his daughter from further injury. Further, while her value is diminished, she can still be given to a better man who will treat her honorably.

Exodus 22:¹⁶ "If a man seduces a virgin who is not engaged, and lies with her, he must pay a dowry for her *to be* his wife. ¹⁷ If her father absolutely refuses to give her to him, he shall pay money equal to the dowry for virgins.

The point is that in many encounters that would fall under these verses, a young man 'jumped the gun' and did not lawfully take the woman. The father can make that determination and receives the value of his daughter in either circumstance while having the ability to protect her or give her, as in the case of 'premarital' sex.

These verses should serve as a dire warning against the unlawful possession or seizing of a woman, while highlighting the fact that God does value and protect women and places authority in the hands of the patriarchs and fathers.

Our final verse in this chapter refreshes other information we have previously studied.

Deuteronomy 22:³⁰ "A man shall not take his father's wife so that he will not uncover his father's skirt.

The circumstances described here exactly parallel,

Leviticus 18:⁶ 'None of you shall approach any blood relative of his to uncover nakedness; I am the Lord. ⁷ You shall not uncover the nakedness of your father, that is, the nakedness of your mother. She is your mother; you are not to uncover her nakedness. ⁸ You shall not uncover the nakedness of your father's wife; it is your father's nakedness.

Notice that verse 8 is not talking about relations with one's mother, as in verse 7, but with the father's second or successive wife, whether the mother is deceased or not. Several passages come to mind. Genesis 35:22 and 1 Corinthians 5:1-5. Both passages involve circumstances where a son goes in to a wife of his father that is not his mother. As we mentioned in portion Noach, this is the sin of Ham that resulted in Canaan, his offspring, being cursed.

Skipping forward, we'll next consider,

Deuteronomy 24:¹ “When a man takes a wife and marries her, and it happens that she finds no favor in his eyes because he has found some indecency in her, and he writes her a certificate of divorce and puts *it* in her hand and sends her out from his house, ² and she leaves his house and goes and becomes another man’s *wife*, ³ and if the latter husband turns against her and writes her a certificate of divorce and puts *it* in her hand and sends her out of his house, or if the latter husband dies who took her to be his wife, ⁴ *then* her former husband who sent her away is not allowed to take her again to be his wife, since she has been defiled; for that is an abomination before the Lord, and you shall not bring sin on the land which the Lord your God gives you as an inheritance.

This passage opens several different topics worthy of our consideration.

First, this passage is often used as a blanket, ‘the man can divorce for any reason’ law. In fact, that is not what this passage means as the man is clearly hard hearted and looking for some miniscule violation that he finds ‘undesirable.’ He has no verifiably sinful grounds like adultery or infidelity, instead he simply wants to put her away.

The fact that she is divorced then remarries without any Divine condemnation clearly demonstrates that under at least some circumstances, a divorced woman can lawfully remarry! In this case, the man is hard hearted and seeking to put her away on very weak grounds. The woman is protected by being allowed to be provided for by another man. She is further protected from the hard hearted husband by the refusal of the Law to allow her to be remarried to the first husband after being joined to another.

In a long discussion regarding this passage, Dr. William F. Luck, Sr., writes in *Divorce and Re-Marriage: Recovering the Biblical View*, 2nd. Ed.,

Deuteronomy 24:1-4 then is a provision for the woman. It is so in several regards. First, it permits her to be divorced from a husband who is set on ceasing to provide for his covenant partner on flimsy grounds. This permission makes it possible for her to be provided for by another man. If the first husband does allow this chain of events to occur, the Law steps in to forever prohibit him from taking her back as a man would a piece of furniture that he has sold to a neighbor, then reclaimed. The “concession” grants no moral option for the man to end his marriage. The act of divorce, which he means for evil, God means for the good of the woman. p.67.

Summarizing again, Deuteronomy 24:1-4 was a law that permitted treacherous divorce as a way of protecting the woman. Primarily, however, it protected her from being passed back and forth between men like a piece of chattel. The law is not concerned with presenting a “right” for the husband to divorce his wife. Nor does it imply that an indissoluble marriage bond exists between the first, divorcing husband and his wife. Ppg 68-69.

