

Precepts Related to Noahide Marriage

Adapted from *The Divine Code*, 2nd Edition, by Rabbi Moshe Weiner

1. Even though Gentiles are not commanded to “be fruitful and multiply,”¹ it is nevertheless G-d’s will that every man who is able should marry a woman and have children from her, as He said to Adam and Hava (Eve):² “Be fruitful and multiply.” Likewise, G-d told Noah after the Flood:³ “And you, be fruitful and multiply; teem on the earth and multiply on it.”⁴

2. A man should marry a woman, and she should be an established wife for him, as it says,⁵ “Therefore a man shall leave his father and

¹ This only means that Gentiles have no explicit commandment about procreation. But as a logical necessity for the establishment of society, they are obligated to do so. There are logical obligations for Gentiles, and since marriage is a way of accomplishing the settling the world and is G-d’s will, it is obvious that they are obligated in general to involve themselves with this task. This would fit with the opinions that Gentiles are obligated by the verse Isaiah 45:18 to “make the world settled.” Since the obligation stems only from a logical reason, they are only obligated to do so if there is no logical reason not to do so. An individual Gentile is thus exempt if he or she would experience any serious suffering as a result of procreation. Note that Jewish women are not obligated to endure pain to fulfill procreation since they are not obligated in it as a Jewish command; the same logic applies for Gentiles.

² Genesis 1:28.

³ Genesis 9:7.

⁴ See Rashi on Genesis 9:7 (which was said to Noah), that anyone who abstains from procreating is compared to one who sheds blood, since the verse Genesis 9:6 regarding the prohibition of murder is directly followed by verse 9:7 regarding procreation. This applies for a Gentile man or woman who deliberately does not fulfill the obligation to procreate, unless the person has a valid reason.

Similarly, even though Gentiles are not obligated to give charity, nevertheless Sodom was destroyed because they nullified all acts of kindness and charity from their midst. This means that a society can receive punishment if there is widespread behavior that opposes morality, even if it does not go against any express Divine command. It appears that the same applies to the issue of procreation.

⁵ Genesis 2:24.

his mother and cling to his wife, and they shall become one flesh.” This is the means of establishing a society, which is accomplished through a man bonding with his wife and having children with her, as it says,⁶ “The L-rd, Creator of the Heavens; He is the G-d, the One Who fashioned the earth ... He did not create it for emptiness; He fashioned it to be inhabited ...” Thus it is G-d’s will that people should settle the world.⁷

This injunction includes two separate details: (a) marrying a wife and living with her in an established manner, and (b) to have children with her. Therefore, even if a Gentile man is unable to have children and fulfill the injunction to “make the world settled” in this way,⁸ he should still marry and live in an established manner with a Gentile wife, since that is also a manner of the settling of the world, as it says:⁹ “The L-rd G-d said: It is not good that man be alone; I will make him a helper corresponding to him.”

3. A woman, as well, should endeavor to marry a man and establish a family, as this is G-d’s will, and a fulfillment of the injunction to “make the world settled”.¹⁰

Nevertheless, even though it is fitting to be married and have children, Gentile women or men for whom marriage or having children would be very burdensome are not obligated to cause themselves distress in order to fulfill this obligation.

⁶ Isaiah 45:18.

⁷ It appears that all Gentiles are obligated by this verse. Although Gentiles do not have a commandment to “be fruitful and multiply”, nevertheless they have an obligation in this because the verse refers to the creation of the world and all that is in it.

⁸ A man who is not able to father children should still become married, as the verse says (Genesis 2:18) “It is not good that man be alone” (as a logical obligation in which a person is morally obligated).

⁹ Genesis 2:18.

¹⁰ For Gentile men *and* women, all opinions agree that there is a general logical obligation for all who are able to “make the world settled” in this manner, as long as it does not cause pain or distress for the one involved. If a person disregards this obligation on account of a wrong viewpoint or illegitimate reasons, it is morally a sin.

4. A Gentile woman is only considered fully married if she had normal relations with an adult man whom she is permitted to marry, with her consent and with their intention for marriage. If, however, the couple has only gone through a formal wedding ceremony (but their marriage has not yet been consummated through normal relations), she is not yet considered fully married.

It is appropriate for Gentiles to establish wedding ceremonies [and documents; see www.asknoah.org/noahide_marriage], so that their marriages will be obvious and known to all. (The ceremony is a betrothal of the bride, and afterwards she becomes fully married by marital relations with her husband in private).

