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Abstract – Another Look at the Marriage of Ruth and Boaz: A Way Forward through the Book of Tobit

The marriage between Ruth and Boaz (Ruth 4) is a perennial problem in discussions of biblical law. Despite Boaz's apparent portrayal of the marriage as a levirate marriage, the relationship clearly fails to adhere to key stipulations in Deut 25. Additionally, there is no direct association in the Pentateuchal codes relating land redemption with levirate marriage, but again, just such a connection appears to be foundational in Boaz's transaction at the city gate. Scholars have proposed a number of solutions dealing with one or both of these issues, but as participants in the debate interpret the same data in different ways, no convincing solution has emerged. In an effort to take a new approach to this old problem, then, I will examine the marriage between Tobias and Sarah in the book of Tobit and its parallels with the marriage of Ruth and Boaz. I will argue that, as the text of Tobit deals with the implications of disparate law codes, so the book of Ruth also demonstrates the interaction of apparently unrelated laws in the lives of biblical characters.

Another Look at the Marriage of Ruth and Boaz: A Way Forward through the Book of Tobit

I. Introduction

The marriage between Ruth and Boaz in Ruth 4 is a perennial and vexing problem for scholars of biblical law, particularly as it relates to issues of levirate marriage and redemption.¹ It is clear that a major point in the story's plot hinges on the interaction between Boaz and Pelsoni-Almoni as they negotiate for Elimelech's land and for Ruth's hand, but there is no explanation in the text for why Boaz casts the marriage as a quasi-levirate marriage, or what prompts the characters to link redemption law with levirate law.² In an attempt to explain this

¹ In this paper, I will distinguish between the character Ruth and the book of *Ruth* by setting references to the latter in italics where no chapter/verse references follow.

² While it is unnecessary to argue that *Ruth* deals with redemption (cf. Ruth 2:20; 3:9, 12-13; 4:1, 3-4, 6-8), there is a great deal of literature discussing whether or not Ruth 4 sees Ruth and Boaz's marriage as a levirate marriage (cf. Robert Gordis, "Love, Marriage, and Business in the Book of Ruth: A Chapter in Hebrew Customary Law," in *A Light unto My Path: Old Testament Studies in Honor of Jacob M. Myers* [ed. Howard N. Bream, Ralph D. Heim, and Carey A. Moore; Gettysburg Theological Studies 4; Philadelphia: Temple University Press, 1974], 246-52; D. R. G. Beattie, "The Book of Ruth as Evidence for Israelite Legal Practice," *VT* 24, no. 3 [1974]: 258-67; Jack Sasson, *Ruth: A New Translation with a Philological Commentary and a Formalist-Folklorist Interpretation* [JHNES; Baltimore: The Johns Hopkins University Press, 1979], 125-36; Murray D. Gow, *The Book of Ruth: Its Structure, Theme, and Purpose* [Leicester: Apollos, 1992], 181-82; Frederic W. Bush, *Ruth, Esther* [WBC 9; Dallas: Word Books, 1996], 211-19). Space considerations prevent me from discussing this material in full, but I note the following similarities between *Ruth* and Deut 25:5-10 as grounds for agreeing with Daniel Block when he says that, at the least, Ruth 4 follows the "spirit" of the law (*Judges, Ruth* [NAC 6; Nashville: Broadman & Holman, 1999], 715): first, though she rejects the possibility, Naomi does broach the topic of levirate marriage when she refers to Orpah as Ruth's "levirate sister" (יבמה) (Ruth 1:15); second, Boaz explains that the purpose of marrying Ruth is, "to establish the dead man's name on his inheritance (להקים שם המת על נחלתו)" (Ruth 4:5,10), which is similar to Deuteronomy's concerns that a *levir*, "establish a name in Israel for his brother (להקים לאחיו שם בישראל)", and that

