SEVEN LAWS OF BENE NOAH (#4): Marriage, Polygamy, Incest, etc.

We are exploring the Seven Mitsvot of the Sons of Noah, that is, the 7 Divine commandments that according to Judaism should be followed by non-Jews when living in Israel, and ideally, throughout the non-Jewish society.
Previously, we explained the prohibition of idolatry, blasphemy and murder. Today we will see the laws of marriage for the gentile society .
The first thing Rabbi Benamozegh explains is the source (the pasuq or biblical verse) from which the laws of marriage for the Noahic society are derived.

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Genesis 2:24 Therefore, a man will leave his father and mother and cling to his wife, and become one flesh.
Rabbi Benamozegh mentions the Gemara that explains the possessive “his” (in “his wife”) and quotes the Sages: the man “will be united to his wife, and not to the neighbor’s wife”. The first universal principle in marriage, then, is the exclusivity of marriage, and the prohibition of adultery. The physical / sexual union that makes man and woman “one flesh” is forbidden when it comes to someone else’s wife.
Rabbi Benamozegh also mentions that since adultery is prohibited, and must be sentenced by the courts that penalize the violation of the Noahic laws, it follows that marriage cannot be a private act , based solely on consensus, but must have a public nature. Only in this way –when the union is formal, official and public– adultery could be identified and sentenced.
Rabbi Benamozegh also explains that the laws that regulate the sanctity (that is, exclusivity) of marriage, override any other legal consideration, for example, the “possession” of slaves. In the the relatively recent past, slaves were considered the “property” of their master. And masters could use their slaves as they wished. In that culture and society, marriage between slaves was irrelevant, since the slave

remained the property of the employer. According to the Noahic law, marriage, even among slaves, should be respected. And if the master abuses a married female slave, he was guilty of adultery and should be sentenced to death. Rabbi Benamozegh points out that this law was absolutely revolutionary for its time, and it demonstrates once again the greatness of the Tora, which considers that matrimonial rights are sacred and inalienable, without distinction of social level.

The other topics related to marriage are polygamy, incest and unnatural relationships (sexual relationships which in their gender cannot result in procreation).

Polygamy, although permitted under exceptional circumstances –mainly in cases associated with fertility– is not the ideal of Noahic or Mosaic (=Jewish) marriage.

The Noahic laws of incest are less extensive than the Mosaic laws –daughter, sister, mother, mother-in-law– but they were absolutely necessary for many societies of antiquity. Rabbi Benamozegh mentions for example the Tartars who tolerated the marriage of fathers with their daughters, or the Inca monarchs, who only married their sisters.

The Noahic law bans bestiality, very common in ancient societies.

In the Noahic law homosexuality is also forbidden, and contradicts the essence of biblical marriage, as the verse in Genesis 2:24 says: a man will…cling to his wife, and become one flesh. Rabbi Benamozegh quotes Michelet (French philosopher, 1798-1894): “The essence of marriage –and no society in the future will be able to find a truer formulation than this– is this: an individual comes to the fullness of his individuality only when he triples, that is, when he becomes a unit of: man, woman, child “.