The next verse in the passage again offers provision and protection for the woman. IN this case, it ensures her security with off-spring before the man can be called to war.

Deuteronomy 24:⁵ “When a man takes a new wife, he shall not go out with the army nor be charged with any duty; he shall be free at home one year and shall give happiness to his wife whom he has taken.

Again, God declares a command that is intended to protect the woman who is newly married. Her husband is to stay in or near home for the first year of their marriage to produce progeny.

The final passage we will consider is,

Deuteronomy 25:⁴ “You shall not muzzle the ox while he is threshing.

We’ll come back to this seeming odd verse as it perfectly fits here.

Deuteronomy 25:⁵ “When brothers live together and one of them dies and has no son, the wife of the deceased shall not be *married* outside *the family* to a strange man. Her husband’s brother shall go in to her and take her to himself as wife and perform the duty of a husband’s brother to her. ⁶ It shall be that the firstborn whom she bears shall assume the name of his dead brother, so that his name will not be blotted out from Israel. ⁷ But if the man does not desire to take his brother’s wife, then his brother’s wife shall go up to the gate to the elders and say, ‘My husband’s brother refuses to establish a name for his brother in Israel; he is not willing to perform the duty of a husband’s brother to me.’ ⁸ Then the elders of his city shall summon him and speak to him. And *if* he persists and says, ‘I do not desire to take her,’ ⁹ then his brother’s wife shall come to him in the sight of the elders, and pull his sandal off his foot and spit in his face; and she shall declare, ‘Thus it is done to the man who does not build up his

brother's house.' ¹⁰ In Israel his name shall be called, 'The house of him whose sandal is removed.'

Referred to as the law of levirate marriage, this law ensures male off-spring in each family line so that no one might be blotted out from Israel except by disobedience. What is particularly interesting in this passage is that there is no caveat releasing the surviving brother from fulfilling this command if he is already married. Or, put another way, even if he is married, he would have to take his deceased brother's widow into his house and take her as a wife. The fact that he produces a first-born presupposes a second-born. By definition, this law presupposes the lawfulness of polygyny as seen in dozens of other places in the Torah and throughout Scripture.

Two passages immediately come to mind wherein levirate marriage is employed. The first is Genesis 38. Tamar's husband, Er, 'was evil in the sight of the Lord, so the Lord took his life.' Judah commanded Onan to go in to Tamar, but Onan took advantage of her and 'wasted his seed on the ground.' Reading between the lines we can figure out that Tamar's firstborn would receive Er's double portion, therefore, Onan was acting out of pure greed by denying Tamar a son. It cost him his life and the eventual offspring was provided by Judah himself through some righteous risk taking by Tamar.

The second passage is near the end of the book of Ruth. In chapter 3:12, Boaz tells Ruth there is a nearer kinsman redeemer and in chapter 4, Boaz meets with the elders in the city gate to negotiate for Ruth with the nearer kinsman. The kinsman refuses the duty of redeeming Ruth 'because it would jeopardize my inheritance.' So, Boaz redeemed the land and Ruth, leading to the lineage of David and Yeshua. Interestingly, the name of the nearer kinsman was indeed blotted out. We have no record in Scripture of who the man was that refused his duty to Ruth, but we know of Boaz as a hero!! An additional safe assumption is that Ruth was not Boaz's first wife. In fact, she simply wanted to be counted among the maidens, but Boaz had other ideas. His wealth, size of land holdings and the size of his household in the story, particularly at this point in Israel's history would leave one to believe Boaz was covering her in righteousness, but she was not his *only* wife.

Of note, silence in Scripture does not automatically mean monogamy. Normally, Scripture only names those persons or details important to the story. There is *much* we are not told, therefore imposing our western Christian monogamy-only paradigm on a culture that clearly accepted polygyny would be an error.

The final note that I want to make is the odd verse that precedes the law of levirate marriage.

Deuteronomy 25:4 "You shall not muzzle the ox while he is threshing.

This verse is saying that the man taking the woman in a levirate marriage has responsibilities to provide, care for, and protect her. He, therefore, is to have access to the benefits of the work, Essentially, he has full sexual access to the woman.

