Are Marriage Laws Pagan? 
Isaac and Rebekkah in Ancient Near Eastern Context

If I had a dime for every woman who believed the doctrine that they don’t need a marriage certificate to get married and that they can just hook up with a guy, who then went and actually did just that; who got used up and abandoned, even though she was in possession of a self-made Ketubah signed by “witnesses” who then didn’t hold the man who she was shacking up with accountable (and indeed, had no legal ability to do so) when he turned out to not really be very Torah observant—and who now has no legal recourse and can’t get out of this marriage that doesn’t exist legally and yet spiritually it does exist because they had sex together...

Yeah it was a messy run on sentence but this is a messy run on situation. Here’s the story I hear:
(1) Marriage by the State is pagan; (2) all you need to do is go cohabit and have sex and as long as you both love God, you are legally married in His eyes and (3) have all of the protection you need Biblically, oh and (4) God told me this by revelation.

It sounds romantic, spiritual and appealing, right? It sounds like a way to reclaim our heritage as believers—but nothing could be further from the truth.

Whenever I hear a doctrine prefaced or prefixed by “God told me this by revelation” then I am like a hundred times more
likely to assume that it’s just something straight out of their imagination. If they had proof, they would provide it. Those who have no proof, too often credit God with revelation—and crediting God with vain imaginations, make no mistake, is a form of blasphemy. It’s asserting God’s authority to preach something in His Name, when God authorized nothing of the sort.

Ladies, in the past (really until just recently historically) marriage was a covenant made by two fathers. A contract between two families. It was a legal act, recognized by the civil authorities because everything about it was done in legal civil fashion. It wasn’t just going to a man’s house and shacking up and now you are safely married after making up a paper and saying what you want on it and having random people sign it. That was fornication in the ancient world—and still is. All throughout the Bible, we have situations presented that were not thoroughly explained to the people of the times as it represented their normal everyday context—frankly, why waste the ink telling people what they already know? Until just a short while ago historically, all the world operated according to ancient mindsets—they were honor/shame focused, dyadic (community) centered and spiritual. Our ancestors walked away from all of that and became concerned with innocence and guilt, individualism, and science—our ancestors flipped the culture 180 degrees and then set about twisting the laws of God in order to fit the new paradigms. We cannot ignore the original culture for which the Bible Laws were tailor-made. We can’t walk away from that culture and then just drag the Bible along with us as though God’s original intentions are even less sacred than the original intentions of the authors of the United States Constitution.

Very often, and especially in Paul’s letters, we see that appearances in an alien culture are vitally important—whether it is in the form of an admonishment for married women to obey Greco-Roman legal dress codes or in warnings as to how believers should conduct themselves publicly within the culture in which they have been exiled. We are God’s ambassadors, and when we do things that look shameful within the larger society, we are shaming God. Living with a man
without benefit of a legal marriage license in this culture and calling oneself a believer looks excessively worldly, shameful to God and, frankly, is not Biblical. This isn’t some noble protest against the Government, it is something that makes God look really casual about His ideas of what constitutes marriage.

People will tell you, on this particular issue, that they received a “revelation” from God but what they did was simply read the plain text out of the Bible without knowing anything about the underlying culture. They aren’t aware, for instance, that Abraham’s servant went with absolute legal authority and, as an ambassador in the name of Abraham to whom he had sworn an oath with hand on (well, you know), made a covenant in his master’s name with Rebekkah’s father and brother. Isaac and Rebekkah were legally married before she ever left Haran. The Brideprice was paid. The dowry was already given for her protection should Isaac divorce her for childlessness. The entire legal structure of the Ancient Near East would have recognized the contract. This was, for all intents and purposes, a state-sponsored marriage.

This is all a matter of established ancient law and you can see it in the text if you know that context. Rebekkah had a legal contract, a legal marriage—she had legal protections should Isaac toss her onto the street. Furthermore, if Isaac wronged her he would have her entire family to deal with because they would all be wronged and would seek satisfaction.

