

~BROTHER-IN-LAW MARRIAGE (348)

- Known also as levirate marriage, a custom whereby a man would marry his deceased brother's sonless widow in order to produce offspring to carry on his brother's line. The Hebrew verb meaning perform brother-in-law marriage is *ya-vam'*, related to the Hebrew terms for brother-in-law and brother's widow.
- In view of that Judah said to Onan; Have relations with your brother's wife and perform **brother-in-law marriage** with her and raise up offspring for your brother. (**Genesis 38:8**)
- In case brothers dwell together and one of them has died without his having a son, the wife of the dead one should not become a strange man's outside. Her **brother-in-law** should go to her, and he must take her as his wife and perform **brother-in-law marriage** with her. (**Deuteronomy 25:5**) Footnote
- Now if the man finds no delight in taking his brother's widow, his brother's widow must then go up to the gate to the older men and say; My husband's brother has refused to preserve his brother's name in Israel. He has not consented to perform **brother-in-law marriage** with me. (**Deuteronomy 25:7**)
- The Law regarding **brother-in-law marriage** at;
- In case brothers dwell together and one of them has died without his having a son, the wife of the dead one should not become a strange man's outside. Her **brother-in-law** should go to her, and he must take her as his wife and perform **brother-in-law marriage** with her. (**Deuteronomy 25:5**)
- And it must occur that the firstborn whom she will bear should succeed to the name of his dead brother, that his name may not be wiped out of Israel. (**Deuteronomy 25:6**)
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brother, that his name may not be wiped out of Israel.
(Deuteronomy 25:5)

- This doubtless applied **whether the surviving brother was married or not**. Yehowah is the one to whom every family in heaven and on earth owes its name.
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(Ephesians 3:15)
- He shows concern for the preservation of the family name and line. This principle was followed in patriarchal times and was later incorporated into the Law covenant with Israel. The woman was not to become a strange man's outside, that is, she should not marry anyone outside the family.
- When her **brother-in-law** took her, the firstborn would bear, not the name of the **brother-in-law**, but that of the deceased man. This does not mean that the child always bore the same given name but that he carried on the family line and the hereditary possession remained in the household of the deceased man.
- In case brothers dwell together apparently did not mean that they lived in the same house but in the same vicinity. However, the **Mishnah [Yevamot 2:1,2]** says that it meant not in the same community but at the same time.
- Of course, living at a great distance would make it difficult for the brother to take care of his own and his brothers inheritance until an heir could do it. But family inheritances were usually in the same area.
- An example of **brother-in-law marriage** in patriarchal times is the case of Judah. He took a wife, Tamar, for Er his firstborn, and when Er proved wicked in Yehowah's eyes, Yehowah put him to death. In view of that Judah said to Onan, Er's brother:
- **Have relations with your brother's** wife and perform brother-in-law marriage with her and raise up offspring for your brother. But Onan knew that the offspring would not become his, and it occurred that when he did have relations with his brother's wife he wasted his semen on the earth so as not to give offspring to his brother. (Genesis 38:8,9)

- Because Onan refused to fulfill his obligation in connection with the arrangement of **brother-in-law marriage**, Yehowah put him to death. Judah then told Tamar to wait until his third son Shelah matured, but Judah did not require Shelah to perform his duty toward Tamar.
- In due time, after the death of Judah's wife, Tamar maneuvered events so as to get an heir from her father-in-law. This she did by disguising herself, putting on a shawl and a veil, and seating herself by the road along which she knew Judah would be passing. Judah took her for a harlot and had relations with her.
- She obtained tokens from him as evidence of their relations, and when the truth came out, Judah did not blame her but declared that she was more righteous than he was. The record states that he did not have further intercourse with her when he learned who she was. Thus Judah himself unwittingly produced an heir to Er through his daughter-in-law. (**Genesis Chapter 38**)
- Under the Law, in case a **brother-in-law** did not want to perform his duty, the widow was to take the matter to the older men of the city and inform them of this fact. He was to appear before them and state that he did not want to marry her.
- At that the widow was to draw off his sandal from his foot and spit in his face. After this the man's name must be called in Israel The house of the one who had his sandal drawn off, an expression of reproach toward his household.
- Now if the man finds no delight in taking his brothers widow, his brothers widow must then go up to the gate to the older men and say; My husband's brother has refused to preserve his brother's name in Israel. He has not consented to perform **brother-in-law marriage** with me. (**Deuteronomy 25:7**)
- And the older men of his city must call him and speak to him, and he must stand and say; I have found no delight in taking her. (**Deuteronomy 25:8**)
- At that his brother's widow must approach him before the **eyes of the older men and draw his sandal off his foot and spit in his face and answer and say**; That is the way it should be done to the man who will not build up his brother's household. (**Deuteronomy 25:9**)