Paul affirms this in a most interesting passage in Scripture wherein he instructs elders to care for the widows. This was not something I recognized in Scripture until I began studying the various ways Paul intentionally structures his letters regarding headship, patriarchy, and the lawfulness of polygyny.

As an appendix I am adding a paper I published about a year ago that delves into Paul's instruction regarding widows and how he brings this verse into the instruction essentially pointing the early grafted in believers to consider levirate marriage as a solution for widows. This is challenging material, but the only reasonable explanation for Paul's use of this verse in the context of his discussion.

There is much more we could cover in this portion and each topic covered could be taken so much deeper, but this is sufficient for significant understanding of the Almighty and His ways. Clearly, He loves and cares for women as many of these laws are designed to protect the weaker vessel, however, these instructions also call men to step up and do their duty of leading and being patriarchs worthy of our King. Further, as we do what we are called to do, we are more desirable to our women. :)

Shabbat Shalom!!

Paul's Perspective on Polygyny

Peter G. Rambo, Sr.

Christendom has long held a monogamy-only position that is often defended using several verses from the writings of the Apostle Paul. But did Paul actually believe and promote monogamy over polygyny? Is it possible Catholic and Christian theologians viewed him through a particular bias and mistranslated and/or misunderstood him? This article seeks to demonstrate that Paul consistently allowed for, if not outright promoted, polygyny as a lawful form of family structure. Without question, polygyny, the family structure that allows a man to have more than one wife, was practiced during the time of the Torah and most of the Tanakh. Righteous men whom we

know had more than one wife or concubine contemporaneously include Abraham, Jacob, Caleb, Gideon, Elkanah, David, and Joash. Many other men *may have* had more than one wife, however we are simply not told. Circumstantial evidence seems to indicate that a number of other men had more than one wife or concubine simultaneously; however, silence neither proves nor denies monogamy or polygyny. What is clear is that Scripture never condemns a man for having more than one woman under his authority and care.

Besides a complete lack of condemnatory command, God actually describes Himself as having more than one wife in multiple places (Ezekiel 23; Jeremiah 3, and 31). By understanding that He would never describe Himself in sinful terms or regulate a sin so as to make it righteous, one can safely conclude that polygyny is *not* sin as long as it is practiced within the framework of God's instructions.

Conversely, God never commands monogamy as His standard or ideal, nor does He ever intimate such. Christianity assumes such an ideal; however, a consistent hermeneutic approach to the position's foundational passage (Gen. 2:24-25) demonstrates there is no command, otherwise nakedness, shamelessness and vegetarianism would also have to be promoted as the Creation Ideal.

Most of the Christian defense for monogamy-only runs to Paul in an effort to counter the clear Biblical evidence in the Torah that is contrary to their position. Therefore, an honest Bible student must critically evaluate numerous Pauline passages professed to promote monogamy.

Second Temple Jewish Polygyny

Before considering Paul's statements on the topic, it is important to understand the cultural and theological circumstances and presuppositions surrounding his commentaries on marriage and governing the fledgling assemblies.

Paul was a Pharisee of Pharisees and well trained in Second Temple Rabbinic Law. From the time of the Patriarchs through the time of Paul and until Rabbi Gershom ben Judah's Decree circa 1020 CE, polygyny was allowed and practiced in varying degrees among most all Jews throughout Europe and the Middle East. Historians and theologians writing in the century or two after Paul confirm the broad existence of polygyny among the Jews.

Adiel Schremer in his detailed and well researched paper *How Much Jewish Polygyny in Roman Palestine?*, published by the American Academy for Jewish Research elucidates,

Josephus, .. explicitly states that it is customary among Jewish men to marry more than one wife (Ant. XVII: 14; cf. War, 1:477). It is also supported by Justin's claim, that the

Jews marry many women. Since these testimonies are of a general and observational character, they are of higher value for us than a few specific evidences for the actual practice of polygyny. Furthermore, several sources from that period indeed testify to the existence of polygyny:

Joseph, son of Tobias, married his niece while being married to another woman (Josephus, Ant. XII:186- 189).