situation, scholars in the modern period have tried to identify a genetic relationship between *Ruth*, Deut 25, and Gen 38 – each of which deals with the levirate custom, but no consensus has arisen from this approach. Some hold that the levirate custom developed in a linear fashion with *Ruth* evincing its oldest form. The story pictures a broad pool of potential marriage partners, and so it has no need to compel any particular man to perform the role. Genesis 38, then, describes the next instantiation of levirate practice. In this case, the pool of prospective mates consists only of a dead man's brothers or his father, but these men are obligated to participate in the custom.³ Finally, Deut 25:5-10 describes the latest stage in the legal tradition. The law code restricts the pool of potential partners to brothers who live together, and it punishes any man that will not fulfill his duty.⁴ Others, though, argue for a different arrangement of the biblical data. Ziony Zevit and Eryl Davies, who differ from each other on details, generally see the line of development running from Gen 38, to Deut 25:5-10, and on to the book of *Ruth*. In the earliest stage, any one of a dead man's family members could fulfill the levirate obligation, but Deut 25:5-10 sought to restrict the pool to brothers who live together. *Ruth*, then, reacts to Deuteronomy's narrow view and broadens the pool of potential partners, even allowing men from the extended family to participate. Further, as the pool of partners has so greatly increased, the need for social compulsion becomes unnecessary.⁵ Thus, while both camps agree that we can explain the peculiarities of Ruth 4 through historical development, each side uses the same data to argue for opposing positions.

In an effort to move beyond this impasse, I would suggest a new approach to positioning the legal practice that stands behind the marriage of Ruth and Boaz. Rather than holding *Ruth* up to Gen 38 and Deut 25:5-10, I believe that the marriage of Tobias and Sarah in the book of *Tobit* provides a more illuminating comparison.⁶ It has the advantage of comparing *Ruth* with a text whose date we can fix with relative certainty in the Hellenistic period, thereby avoiding questions of dating various biblical passages, and it also avoids the need to decide how or why a particular custom evolved from one text to another.⁷

the son of a levirate marriage, “stand on the name of the man's brother – the dead man *that is* (יקום על שם אחיו) (המת)” (Deut 25:6-7); third, Boaz expresses a desire that, “the dead man's name not be cut off from with his brothers, or from the gate of his place (ולא יכרת שם המת מעם אחיו ומשער מקומו)” (Ruth 4:10), which also relates to Deuteronomy's drive to ensure that, “his [the dead man's] name is not wiped away from Israel (ולא ימחה שמו) (מישראל)” (Deut 25:6).

³ For a possible analog, see HC § 193 in the Hittite law code.

⁴ Calum M. Carmichael (*Women, Law, and the Genesis Traditions* [Edinburgh: Edinburgh University Press, 1979], 90) and Ronald M. Hals (*The Theology of the Book of Ruth* [FBBS 23; Philadelphia: Fortress, 1969], 66-67) both follow this line of thought. H. H. Rowley (“The Marriage of Ruth,” *HTR* 40, no. 2 [1947]: 82-85) and Dvora E. Weisberg (*Levirate Marriage and the Family in Ancient Judaism* [HBI Series on Jewish Women; Lebanon: Brandeis University Press; University Press of New England, 2009], 33-36) argue for a similar development in the levirate custom, but they are more cautious about locating *Ruth* in history on these grounds.

⁵ Ziony Zevit, “Dating Ruth: Legal, Linguistic and Historical Observations,” *ZAW* 117 (2005): 576-82; Eryl W. Davies, “Inheritance Rights and the Hebrew Levirate Marriage: Part 2,” *VT* 31, no. 3 (1981): 267.

⁶ As with my distinction between the character Ruth and the book of *Ruth*, I distinguish between the character Tobit and the book of *Tobit* by setting the latter in italics.

⁷ For a helpful summary of current views on *Tobit's* text and date, see Geoffrey David Miller, *Marriage in the Book of Tobit* (DCL.St 10; Berlin: Walter de Gruyter, 2011), 5-14.