Still, if a Gentile man and woman both consent to live together as domestic partners (although they have not had a wedding ceremony or officially certified their marriage), and they behave publicly as husband and wife for an extended period of time, the woman is judged as fully married, since it is assumed that a woman and man living together in this way have had relations with the intention of marriage. Therefore, she is also judged accordingly. While she is known to be living together with her male partner, she is forbidden to any other man. If she does have relations with another man, both he and she are liable for adultery.¹¹

5. From G-d's words,¹² "Therefore a man shall leave his father and his mother and cling to his *wife*, and they shall become one flesh," it is the natural and appropriate way for a man to marry a woman and establish a family. One who deviates from this path is mistaken, and acts against G-d's will in His creation of mankind and their character.

Adam the first man was created alone, and only after he searched and discovered that he needed a mate did G-d create for him *Hava* (Eve), the first woman, as his partner. This shows us that the correct way for a

¹¹ This applies in societies (e.g., today's western cultures) where such conduct is accepted by the public as normal. But in societies where the public does not accept this as a normal state of marriage (but rather as a type of licentiousness), the couple's private decision does not make the woman completely married, so if another man cohabits with her, he and she will not be liable as adulterers.

¹² Rashi on Genesis 2:24.

man is to look for a specific wife, and to build a life-partnership with her, instead of acting as an animal with casual sexual relationships.

Thus the prophet related (Isaiah 45:10), “the world was not created to be empty, but rather to be settled,” and licentiousness is not a way of establishing populated and settled societies in the world. Instead, it is chaotic and harmful to society.

6. Generations before the Torah was given, the court of Shem, the son of Noah, issued a decree that it was forbidden for a woman to have licentious relations with an idolater, since this would cause her to be drawn after him to idolatry. Although it is not clear if Shem’s court decreed a punishment for a man who had licentious relations with a woman idolater, it is clear that they forbade a man to marry an idolater and bring her into his home, with permission for her to practice her idolatry there.¹³

Once the Torah was given at Mount Sinai and the Seven Noahide Commandments were set within it forever, we do not find that there is any such Divine precept for Gentiles. Nevertheless, the decree of Shem’s court – that one should not marry an idolater – still stands¹⁴ (without liability for any punishment), whether it would be the wife or the husband as the idolater.

7. In any Gentile marriage, if the two partners wish to separate, they may divorce at any time that either so desires. When the man sends the woman away from his house with the intention that she should not return to him, or when she leaves of her own accord with the intention not to return, they become separated, and she is considered divorced

¹³ This can be viewed as based on the Noahide Commandment of Judgments, to have courts that establish rules for society. A Gentile society may institute decrees to help banish sins like idolatry or harmful sexual activities. Since the decree of Shem’s court was recorded in the Oral Torah in reference to the story of Tamar in Genesis 38:24 (in which Judah thought that Tamar became pregnant through relations with an idolater), it was given eternal eminence.

Most of the world’s population at that time knew of Shem and his court. Shem was recognized after the Flood as G-d’s prophet (see Rashi on Genesis 25:22), and a foremost spiritual leader of the world (although he was surpassed by Abraham as the main spiritual leader).

¹⁴ Since the decree of Shem’s court was not removed from the Gentiles.

and single, and is not married anymore in the judgment of Torah Law. Within the Noahide Code, there is no need for Gentiles to have a divorce document.¹⁵ Nevertheless, it is preferable if there is a formal civil procedure for divorce in the society (such as a legal document or court record).

To dissolve the state of marriage, this divorce must be a resolute decision for permanent separation. But if they only have intention to leave each other for a period of time and then return to each other (perhaps having in mind that they may have relations with others in the interim), this is an abhorrent practice, and this leads to behavior that is under the category of a woman becoming married to two men.

In the reference to a decision for “permanent separation,” the meaning is that at the time they separate, they have made this resolute decision. However, if the Gentile man and woman change their minds afterwards and decide to return to each other in marriage, they are permitted to do so, even if the woman remarried in the interim, and her second husband divorced her or died.¹⁶

8. Since it is possible that a woman might leave her husband for a short time for another man and then return, and it is impossible to know if she made a firm decision to leave her husband, it is proper to set up a formal procedure for a divorce through the courts. This way, a woman will not give the appearance of being married to two men, to whom she goes back and forth whenever she desires.

¹⁵ Rambam, *Laws of Kings* 9:8.

¹⁶ There is no prohibition for a Gentile to remarry his divorcee, even after he was remarried to another man whom she subsequently divorced.