Herod had many wives (Josephus, War 1:477; Ant. XVII: 18).^[1]

Antipater, Herod's son, married the daughter of his brother, Aristobolus, and another woman, the daughter of Antigonos.

In the families of Qifai and Alovai were rivals.

Abba, Raban Gamliel's brother, had two wives (Mishnah Yev. 15a).^[2]

John Witte, Jr., in *The Western Case for Monogamy Over Polygamy* writes, “While the Qumran community may have prohibited polygamy, most other Jewish communities permitted the practice, before and after the destruction of the Temple and the diaspora of the Jews in 70 CE.”^[3] He goes on to say, “Even so, the ban [Rabbi Gershom’s ban circa 1020/30 CE] was a major shift because it explicitly prohibited practices that the Torah and Talmud had long permitted - polygamy and unilateral male divorce.”^[4]

The fact that polygyny was accepted and even practiced among early Christians is confirmed by John Cairncross in *After Polygamy Was Made A Sin, The Social History of Christian Polygamy*. After a discussion of 16th century theologian Bernadino Ochino’s strong stand in favor of polygyny, Cairncross writes,

Even in Europe, it has been practised in early Christian times. Emperors such as Valentinian not only had several wives, but explicitly allowed polygamy. Lothair of France, Pepin, Charlemagne and the Emperor Barbarossa all had several wives. The insistence of monogamy was arbitrarily introduced by the Church as late as A.D. 600, just as the celibacy of the clergy is a novelty for which there is no Biblical warrant. And, if the Church has erred for so long, “this is man’s error, not God’s.”^[5]

The Greco-Roman Marriage Ideal

If the Torah and Jewish marriage practice was common among early Christians, Greco-Roman culture and law were increasingly monogamy-only. John Witte, Jr., previously cited, paints the legal and cultural landscape that was Paul’s challenge as he revealed Torah and righteous living to the fledgeling assemblies,

Already half a millenium before the time of Jesus, ancient Greece and ancient Rome had chosen monogamy as the only valid form of marriage that could produce legitimate and heritable widows and children. Sixth- and fifth-century BCE laws of various Greek city-states made clear that valid marriages had to be monogamous, and this norm also became commonplace in the first Roman law collections that have survived from the mid-fifth century BCE. Monogamy was a “quintessentially Greek” institution of the ancient world, Stanford ancient historian Walter Scheidel has shown, and the Thracian Greeks and the Romans after them regarded polygamy as “a barbarian custom or a mark of tyranny.”^[6]

Witte astutely continues, “Plato’s student Aristotle (384-321 BCE) viewed monogamous marriage as the foundation of the polis”^[7] meaning “city” or “state.” However, the point is entirely lost on him. The Greeks pursued monogamy for the good of the State, not the good of the patriarchal family in a Biblical nation!

Until the Third century CE, Roman law did not criminalize polygamy. If a man claimed to have two or more wives, the law simply recognized as valid only the first properly married wife. It was considered “legally impossible” to have more than one wife or marriage at the same time.^[8]

Though criminalization did not happen until the 258 CE, the legal and cultural march against polygyny began as early as Numa Pompilius, the second king of Rome (ca. 716-673 BCE). Gellius, a Roman historian, records that a very old law, appearing to be Numa’s, prohibited a man from living with or marrying his concubine in addition to his wife.^[9] Witte titles this a ‘gradual criminalization of polygamy’ in a culture that was sexually very promiscuous. He writes,

Even though monogamy was the marital ideal of this classical western world, both Greek and Roman laws did allow a married man to have sex with slaves and prostitutes with impunity. These laws also allowed a married man to retain a longstanding concubine so long as she did not live in the marital home and did not inherit anything from the man.^[10]

Paul’s Gentile congregations are coming out of a sexually promiscuous Greco-Roman monogamy-only culture and learning about covenant keeping Patriarchs who were married in both monogamous and polygynous families. The stage is now set to explore multiple Pauline passages, often used to support monogamy, and see what he may really have been saying.

Paul’s Patriarchal Thesis

The Apostle's framework for marriage, family, and community is decidedly patriarchal as exemplified in the Torah. He unapologetically spells this out in 1 Corinthians 11:3-12, drawing his foundation from Creation.