- **And his name must be called in Israel, The house of the one who had his sandal drawn off. (Deuteronomy 25:10)**
- **The practice of taking off the sandal may have arisen from the fact that when anyone took possession of landed property he did so by treading upon the soil and asserting his right of possession by standing upon it in his sandals. In taking off his sandal and handing it to another, he was renouncing his position and property before the constituted older witnesses at the city gate.**
- **Now this was the custom of former times in Israel concerning the right of repurchase and concerning the exchange, to establish every sort of thing. A man had to draw his sandal off and give it to his fellow, and this was the attestation in Israel. (Ruth 4:7)**
- **Further light is thrown on the matter in the book of Ruth. A Judean man named Elimelech died, as did his two sons, leaving his widow Naomi and two widowed daughters-in-law. There was a man referred to in the Bible as So-and-so who was a close relative of Elimelech, perhaps a brother.**
- **This one, being nearest of kin, was the one called the *go- 'el*, or the repurchaser. This one refused to carry out his duty but drew off his sandal and evidently gave it to Boaz, thus leaving Boaz the next nearest of kin with the right of repurchase.**
- **Boaz then bought Elimelech's land and thereby took Naomi, but since Naomi was too old for childbearing, the widowed daughter-in-law Ruth was actually the one becoming the wife to Boaz to raise up a child to the name of Elimelech.**
- **When the child Obed was born, neighbor ladies said, A son has been born to Naomi, considering the child the son of Elimelech and Naomi. Boaz and Ruth performed a service to Yehowah, the name given to their son meaning Servant, One Serving. Yehowah blessed this arrangement, for Obed became the ancestor of David and was, therefore, in the direct lineage of Jesus Christ.**
- **As for Boaz, he went up to the gate and began to sit there. And, look! The repurchaser was passing by, whom Boaz had mentioned. Then he said; Do turn aside, do sit down here, So-and-so. Hence he turned aside and sat down. (Ruth 4:1)**

- **After that he took ten men of the older men of the city and said, Sit down here. So they sat down. (Ruth 4:2)**
- **He now said to the repurchaser; The tract of the field that belonged to our brother Elimelech, Naomi, who has returned from the field of Moab, must sell. (Ruth 4:3)**
- **As for me, I thought that I should disclose it to you, saying; Buy it in front of the inhabitants and the older men of my people. If you will repurchase it, repurchase it, but if you will not repurchase it, do tell me, that I may know, for there is no one else but you to do the repurchasing, and I am next to you. At that he said; I shall be the one to repurchase it. (Ruth 4:4)**
- **Then Boaz said; On the day that you buy the field from Naomi's hand, it is also from Ruth the Moabitess, the wife of the dead man, that you must buy it so as to cause the name of the dead man to rise upon his inheritance. (Ruth 4:5)**
- **To this the repurchaser said; I am unable to repurchase it for myself, for fear I may ruin my own inheritance. You repurchase it for yourself with my right of repurchase, because I am not able to do the repurchasing. (Ruth 4:6)**
- **Now this was the custom of former times in Israel concerning the right of repurchase and concerning the exchange, to establish every sort of thing; A man had to draw his sandal off and give it to his fellow, and this was the attestation in Israel. (Ruth 4:7)**
- **So when the repurchaser said to Boaz; Buy it for yourself, he proceeded to draw his sandal off. (Ruth 4:8)**
- **Then Boaz said to the older men and all the people; You are witnesses today that I do buy all that belonged to Elimelech and all that belonged to Chilion and Mahlon from the hand of Naomi. (Ruth 4:9)**
- **And also Ruth the Moabitess, the wife of Mahlon, I do buy for myself as a wife to cause the name of the dead man to rise upon his inheritance and that the name of the dead man may not be cut off from among his brothers and from the gate of his place. You are witnesses today. (Ruth 4:10)**
- **At this all the people that were in the gate and the older men**

