Accusation: God Forced Women to Marry their Rapists

One common "TikTok" argument is about God "forcing a woman to marry her rapist." This is a mischaracterization, misrepresentation and misinterpretation of Deuteronomy 22:22-29.

The Laws in this section are actually clearly delineated into three distinct sections and the ordering of them makes it easier to understand:

- Adultery
- Rape
- Consensual Pre-Marital Relations

Adultery

> 22 “If a man is found lying with a woman married to a husband, then both of them shall die—the man that lay with the woman, and the woman; so you shall put away the evil from Israel.

Verse 22 re-iterates the general commandment against adultery - if a man is engaging in sexual relations with another man's wife, they should both be put to death. To be clear, both the man and the woman are found guilty.

Rape

> 23 “If a young woman *who is* a virgin is betrothed to a husband, and a 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 with stones, the young woman because she did not cry out in the city, and the man because he humbled his neighbor’s wife; so you shall put away the evil from among you.
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> 25 “But if a man finds a betrothed young woman in the countryside, and the man forces her and lies with her, then only the man who lay with her shall die. 26 But you shall do nothing to the young woman; *there is* in the young woman no sin *deserving* of death, for just as when a man rises against his neighbor and kills him, even so *is* this matter. 27 For he found her in the countryside, *and* the betrothed young woman cried out, but *there was* no one to save her.

Then, two other cases are put forward. If a man lies with a woman who is betrothed - not married - to another man in the city, this is treated as adultery and incurs the same penalty. However, if it happens outside of the city, the woman is not punished but only the man. Why?

The distinction between the city or countryside hinges on the woman's ability to cry out for help (verse 24, 27). The issue is not even whether or not she cried out for help, but whether she could have been heard if she had. The woman is not interrogated or questioned in any way. This is actually more merciful than our current society's treatment of rape... nowadays, a woman is called to testify publicly and suffer even more public humiliation. But the procedure here outlined by God protects women from further victimization.

If the act occurred in a place where she could not have been heard, she is given the benefit of the doubt and assumed not to be complicit. The man is held guilty and subject to the death penalty. The woman is completely innocent and in the eyes of the Torah, she is still a virgin. Her betrothal is still valid, and she is able to be part of a lawful marriage. Her rape is equated to murder (verse 26) and she is no more guilty than a victim of murder is. She does not need to prove her resistance or rejection. In the case of an accusation where it's her word against his, it is HER word that is to be believed and the man is treated as sexually immoral and executed.

Again, "But you shall do nothing to the young woman; *there is* in the young woman no sin *deserving* of death." The idea that she would be "forced to marry her rapist" as many claim - is preposterous. How can the guilty rapist, who is put to death, later take her as a wife?

Consensual Pre-Marital Relations

> 28 “If a man finds a young woman *who is* a virgin, who is not betrothed, and he seizes her and lies with her, and they are found out, 29 then the man who lay with her shall give to the young woman’s father fifty *shekels* of silver, and she shall be his wife because he has humbled her; he shall not be permitted to divorce her all his days.

The last scenario (v. 28 and 29) deals with a woman who is a virgin and is *not* betrothed. This command serves a different purpose than the ones that preceded it. While the former sought to advance the innocence of betrothed rape victims and prevent their punishment, the latter is aimed at preventing the sexual exploitation of unmarried young women. They are unrelated, as is evidenced by the fact that there is no penalty of death.

What is being described here is not a rape. Verse 28 says that "they are found out" - and does not make a distinction between the guilt of the man or of the woman.

The confusion in modern times comes from the word "seizes her" which is overinterpreted. The Hebrew word means "take" or "acquire" and simply means that a man "takes to himself" an un-betrothed virgin (not by force). The status of women in the ancient world was different than it is today. A woman "belonged" to her father and later on to her husband - not because she was equal

to property, but so that she would be provided for. Women did not pursue careers or have income in those days, so it was necessary that they be provided for.

God's commandments and Law in the Old Testament **protected women** from the objectification that other societies subjected them to. For example, in God's commandments, women could inherit property (e.g. daughters of Zelophehad). In God's commandments, women were not to be blamed or shamed in the case of rape where the woman could not have cried out for help (see above).

One such provision made for women is this one in verses 28 and 29. That if a man took a woman's virginity by mutual consent, he was entitled to marry her, pay her dowry, and provide for her the rest of her life. He was not allowed to ever divorce her.

Dowry

Why pay a dowry if she is not like property? Because the woman has value. In these ancient agrarian societies, a daughter is a valuable part of her family in working the land and helping to provide for its needs. When a new husband took a woman from her father's house, he was depriving the father of someone of real value. He was making life more difficult for her family of origin. The dowry, then, is a way of compensating a father for the loss of his daughter.

What if he hadn't married her? She would never be able to contract a legal marriage because she had lost her virginity. At the death of her father, she would be left without a home and without any means of support. She would be forced to beg or become a harlot. The point of this commandment is justice for the woman. By taking her possibility at a normal future, a man becomes responsible for her future.

Sources:

- Chapter 6 of *God is a Man of War* by Fr Stephen de Young
- Lesson 2.10 of ACTS 3023 for a Comprehensive Undertaking of Women's Rights

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