³ But I want you to understand that Messiah is the head of every man, and the man is the head of a woman, and God is the head of Messiah. ... ⁷ For a man ought not to have his head covered, since he is the image and glory of God; but the woman is the glory of man. ⁸ For man does not originate from woman, but woman from man; ⁹ for indeed man was not created for the woman's sake, but woman for the man's sake.

Paul is very clear that the woman is to be subject to, or in submission to, her husband. He teaches this in multiple passages (e.g. Eph. 5:22-33; Col. 3:18-20; 1 Cor. 14:34; Titus 2:5), a sentiment echoed by the Apostle Peter in 1 Peter 3:1-7. Clearly, the Torah is the guiding framework for male-female relationships and Paul makes it abundantly clear that authority and headship belong to the man.^[11] Recognizing that Paul is teaching a Torah based understanding of headship and patriarchy does not solve the polygyny question, but Biblical polygyny cannot happen in an egalitarian or non-patriarchal family structure. It is now time to consider specific verses wherein Paul discusses marriage related issues and leaves the door open for, or at times points to, polygyny as the solution for various situations in the Church.

A False Monogamy-Only Bias

Christendom often reaches to 1 Corinthians 7:2 for their first line of defense,

² But because of immoralities, each man is to have his own (ἐαυτοῦ) wife, and each woman is to have her own (ἰδίον) husband. ³ The husband must fulfill his duty to his wife, and likewise also the wife to her husband. ⁴ The wife does not have authority over her own body, but the husband *does*; and likewise also the husband does not have authority over his own body, but the wife *does*.

Most English translations render these two *different* Greek words as 'own,' however, this is a misleading translation rooted in a monogamy-only bias. Tom Shipley in *Man and Woman in Biblical Law* explains the variance this way,

"Let every man have his *own* (Grk., "heautou") wife and ... every woman her *own* (Grk., "idios") husband." So here we have two different words: "heautou" and "idios." Why use two *different* Greek words here for "own" in the two clauses of the same sentence and what is the significance? Quite simply the Greek word "heautou" signifies *exclusive* possession, as for example I speak of my *own* body, or my *own* soul. A Biblical example

of the use of “heautou” is where Paul admonishes a man to eat his “own” (“heautou”) bread, the point being that we should not be *sharing* the bread spoken of.

The Greek word “idios” signifies actual or potential *corporate* possession, a Biblical example of which is the passage which says Jesus returned to his “own” (“idios”) country. There were others who lived in *his own* country because it was *their own* country, also! Far from implying the *unlawfulness* of polygyny, the usage and signification of the two different terms here for “own” seems to have been employed precisely because of an awareness of the *lawfulness* of polygyny. Far from speaking “in monogamous terms,” it seems quite clear that Paul spoke in *polygynous* terms - for the man, but not the woman. [\[12\]](#)

Interestingly, immediately following verse 2, Paul alludes to Exodus 21:10, a passage about how a man is to righteously meet the needs of multiple wives. Paul highlights the Torah command that her conjugal rights are to be met!

Christendom’s most common next line of defense is Paul’s qualifications for elders. Two key passages are cited,

1 Timothy 3:2 An overseer, then, must be above reproach, the husband of one wife, temperate, prudent, respectable, hospitable, able to teach, ³ not addicted to wine or pugnacious, but gentle, peaceable, free from the love of money. ⁴ *He must be* one who manages his own household well, keeping his children under control with all dignity
Titus 1:5 For this reason I left you in Crete, that you would set in order what remains and appoint elders in every city as I directed you, ⁶ *namely*, if any man is above reproach, the husband of one wife, having children who believe, not accused of dissipation or rebellion.
⁷ For the overseer must be above reproach as God’s steward, not self-willed, not quick-tempered, not addicted to wine, not pugnacious, not fond of sordid gain, ⁸ but hospitable, loving what is good, sensible, just, devout, self-controlled,

A first, and fascinating, consideration that must be made is the parallel between Moses appointing judges in Exodus 18. The Israelite judges were drawn from the patriarchal structure of existing families, but Paul, in the absence of established fellowships with patriarchal families, must go a more pragmatic route to appoint overseers. Noteworthy, these must be married men who rule their house well.