II. Comparing *Ruth* and *Tobit*

For the sake of time, I will not review the details of the *Tobit* story here. Instead, I will focus primarily on the narrative's perception of the relationship between Tobias and Sarah. I will then highlight points of similarity in the *Ruth* narrative.

A. Kin Relations, Marriage, and the Law in *Tobit*

While scholars have given considerable attention to the idea of marriage in *Tobit*, it is the connection between kinship language, marital priority, the Law of Moses, and family property that should draw our attention.⁸ In three different places, *Tobit* describes Tobias and Sarah's relationship through familial ties and attributions of nearness.⁹ In the G^{II} version of *Tobit*, which scholars generally agree represents the older form of the story, Raguel and Edna describe Tobias' father Tobit as "my/our brother (ἀδελφῶ μου / ἀδελφὸν ἡμῶν)" (Tob 7:2, 4), but the Aramaic tradition of Tob 7:2 identifies him as the "son of my [Edna's] uncle (בר דדי)". Thus, the Aramaic gives an oblique reference to the order of Tobias' relation to Sarah. Further, the narrative takes pains to explain Tobias' proximity to Sarah on their family tree. Azariah, Tobias' traveling companion in the story, explains that Tobias is Sarah's nearest relative (אנתה ק[רי]ב לה [על כל אנש] [שעל כל אנש], σὺ ἔγγιστά αὐτῆς εἶ παρὰ πάντας ἀνθρώπους) (Tob 6:12), and Raguel admits that he has no closer relative than Tobias (σὺ ἔγγιστά μου, no Aramaic) (Tob 7:10). This, then, accounts for five statements in *Tobit* that Tobias has the right to marry Sarah. First, though Sarah believes that there is no one left for her to marry (ה[ה] ל[א] א[יתי] ל[ה] וקריב לה חא; οὔτε συγγενῆς αὐτῷ ὑπάρχει), she says that if a near relative did exist, she would keep herself for that man (אנטר נ[פשי] לבר ד[ה] אנתה לה [הו]א; συντηρήσω ἑμαυτὴν αὐτῷ γυναῖκα) (Tob 3:15). Second, the narrator explains that Tobias is destined to have Sarah above anyone else wanting to marry her (Τωβια ἐπιβάλλει κληρονομήσαι αὐτὴν παρὰ πάντας τοὺς θέλοντας λαβεῖν αὐτήν; no Aramaic) (Tob 3:17). Third, Azariah asserts that it is Tobias' right to marry Sarah ([אנת] ל[די] א[ית] א[נת] [אנת]; σοὶ δικαιοῦται κληρονομήσαι) (Tob 6:12). Fourth, Azariah makes it clear that Raguel is not able to give Sarah to another man beside him (וידע אנה די לא יכול רעואל למכילה מנה; οὐ μὴ δυνηθῆῖ Παγουηλ κωλύσαι αὐτὴν ἀπὸ σοῦ) (Tob 6:13). Fifth, Raguel also says that he has no power to give Sarah to any man beside Tobias (οὐ γάρ ἐστιν ἄνθρωπος ᾧ καθήκει λαβεῖν Σαρραν τὴν θυγατέρα μου πλην σοῦ...ἐγὼ οὐκ ἔχω ἐξουσίαν δοῦναι αὐτὴν ἑτέρῳ ἀνδρὶ πλην σοῦ; no Aramaic) (Tob 7:10).

The narrative never clarifies why the characters must behave in this way, but references in the text to the Book/Law of Moses (Tob 6:13; 7:11-13) have prompted interpreters to look to the Pentateuch for an explanation. Surprisingly, a few scholars turn to Deut 25:5-10 and Ruth 4:1-12, and suggest that the author of *Tobit* sees Tobias and Sarah's marriage as a levirate marriage.¹⁰ However, this seems unlikely for five reasons. First, Sarah never consummates any

⁸ So Miller, *Marriage*.