The ancient world was an honor/shame society and Isaac and Rebekkah were practicing an “endogamous” marriage within the clan. Nothing could have possibly been more legal than that—not only did she have civil covenant legalities in place to protect her, but she was also protected by an honor/shame culture that doesn’t exist in the west. This was as safe as marriage got in ancient times and it was exactly why people did it—because in honor/shame cultures you were required to be absolutely honest with family (making Laban’s behavior all the more shocking when read from an honor/shame standpoint). Rebekkah’s father would never have sent his daughter with Abraham’s servant unless said servant was carrying
assurances—it would not be unlikely that he was in possession of Abraham’s seal, cord and staff and in fact, I believe that he was.

Out here, even in “Torah Observant” communities—men are not required to deal honorably with their wives because no one understands that kind of culture anymore. We don’t even know what honor is. There is also no Covenant court set up, no legitimate Bet Din to protect a woman from being abandoned. Women cannot bring a Covenant lawsuit against a husband who has wronged them nor can they go to a secular court because they didn’t do things civilly. We are living in exile, and exile means that we do not have the benefit of pretending like women have the legal protections they would have had in the ancient world.

So #1—Rebekkah was legally married by the laws of the land, through a sacred Ancient Near Eastern covenant system between two fathers and two families. This was not something done simply between man and woman. Brideprice and dowry were legally paid and recorded. #2—Rebekkah had societal protections because of honor/shame culture that do not exist within the United States and Europe and certainly not within religious communities that are not truly operating under ancient principles for faithfulness but are based instead on a strange amalgam of what we think was going on based upon what is written in the Bible to an audience who didn’t need to be told these things in the first place any more than we need to be told that tarantulas aren’t food. Modern day “neo-pagan” communities operate according to how they think ancient pagans lived, and modern day “Torah-Observant” communities do exactly the same thing but without studying the culture or actually living as ancient people. We are not honor/shame centered and we are not dyadic/community based. We are innocence guilt/individualistic/scientific people—we are the OPPOSITE of the types of people the Law was designed to work well with. We are different in every way. Our ancestors left the culture of the Bible and now we are trying to keep our culture and twist the Torah around our modern mindsets like a pretzel.

I have received so many messages from women who believed this
doctrine, and who were left in a bind—“married” and yet also unmarried while their “Torah observant” husbands moved on to the next woman he met online. And no one can force their “not even common law” husband to do right by them. All he has to say is “she abandoned me” and it becomes a he said/she said. I’ve seen it so many times in the last year that you might be shocked. Women come to me and I can’t do anything to help them. No one can help them—not until they have been with their “husband” for seven years which provides common law recognition by the State.

A legal marriage contract isn’t pagan. They have always existed. There is a big difference between civil laws and idolatry—laws are not inherently idolatrous or pagan. Making an idol, placing it in a shrine, trying to imbue it with the essence of a god, bathing it, feeding and clothing it and bowing down to it—that’s pagan and idolatrous. Laws are simply laws, and as such they are generally the opposite of pagan, as they are simply secular. They are either good laws or bad laws. And they have existed for one reason above all other reasons—to protect women and children from men. Hey, look at the Torah laws, how many of them tell women who not to have sex with and how many are telling men who they had better not have sex with? How many protect men from being raped and how many protect women from being raped? Is it the man who has protections from being falsely accused of adultery or women?

Men have had to be historically commanded not to follow their baser instincts and to not rape or seduce, to not have sex with family members, to not engage in homosexual relationships, to not touch a woman when she is having her period, to not dishonor a woman without proof. Women don’t naturally do those things (or at least they didn’t before women’s lib decided we should act more like men—somehow acting like men made us more sexually promiscuous and murderous. Go figure!).

In the Kingdom of Israel, the Covenant, the constitution of the Kingdom of God, protected women from men from beginning to end. Unfortunately, in exile and without Sanhedrin courts in place, we women are left without protection unless we take
advantage of the laws of the land concerning marital legality.

Like polygamy and polygyny, this is one of those areas that people feel very strongly about and preach completely out of the societal context—and amazingly, to the detriment of women and children in both cases and to the benefit of men. Again, go figure.