A second immediate consideration is that even *if* the translators have rendered the passage correctly from the Greek, it does not exclude laymen from having more than one wife. It is directed only at overseers/elders. However, the probability is that the passage is not even translated correctly.

In both passages, the translation reads ‘husband of one wife.’ The first glaring concern one might have upon encountering this wording is that if translated correctly, Paul is excluding many of the Patriarchs from simple eldership in a small local assembly. Imagine this: Abraham, Jacob, Gideon and David, all men “approved by God” (Hebrews 11) would not qualify as elders in a small fellowship. Surely, that cannot be what Paul meant. We must again return to the underlying Greek text for a clue.

Both uses of ‘one’ is the Greek word *μἓς*. Because translating it as ‘one’ immediately disqualifies authors of Scripture and men after God’s own heart, consideration must be given to several other translational options. Besides ‘one,’ the Greek *μἓς* can also be translated as ‘a’ or ‘first,’ either of which does not add to Torah nor disqualifies Patriarchs and righteous men of old.

Consider our two possibilities,

‘husband of **a** wife’ means he is married. This exactly fits with the rest of both passages as they mention children and ruling his house well.

‘Husband of **first** wife’ meaning the man is a covenant keeper. He is not divorced.

Both possibilities are easily defended from the Torah and interestingly, both again leave the door open to an elder having more than one wife, not unlike Abraham, Jacob, Caleb, Elkanah, David, Joash, etc. Paul would *not* have added to the Torah by creating a standard for elders that is nowhere ever taught in the Tanakh.

A third passage with clear patriarchal implications is 1 Corinthians 7:10-11.

¹⁰ But to the married I give instructions, not I, but the Lord, that the wife should not leave her husband ¹¹ (but if she does leave, she must remain unmarried, or else be reconciled to her husband), and that the husband should not divorce his wife.

Notice, unlike Paul’s opined passages beginning ‘But I say,’ he clearly says that this is a command from the Lord, therefore it must exactly align with Torah. One should not be surprised when they note that Paul directly instructs the woman that “she must remain unmarried” but he gives no such reciprocal command to the man. According to Torah, he *may* take another wife and exactly as Paul instructs him, he is not to divorce his first wife. This passage again upholds patriarchal family structure while leaving the door widely ajar for polygyny. As a side note, a few verses later (v. 15), he does allow that a woman whose unbelieving husband has left her should not be in bondage, or presumably can remarry.

God's Provision for the Widow

With regard to his teaching on marriage, I Timothy 5:3-18 is possibly Paul's most powerful argument for polygyny. He clearly has patriarchal covering and levirate marriage in view as a solution for widows for much of the passage. Because of the detailed nature of the passage, it will be taken a few verses at a time.

³ Honor widows who are widows indeed; ⁴ but if any widow has children or grandchildren, they must first learn to practice piety in regard to their own family and to make some return to their parents; for this is acceptable in the sight of God.

Paul's first instruction is that some of the widow's children or grandchildren should show piety by helping to care for their mother, thus honoring her and their deceased father. While this meets the needs of food and shelter, it does not meet the desire for 'sensual pleasure' which Paul will address in a few verses.

⁵ Now she who is a widow indeed and who has been left alone, has fixed her hope on God and continues in entreaties and prayers night and day. ⁶ But she who gives herself to wanton pleasure is dead even while she lives. ⁷ Prescribe these things as well, so that they may be above reproach. ⁸ But if anyone does not provide for his own, and especially for those of his household, he has denied the faith and is worse than an unbeliever.

Paul draws a distinction for those widows who are 'widows indeed.' These apparently have no children or other familial support structure to turn to for protection or support. His instruction to Timothy is to guide the widows away from 'wanton pleasure' and toward family support so they might be 'above reproach.' Paul reiterates that she should be taken care of by her own house. Verse 8 is usually cited out of context with regard to orphans or family members, but it is clearly concerning widows in the faith and the need for a man to 'provide for his own, especially for those of his household.'