⁹ For the texts of *Tobit* from Qumran, see Magen Broshi et al., eds., *Qumran Cave 4: XIV, Parabiblical Texts, Part 2* (DJD 19; Oxford: Clarendon, 1995), 1-76. For the G^{II} version of *Tobit*, see Robert Hanhart, *Tobit* (Septuaginta. Vetus Testamentum Graecum, Auctoritate Academiae Scientiarum Gottingensis editum VIII, 5; Göttingen: Vandenhoeck & Ruprecht, 1983), though one should also be aware of Stuart Weeks' comments about using the G^{II} version of *Tobit* ("Restoring the Greek Tobit," *JSJ* 44, no. 1 [2013]: 1-15).

¹⁰ Carey A. Moore, *Tobit: A New Translation with Introduction and Commentary* (AB 40a; New York: Doubleday, 1996), 203; Joseph A. Fitzmyer, *Tobit* (CEJL; Berlin: Walter de Gruyter, 2003), 212.

of the marriages with her previous husbands (Tob 7:11). Second, there is no reference in the text either to levirate marriage or to establishing a dead man's name. Third, Tobias is clearly not a brother of any of Sarah's previous seven husbands.¹¹ Fourth, if this were a leviratic marriage, we would expect Sarah to be living with the family of one of her dead husbands and that this family would be pressing the case for Tobias to raise up an heir for their son. Fifth, Raguel's reference to the death penalty should he give Sarah to another man seems out of place.¹² As a second option, then, interpreters often tie *Tobit's* perspective to the story of Zelophehad's daughters in Num 27:1-11; 36:1-12.¹³ In that story, Zelophehad dies during Israel's wilderness wanderings and leaves behind three daughters (Num 27:1-3). These women ask Moses for the right to inherit their father's allotment in Canaan as he had no sons, and Yhwh approves the request, provided that they marry within their own tribe (Num 27:3-7; 36:6). Relating *Tobit* with this story is preferable for three reasons. First, it explains the emphasis in *Tobit* on Sarah as Raguel and Edna's only child (Tob 3:15; 6:12). Second, it clarifies the story's interest in endogamy (cf. Tob 1:9; 3:15; 4:12; 6:16). Third, it accounts for the repeated references in the story to Tobias' right to inherit Raguel's estate (Tob 6:12; 8:21; 14:13).¹⁴

B. Kin Relations and Marriage in *Ruth*

In a similar way to Tobias and Sarah's relationship, the *Ruth* narrative also portrays Boaz and Ruth's relationship as a matter of kinship ties and degrees of nearness. In Ruth 2:1, the narrator introduces Boaz generally as a "relative (מודע)", but in v. 20, Naomi informs Ruth that he is one of their close relatives (קרוב לנו).¹⁵ Neither Naomi nor the narrator indicates that this relationship bears any special meaning, but as we see in ch. 3, Boaz's precise degree of nearness is essential for the plot. Specifically, Boaz cannot forge a relationship with Ruth because another redeemer stands in even closer proximity to her than he does (יש גאל קרוב ממני) (v. 12). Thus, the author employs a similar conception of kinship relation and priority in marriage rights to that of *Tobit*. Because this man is more closely related than Boaz, he also has a prior right to take Ruth (v. 13). This perspective resurfaces in ch. 4 when Boaz deals with the nearer redeemer directly. In v. 4, Boaz expresses his belief that no one other than this man may redeem Naomi's land (אין זולתך לגאול), which he later explains will also entail marrying Ruth (v. 5).¹⁶ Further,

¹¹ Though, one might argue that if the custom had expanded to include extended family members, such an objection is moot.

¹² For similar comments, see Will Soll, "The Family as Scriptural and Social Construct in *Tobit*," in *The Function of Scripture in Early Jewish and Christian Tradition* (eds. Craig A. Evans and James A. Sanders; JSNTSup 154; Studies in Scripture in Early Judaism and Christianity 6; Sheffield: Sheffield Academic Press, 1998), 171.

¹³ See Thomas Hieke, "Endogamy in the Book of *Tobit*, Genesis, and Ezra-Nehemiah," in *The Book of Tobit: Text, Tradition, Theology* (ed. Géza G. Xeravits and József Zsengellér; JSJSup 98; Leiden: Brill, 2005), 105-07, 119; Soll, "Family," 171.

