

Does a man have to divorce his wife if she commits adultery?

thejc.com/judaism/rabbi-i-have-a-problem/does-a-man-have-to-divorce-his-wife-if-she-commits-adultery-1.486176



Question: I understand that, in Jewish law, if a woman is discovered to have committed adultery, her husband must divorce her. But the prophet Hosea took back his faithless wife Gomer out of compassion. So is there a conflict between strict halachah and the prophetic values?

Rabbi Brawer: There are many such anomalies in the Bible. The prophet Elijah staged a showdown with the prophets of Ba'al at Mount Carmel, offering a sacrifice to God. Yet the Bible explicitly restricts sacrifices to the Temple in Jerusalem (Deuteronomy 12:2-7).

The Bible prohibits marrying two sisters (Leviticus 18:18), and yet Jacob married Leah and Rachel (Genesis 29:30).

The Bible proscribes the kindling of a fire on Shabbat (Exodus 35:3) and yet the Israelites are instructed to bring a fire offering on Shabbat (Numbers 28: 9-10).

One approach is to see the above examples as exceptions to the rule. It is futile to look for consistency in the Bible as extenuating circumstances will suspend or override various rules. In Hosea's case, God's message — that despite the pain of betrayal, He would re-espouse his unfaithful people — was urgent enough to warrant overriding the rule against remaining in a relationship with a whoring wife.

Another approach, taken by the Bible commentator Radak (David Kimchi 1160–1235), is to read the Hosea episode — from the initial Divine instruction to marry a harlot to the successive birth of their children — as something that occurred in the prophet's imagination, but not in reality. This allows for the preservation of the Divine message without compromising it by placing it in conflict with the law.

This creative approach to reading some of the thornier aspects of the Bible was later adopted by Don Isaac Abarbanel (1437 -1508) in his commentary on Eve and the talking serpent in the Garden of Eden. Abarbanel, who feels that a literal reading of a talking serpent stretches credulity to its breaking point, suggests that the entire episode was a product of Eve's overactive imagination (Abarbanel, Genesis 3:17).

A final thought on the Hosea story: the Talmud states that prophecy is intensely personal and that no two prophets ever prophesy in the same way (Sanhedrin 89a). Elsewhere the Talmud maintains that prophets are influenced by their environment (Chagigah 13b); Isaiah and Ezekiel each describe their vision of the Divine in ways that reflect their cultural milieu, Isaiah as an urbane aristocrat, Ezekiel as a provincial.

The interior life of the prophet plays a role in shaping the Divine message he hears or sees. It is possible that Hosea

was indeed married to a faithless wife who caused him much upset and pain, and in his pain, he was able to imagine, hear and empathise with God's pain.

Rabbi Brawer is Neubauer chief executive of Hillel, Tufts University

Rabbi Romain: Adultery is certainly grounds for divorce, but it should be two-way and equally applicable if the man is unfaithful.

Some may claim that, because the Bible allowed polygamy, therefore it is not adultery if a married man also has a relationship with an unmarried woman. But this is not sustainable for us today, and he is still culpable morally.

But grounds for divorce does not have to mean automatic divorce. There are different types of adultery. Some are flings that happen recklessly and without thought for the consequences, but which are deeply regretted afterwards.

There are also instances where the adultery is a symptom of problems in the marriage that have gone unresolved, but which can be tackled successfully if both spouses wish to save the relationship.

Neither of these are the right way to behave and can be very damaging, but, given contrition and time and honest conversations and forgiveness, the marriage can survive.

Conversely, there are other adulteries which can wreck a relationship — either in the above two scenarios, but where the other partner is too hurt to be reconciled, or when the affair indicates that the marriage exists on paper but is over in reality.

The key questions that both partners have to face are: can I still trust the other person? Can we rebuild a relationship? Is our original vision of the long-term future together strong enough to overcome this short-term, very painful, fissure?

The rabbinic response is always to seek to support the marriage if possible, but to accept that divorce is a legitimate option if not. Many a couple have stayed together and been glad they overcame such a difficult period. Others have divorced and gone on to better marriages.

In Hosea's case, it seems that he acted not so much on a personal level, based on his emotional attachment to Gomer, but took her back as a prophetic statement, paralleling how God will forgive Israel for its religious infidelity. While that may have been very noble of Hosea, I am not sure he is a role model for marriage guidance.

What is more certain is that marriage is one of the biggest gambles we ever take - promising how we will feel for decades ahead - and it is no surprise that it does not always work out. But we should try very hard to at least break up decently, not acrimoniously.

Jonathan Romain is rabbi at Maidenhead (Reform) Synagogue

If you have a problem to put to our rabbis, please ring 020 7415 1676 or email editorial@thejc.com with details