Recall, as well, there were likely an abundance of widows as men would have borne the brunt of persecution in this time period. Later, as persecution further increased against the fledgling fellowships in Messiah, women would have carried part of the burden, but at the point of Paul's letter to the Corinthians, men were in shorter supply than normal causing the widows to far outnumber the men.

⁹ A widow is to be put on the list only if she is not less than sixty years old, *having been* the wife of one man, ¹⁰ having a reputation for good works; *and* if she has brought up

children, if she has shown hospitality to strangers, if she has washed the saints' feet, if she has assisted those in distress, *and* if she has devoted herself to every good work.

The qualifications for 'a widow to be put on the list' are quite stringent. Only the most senior godly women who had impeccable track records in the faith and to their husbands would qualify. Note that Paul's use of the Greek *ἓς* is correctly translated as the numeral 'one,' as in, she was only married one time, confirming what was previously pointed out in I Corinthians 7:10-11.

Paul's instructions to Timothy continue,

¹¹ But refuse *to put* younger widows *on the list*, for when they feel sensual desires in disregard of Christ, they want to get married, ¹² *thus* incurring condemnation, because they have set aside their previous pledge. ¹³ At the same time they also learn *to be* idle, as they go around from house to house; and not merely idle, but also gossips and busybodies, talking about things not proper *to mention*. ¹⁴ Therefore, I want younger *widows* to get married, bear children, keep house, *and* give the enemy no occasion for reproach; ¹⁵ for some have already turned aside to follow Satan.

Audaciously, Paul wants the younger widows to be married and there is a shortage of men! Clyde Pilkington, Jr.'s *The Great Omission* details the fact that even *without* persecution, women outnumber men in almost every time and place in history due to a number of factors.^[13] More specifically, Paul instructed widows in 1 Corinthians 7:39 to be 'married in the Lord' creating an impossible situation for young widows if they are limited to monogamous godly men who are in apparent short supply! Paul's solution is obvious, but he continues,

¹⁶ If any woman who is a believer has *dependent* widows, she must assist them and the church must not be burdened, so that it may assist those who are widows indeed.

Here Paul makes a very important reference that introduces the next couple verses. Ruth and Naomi should immediately come to mind when reading this verse, as well as, by extension, levirate marriage, a subject confirmed in the next two verses!

¹⁷ The elders who rule well are to be considered worthy of double honor, especially those who work hard at preaching and teaching. ¹⁸ For the Scripture says, "**You shall not muzzle the ox while he is threshing,**" and "The laborer is worthy of his wages."

Deuteronomy 25:4-10 states,

⁴ "**You shall not muzzle the ox while he is threshing.**

⁵ "When brothers live together and one of them dies and has no son, the wife of the deceased shall not be *married* outside *the family* to a strange man. Her husband's brother shall go in to her and take her to himself as wife and perform the duty of a husband's

brother to her. ⁶ It shall be that the firstborn whom she bears shall assume the name of his dead brother, so that his name will not be blotted out from Israel. ⁷ But if the man does not desire to take his brother's wife, then his brother's wife shall go up to the gate to the elders and say, 'My husband's brother refuses to establish a name for his brother in Israel; he is not willing to perform the duty of a husband's brother to me.' ⁸ Then the elders of his city shall summon him and speak to him. And *if* he persists and says, 'I do not desire to take her,' ⁹ then his brother's wife shall come to him in the sight of the elders, and pull his sandal off his foot and spit in his face; and she shall declare, 'Thus it is done to the man who does not build up his brother's house.' ¹⁰ In Israel his name shall be called, 'The house of him whose sandal is removed.'

Paul's connection to levirate marriage is unmistakable. Further making this connection is his use of the phrase, "the laborer is worthy of his wages," an apparent reference to Leviticus 19:13. The surrounding context, however, is another strong support for Paul's subtle message. It begins with another clear connection to Ruth's gleanings in Boaz's fields but also demonstrates that the one who has the means to meet a neighbor's need, but withholds it, is robbing his neighbor. In the context of Paul's argument, the elder, and presumably other married brothers in the community, have the means and therefore the duty to cover the needy widow. *Not doing so* is 'oppressing your neighbor' and therefore sin.