¹⁴ Admittedly, reference to Num 27:1-11; 36:1-12 does not explain Raguel's fear of death should he give Sarah to anyone but Tobias.

¹⁵ Reading the *qere*. See the related noun מודעת in Ruth 3:2.

¹⁶ As the reader will likely know, there is a *ketib/qere* at this point in the story. The consonantal text has Boaz acquiring Ruth, whereas the reading tradition puts the onus on Peloni-Almoni. There has been much discussion on this crux (cf. Gordis, "Love", 246-52; Beattie, "Book of Ruth", 258-67; Sasson, *Ruth*, 125-36), but I agree with Bush when he says that Boaz's words in Ruth 3:12-13 indicate that Peloni-Almoni has first rights to marry Ruth (*Ruth, Esther*, 227-28). If it were not so, Boaz could have accepted Ruth's proposal on the threshing floor.

after Boaz introduces the obligation to marry Ruth, the nearer redeemer refers to the right of redemption as a right that appropriately belongs to him (גאֹלְתִי) (v. 6).¹⁷

Additionally, we should note how *Tobit* and *Ruth* both go beyond the texts on which they draw. If we look past *Tobit* back to Num 27 and 36, we can see that, when dealing with women who inherit family property, these passages never articulate any kind of hierarchy of marriageable partners based on kin relations. In fact, Num 36:6, 8 state that a woman in this situation may marry whomever she pleases, as long as her husband comes from a clan within her father's tribe. The idea of a strict line of potential marriage partners is distinctive in *Tobit*. Turning to *Ruth* and Deut 25:5-10, we can see here as well that Deuteronomy does not account for the hierarchy of marriage partners that *Ruth* depicts. Deuteronomy 25:5 explains that the law applies to brothers who live together, but it does not give an order of priority. In Gen 38, the duty passes to Onan, the eldest of Er's remaining brothers (vv. 3-4, 8), but before we assume a rule of primogeniture, we must remember that Shela is too young to marry at that time (vv. 5, 11).¹⁸ We can imagine a number of plausible ways to administer the law. If a father was still living when his son died, perhaps he would designate a *levir* from among his sons (cf. Gen 38:8). It is also possible that the brother most able to afford another wife would fill the role (cf. Exod 21:10). Last, it would even make sense for the responsibility to fall on an unmarried brother. What is important for our purposes, though, is that in any way that Boaz might appropriate Deut 25:5-10, it would not articulate a hierarchy of men who could marry Ruth. Thus, these features beg the question of how both authors could have formed such similar innovations.

III. Numbers 27, Leviticus 25, and Legal Application

As a final step in this investigation, I believe that we can explain the similarities in *Tobit* and *Ruth* if we consider that these texts may be attempting to apply what are presumably unrelated law codes from the Pentateuch. Specifically, if we examine Num 27:9-11 and Lev 25:25, 47-49, we find kinship and priority language addressing matters of property ownership.

¹⁷ The following chart brings the related vocabulary together for ease of comparison:

	<i>Tobit</i>	<i>Ruth</i>
Degree of familial relation	בר דדי // ἀδελφός (7:2)	מודע (2:1)
	קריב // ἐγγύς (3:15)	קרוב (2:20)
	קריב על כל // ἔγγιστα πὰρὰ πάντας (6:12)	קרוב מן (3:12)
Priority of marriage rights	קריב ל[א איתי] ל[ה] // οὔτε συγγενῆς αὐτῶ ὑπάρχει (3:15)	אין זולתך (4:4)
	κληρονομήσαι αὐτήν πὰρὰ πάντας (3:17)	
	[ד] דינא [ו] σοι δικαιοῦται (6:12)	גאלתי (4:6)
	לא יכול למכילה מנך // οὐ μὴ δυνηθῆῖ κωλύσαι αὐτήν ἀπὸ σοῦ (6:13)	יש גאל קרוב ממני (3:12)
	οὐ ἐστὶν ἄνθρωπος ὃ λαβεῖν Σαρραν...πλὴν σοῦ (7:10)	אין זולתך (4:4)

¹⁸ Gen 38:14 confirms that Judah is not lying about Shelah's age. We might cite Matt 22:24-26 as evidence of a rule of primogeniture, but it is worth noting that the ordinal progression from the first brother to the seventh is simply a part of the story. Jesus does not imply any legal status in the example.