- said, Witnesses! May Yehowah grant the wife who is coming into your house to be like Rachel and like Leah, both of whom built the house of Israel, and you prove your worth in Ephrathah and make a notable name in Bethlehem. ([Ruth 4:11](#))
- And may your house become like the house of Perez, whom Tamar bore to Judah, from the offspring that Yehowah will give you out of this young woman. ([Ruth 4:12](#))
 - Accordingly Boaz took Ruth and she became his wife and he had relations with her. So Yehowah granted her conception and she bore a son. ([Ruth 4:13](#))
 - And the women began to say to Naomi; Blessed be Yehowah, who has not let a repurchaser fail for you today, that his name may be proclaimed in Israel. ([Ruth 4:14](#))
 - And he has become a restorer of your soul and one to nourish your old age, because your daughter-in-law who does love you, who is better to you than seven sons, has given birth to him. ([Ruth 4:15](#))
 - And Naomi proceeded to take the child and to put it in her bosom, and she came to be its nurse. ([Ruth 4:16](#))
 - Then the neighbor ladies gave it a name, saying; A son has been born to Naomi. And they began to call his name Obed. He is the father of Jesse, David's father. ([Ruth 4:17](#))
 - Now these are the generations of Perez. Perez became father to Hezron. ([Ruth 4:18](#))
 - And Hezron became father to Ram, and Ram became father to Amminadab. ([Ruth 4:19](#))
 - And Amminadab became father to Nahshon, and Nahshon became father to Salmon. ([Ruth 4:20](#))
 - And Salmon became father to Boaz, and Boaz became father to Obed. ([Ruth 4:21](#))
 - And Obed became father to Jesse, and Jesse became father to David. ([Ruth 4:22](#))

- The right of **levirate marriage** evidently descended to the nearest male relative as outlined in the Law governing inheritance of property, namely, the oldest brother, other brothers according to age, then the paternal uncle, and so forth.
- At that Moses presented their case before Yehowah. (**Numbers 27:5**)
- Yehowah then said this to Moses. (**Numbers 27:6**)
- The daughters of Zelophehad are speaking right. By all means you should give them the possession of an inheritance in the midst of their father's brothers, and you must cause their fathers inheritance to pass to them. (**Numbers 27:7**)
- And to the sons of Israel you should speak, saying; In case any man should die without his having a son, you must then cause his inheritance to pass to his daughter. (**Numbers 27:8**)
- And if he has no daughter, you must then give his inheritance to his brothers. (**Numbers 27:9**)
- And if he has no brothers, you must then give his inheritance to his father's brothers. (**Numbers 27:10**)
- And if his father has no brothers, you must then give his inheritance to his blood relation who is closest to him of his family, and he must take possession of it. And it must serve as a statute by judicial decision for the sons of Israel, just as Yehowah has commanded Moses. (**Numbers 27:11**)
- In the reference made to **brother-in-law marriage** at;
- On that day Sadducees, who say there is no resurrection, came up to him and asked him. (**Matthew 22:23**)
- Teacher, Moses said; If any man dies without having children, his brother must take his wife in marriage and raise up offspring for his brother. (**Matthew 22:24**)
- Now there were seven brothers with us, and the first married and deceased, and, not having offspring, he left his wife for his brother. (**Matthew 22:25**)

- It went the same way also with the second and the third, until through all seven. (**Matthew 22:26**)
- Last of all the woman died. (**Matthew 22:27**)
- Consequently, in the resurrection, to which of the seven will she be wife? For they all got her. (**Matthew 22:28**)
- However, some of the Sadducees, those who say there is no resurrection, came up and questioned him. (**Luke 20:27**)
- Saying; Teacher, Moses wrote us; If a man's brother dies having a wife, but this one remained childless, his brother should take the wife and raise up offspring from her for his brother. (**Luke 20:28**)
- Accordingly there were seven brothers, and the first took a wife and died childless. (**Luke 20:29**)
- So the second. (**Luke 20:30**)
- And the third took her. Likewise even the seven: they did not leave children behind, but died off. (**Luke 20:31**)
- Lastly, the woman also died. (**Luke 20:32**)
- Consequently, in the resurrection, of which one of them does she become the wife? For the seven got her as wife. (**Luke 20:33**)
- It is indicated that the duty to marry the childless man's widow **would pass from one brother to the next** in the event of their successive deaths. Another brother evidently **could not run ahead** of the older brother, who had the prior obligation, **unless the older brother refused to exercise it.**