⁹ 'Now when you reap the harvest of your land, you shall not reap to the very corners of your field, nor shall you gather the gleanings of your harvest. ¹⁰ Nor shall you glean your vineyard, nor shall you gather the fallen fruit of your vineyard; you shall leave them for the needy and for the stranger. I am the Lord your God.

¹¹ 'You shall not steal, nor deal falsely, nor lie to one another. ¹² You shall not swear falsely by My name, so as to profane the name of your God; I am the Lord.

¹³ 'You shall not oppress your neighbor, nor rob *him*. The wages of a hired man are not to remain with you all night until morning.

The fact that an elder had to be married and ruling his house well begs the question, who better to be prepared to take in and care for a young widow and orphans with her than an elder who had a solid track record ruling his own house well and rearing of his own children? Paul's connection and instruction is only missed if one assumes a monogamy-only paradigm thus misinterpreting the *μῆας* passages. Within the polygynous context of both the Torah and the Jewish culture in his day, Paul was unmistakably instructing elders to assume responsibility covering the widows within the assembly if the widow wanted to marry and no other godly man was available (1 Tim. 5:11).

Conclusion

The Apostle Paul, a Pharisee of Pharisees and student of Gamliel, knew the Torah as well as any Biblical author other than Moses. An Apostle to the Gentiles, Paul had every opportunity to make a clear statement in favor of monogamy-only as he established Biblically correct relationships within the young communities of non-Jewish believers in Jesus. On the one hand, Roman law and culture demanded allegiance to the State, fueled by a growing culture of monogamy-only while on the other adherence to the Torah demanded a foundation for a Biblical people built of patriarchal families which allowed for a man to have more than one wife. Considering these several passages from Paul's pen, one can only conclude that minimally he intentionally left the door ajar concerning Biblical polygyny. He not only never condemns the practice, something he could have easily done, but he uses language that anyone outside of a monogamy-only mindset would immediately recognize as allowing for polygyny within Torah guidelines and patriarchal headship. His coup de grace is instructing his young protege, Timothy, in the care and protection of widows, particularly the younger ones who desired a husband. Paul unmistakably invokes levirate marriage and goes so far as to indicate the elders were to assume the responsibility of covering where others had not. Without question, this flips long held Christian monogamy-only teaching on its head, but no other reasonable conclusion is possible. Paul's paradigm was decidedly *not* monogamy-only.

In light of these considerations, and the complete absence of any Scriptural command condemning Biblical polygyny, it is time to reevaluate the entire traditional case against polygyny within Christendom.

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[1] Schremer cites Ant. XVII:18, however this quote appears to be in 19.

[2] Schremer, Adiel, *How Much Jewish Polygyny In Roman Palestine?* [PDF]

https://www.academia.edu/4944609/How_Much_Jewish_Polygyny_in_Roman_Palestine_2001_, p. 203 [23]

[3] Witte, John, Jr. *The Western Case for Monogamy Over Polygamy*, 2015. Cambridge University Press. p.50

[4] Ibid. p.60

[5] Cairncross, John. *After Polygamy was Made a Sin*, 1974. Reprinted by Orphan Copyright Works Project, p.77.

[6] Witte, J, p.104

[7] Ibid. p.105

[8] Ibid. p.108

[9] Ibid. p.109

[10] Ibid. p.107

[11] Ephesians 5:21 is often used errantly to teach ‘mutual submission;’ however, doing so immediately destroys Paul’s illustration of marriage as a picture of Messiah and the Church. 5:21 is a summary verse for the previous section detailing how men in the assembly are to work together in harmony and is in no way a governing verse for Ephesians 5:22-33.

[12] Shipley, Tom., *Man and Woman in Biblical Law: Resurrecting the Biblical Family, Part 1*, 2010. Institute for Christian Patriarchy, Baltimore, Maryland. p.148.

[13] Pilkington, Clyde L., Jr., *The Great Omission: Christendom’s Abandonment of the Biblical Family*. 2010. Patriarch Publishing House. p.13ff.