A. Kinship Language and Property Ownership in Numbers 27 and Leviticus 25

In Num 27, after granting Zelophehad's daughters the right to inherit their father's allotment, Yhwh gives further stipulations to govern the case where a man dies without a son or a daughter. In an ordered hierarchy, the man's brothers are first to possess his land, then the man's paternal uncles if there are no brothers, and if neither of these relatives exist, then the land goes to the nearest relative from the clan (ונתתם את נחלתו לאחיו ואם אין לו אחים ונתתם את נחלתו) (vv. 9-11). In Lev 25:25, 47-49, there is similar language, but here the text deals with a living relative who has become impoverished. If this person sells his land due to his poverty (כי ימוך אחיך ומכר מאחוזתו), the nearest redeemer is to come and redeem the land (ובא גאלו הקרב אליו וגאל את ממכר אחיו) (v. 25). Progressing past this point, though, if a poor Israelite sells himself into slavery to a foreigner (ומך אחיך...ונמכר לגר), at this time anyone may redeem this man: an undefined Israelite, or an uncle, or a cousin, or a blood relative from the clan (אחד מאחיו יגאלנו או דדו או בן דדו יגאלנו) (vv. 47-49).¹⁹

The similarities between these passages and our texts are fairly obvious. Both *Tobit* and *Ruth* evidence a belief that kinship relations should regulate particular situations dealing with property ownership. Like Numbers and Leviticus, both stories use language of nearness (קרוב, קרוב) or the lack of potential candidates (אין זולה, לא איתי), which determines who is able to take family property. However, it is the ways in which *Tobit* and *Ruth* go beyond the vision of Numbers and Leviticus that calls for explanation.

B. Legal Application in *Tobit* and *Ruth*

In normal inheritance situations where property passes from father to son, the perpetuation of the family name on family land is secure. Yet, if a daughter comes to inherit property, as with Zelophehad's daughters, problems arise. The leaders of Manasseh complain that, if Zelophehad's daughters marry outside of their tribe, their property will transfer away from Manasseh to their husbands' tribes (Num 36:1-4). Therefore, Yhwh puts restrictions in place to keep a tribe's holdings together (Num 36:6-8), but by logical extension, the same problem should obtain for family holdings. Even when marrying within the tribe, if a woman inherits land and becomes a part of another family, her property will transfer to that man's family and her own family's holdings will diminish. From the family's perspective, then, it would have been better if the man had died without children for they would have retained his land. Thus, *Tobit* appears to have made a compromise between the various concerns in Num 27 and 36. The story respects Sarah's right to inherit Raguel's estate, but it also activates the stipulations laid out in Num 27:9-11 for the sake of the family. *Tobit* ignores a woman's freedom to marry as she pleases, but makes good on Yhwh's instructions to maintain the integrity of land allotments.²⁰

¹⁹ The use of אח (brother) in apposition to בני ישראל (sons of Israel) in Lev 25:46 indicates that אח connotes a fellow Israelite in Lev 25:48. The LXX, which drops the ו particle at the beginning of Lev 25:49, appears to take the term as referring to an actual brother, but this clearly harmonizes the passage with Num 27:9-11.

²⁰ The Aramaic version of Tob 7:2 does specify Tobias as a maternal relative of Sarah, but Raguel still recognizes him as his closest male relative (Tob 7:10).

Turning to the *Ruth* story, a similar yet distinct situation seems to be in effect. In the cases cited from Lev 25, there is a noticeable difference between rights of redemption as they relate to land and people. With land, nearness of relation governs the order of priority in redemption (v. 25). This accords with the conception of priority over familial holdings in Num 25:9-11. However, when an Israelite sells himself into debt slavery, there is no hierarchy for who can redeem him.²¹ The text does not give a reason for the distinction, but this may relate to the fact that redeeming such a person would not affect the continuance of his line. As a debt servant, the man could still sire sons who would then return to his land in the year of Jubilee.²² What is important is that he not be a slave of a foreigner. *Ruth*, then, brings these ideas together. After the harvest season ends (Ruth 2:23), with no other means of supporting herself and Naomi, Ruth would likely have to put herself into debt slavery. Therefore, she asks Boaz to redeem her (Ruth 3:9), which should pose no problems with priority.²³ However, Boaz knows that there is also land to redeem, and so he connects the right of priority to the land with the right of priority to Ruth (Ruth 3:12; 4:5).²⁴ This provides an explanation for why the story combines the levirate custom with redemption law. Elimelech's land ought to pass along according to degrees of kinship, which Boaz acknowledges in Ruth 4:4. On the other hand, Boaz, or any concerned Israelite, could normally redeem Ruth. However, because Ruth is capable of birthing a son who could carry on Elimelech/Mahlon's name according to the legal fiction of levirate marriage, her potential son could lay claim to land that would be in another man's possession. Her status throws the status of the land into question. A simple solution then, is for the community to invoke the laws of land redemption/inheritance. If she marries the nearest kinsman, but bears no son, the land will pass to its rightful owner (cf. Num 27:9-11). If she does bear a son, this man will already be in possession of the land and will be able to turn it over to his son. Admittedly, this explanation goes one step further than *Tobit* does, bringing together two legal codes (Lev 25 and Deut 25:5-10) where *Tobit* only deals with one case (Num 27, 36), but the idea of legal application does provide a single mechanism for explaining both stories.

IV. Conclusion

Whether or not one agrees with my explanation of how *Ruth* and *Tobit* apply Pentateuchal law, the similarities in the stories' assumptions and practices are forceful.²⁵ Both narratives focus on the intricacies of kin relations, and they use this information to construct a hierarchy of potential marriage partners for an important female character. Further, as *Tobit* does not appear to draw on the book of *Ruth* or on Deut 25:5-10, it seems likely that both texts represent their authors' desire to hold together discreet Torah instructions on marriage and possession of family land. *Tobit* allows Sarah to inherit Raguel's estate, but it also acknowledges that this property should pass to Tobias as he is Raguel's nearest relation. *Ruth* also recognizes that Elimelech's land should go to his nearest relative, but Ruth, who could potentially resurrect Elimelech's line, complicates the matter. While I have passed over the

²¹ Note how the passage has no language for priority or absence of eligible relatives (cf. Num 27, Tob, Ruth), but rather uses the alternative particle וְ (or) to create a serial list of people who may redeem.

²² Presuming that he would have sold his land before selling himself.

²³ Jer 32:7 indicates that a preemptive purchase still counts as redemption.

²⁴ This is one of the rare cases in *Ruth* where the author allows a character to know more than the reader. As a plot device, though, it draws the reader along into ch. 4 as we seek resolution for Ruth.

²⁵ Though she pursues the issue using different data, Adele Berlin ("Legal Fiction: Levirate *cum* Land Redemption in Ruth," *Journal of Ancient Judaism* 1 [2010]: 3-18) has also recently argued that *Ruth* attempts to read Lev 25 with Deut 25:5-10.

specific question of how the levirate custom might have evolved in Ancient Israel, it may now be possible to see the combination of redemption language in *Ruth* with the story's unique approach to levirate marriage as an attempt to hold together disparate law codes from the Pentateuch. As a late text, it is not that *Ruth* is trying to countermand Deut 25. Rather, the text is able to activate Deut 25 because of its need to deal appropriately with familial land holdings.

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