

Shavuot – Megillat Rut – The Eternal Bond

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At the end of Megillat Rut, Boaz tells Rut that her noble actions have not gone unnoticed and as a reward for her loyalty, he will not rest until he has taken care of her. He implies that he personally would like to “redeem” her, but there is a closer “redeemer” who has precedence. If the closer relative is unwilling to marry Rut, then Boaz promises to take her as a wife. The next morning Boaz organizes a public meeting in front of the elders of the city where he offers the closest relative of Elimelech the opportunity to redeem the fields sold by the family upon their departure from Beit Lechem to Sdei Moav. Ploni Almoni, exercising his first right of refusal as the closest relative, jumps at the opportunity to redeem the field on behalf of the family. Not to be supplanted, Boaz then suddenly adds a twist to the deal. He declares that along with the redemption of the land comes a requirement to preserve the name of the deceased with the property which would necessitate marrying Rut the Moabite. The language he invokes to justify this condition is reminiscent of the Torah’s levirate marriage.¹ This new demand on the primary redeemer suddenly makes him reticent to carry-out the redemption since he is fearful that it might “imperil his own inheritance (פן אשחית את נחלתי).” He defers the redemption to Boaz after releasing his rights through a ceremony recollective of the Torah’s Chalitzah (freeing from a levirate marriage).² Boaz successfully “scares” away Ploni Almoni and then proceeds to redeem the fields of Elimelech and his sons. Along with the fields, he “acquires” Rut as a wife with the purpose of “perpetuating the name of the deceased and ensuring that his name is not cut off from amongst his brethren and the gate of his place.” Boaz is clearly performing some form of a levirate marriage.³ The problem with the story is that it seems like Boaz is using subversive methods to make himself the lead “redeemer” in the situation. In the Torah, there is no connection between the redemption of the land and the levirate marriage; they are completely independent. Boaz’s linking of the two issues seems to be a self-serving Halachik fiction. The simple solution would have been for Ploni Almoni to redeem the land and for Boaz to marry Rut? Why are the two issues interdependent at all?

The Torah in Parshat Ki Tetze has a Parshia that deals with the levirate marriage.⁴ There the Torah instructs that if a married brother passes away without children, there is an obligation upon one of the remaining brothers to marry the widow.⁵ The purpose of that marriage is so that “the firstborn of the levirate marriage will succeed the name of the deceased brother in order that his name not be blotted out from Israel.” In other words, the first child of the levirate marriage is considered to be an offspring of the deceased brother and his widow. Therefore, he will “carry” the name of the deceased brother, both literally and figuratively, in order to ensure that the deceased brother has familial continuity through a descendant. If the brothers-in-law demur performing the levirate marriage, an act the Torah views negatively, then there is a prescribed public court ceremony involving the removal of a shoe and a declaration that this individual selfishly refuses to give a remnant to the house of his deceased brother. Chazal through a linguistic parallel (גיזירה שווה) determine that “[he] will succeed the name of the deceased brother” refers to the brother performing the levirate marriage and not the son born of the levirate marriage.⁶ They therefore conclude that the brother performing the levirate marriage steps into the shoes of his deceased brother for matters of property and inheritance. This law is summarized in the Mishna as, “One who marries his childless deceased brother’s wife (יבמה) acquires his brother’s property.”⁷ According to the Ramban, the interpretation of Chazal supersedes the simple reading of the text and therefore there is no need at all to name the child of the levirate marriage for the deceased brother.⁸ He evidences his position from Megillat Rut, where the child of Boaz and Rut is named Oved and not Machlon.

In Parshat Behar, the Torah discusses, the opportunity and obligation of a relative to offer a helping hand to someone in his family who has fallen on hard times. If a person finds himself in financial distress to the point where he is compelled to sell the land of his family’s inheritance,⁹ then his relatives are empowered to redeem the property he sold. Rabbi Yehoshua in the Gemara in Kiddushim¹⁰ believes that the relative is entitled, but not mandated, to intercede on behalf of his impoverished family member. Whereas, Rabbi Elazar counters that it is an obligation incumbent upon the closest relative to redeem the property. If the

¹ להקים שם המת על נחלתו (רות ד,ה) יקום על שם אחיו המת ולא ימחה שמו מישראל (דברים כה,ו) ועיין רמב"ן בראשית לח,ח שיבום עם קרוב המותר נקרא "גאולה" שלף איש נעלו ונתן לרעהו...וישלף נעלו (רות ד,ז-ח) וחלצה נעלו מעל רגלו (דברים כה,ט)

² וגם את-רות המאבית אשר מחלון קניתי לי לאשה להקים שם-המת על-נחלתו ולא יכרת שם-המת מעם אחיו ומשער מקומו עדים אתם היום (רות ד,י) ועיין הערה 1

⁴ דברים כה,ה-ח

⁵ מצוה בגדול לייבם, ואם קדם הקטן זכה. ת"ר והיה הבכור – מכאן מצוה בגדול לייבם (יבמות כד.)

⁶ שם. יקום על שם אחיו - לנחלה, אתה אומר: לנחלה, או אינו אלא לשם? יוסף - קורין אותו יוסף, יוחנן - קורין אותו יוחנן? נאמר כאן יקום על שם אחיו, ונאמר להלן על שם אחיהם יקראו בנחלתם, מה שם האמור להלן נחלה, אף שם האמור כאן לנחלה

⁷ הכונס את יבמתו – זכה בכנסים של אחיו (יבמות מ.)

⁸ רמב"ן דברים כה,ו וגם בראשית לח,ח

⁹ In truth, he is really selling a leasehold in the property until the next Yovel

¹⁰ דתניא: וגאל את ממכר אחיו – רשות...דברי רבי יהושע. ר"א אומר: וגאל את ממכר אחיו – חובה... (קידושין כא.)

closest of kin is financially unable to undertake such a fiscal rescue or chooses not to then the obligation shifts to the next closest relative.¹¹ It is not clear as to whether the redeemed property is restored to the original owner and he is then indebted to the redeemer for the purchase price¹² or whether the property remains in the hands of the redeemer until the Yovel as a family proxy for the original owner.

It is clear from the Torah portions we quoted above that the primary purpose of the levirate marriage is to provide a living remnant to the deceased brother. The fact that the brother performing the levirate marriage assumes the financial assets and rights of the deceased brother is a side effect of him replacing his brother as the husband of his widow and the father of "his" child from the levirate marriage. One who performs a levirate marriage steps into the shoes of the deceased brother. Independent of the laws of the levirate marriage, the Torah mandates or encourages one to help a relative who has been obliged to sell the land of his inheritance to return the property to familial ownership as soon as possible. These are two seemingly uncorrelated laws especially given that the levirate institution is for situations where someone has passed away, whereas the laws of redemption apply to someone who is still living. This once again raises the serious question as to how Boaz tied these two issues together. Aware of the problem, the commentators offer varying explanations for this fabricated correlation.

Rashi proposes that the marriage condition was a stipulation of Rut. She was unwilling to sell the land to the redeemer unless he agreed to also marry her. This explanation implies that Naomi and Rut were still land owners upon their return from Moav which seems implausible. The two women return to Beit Lechem empty-handed and impoverished as is evidenced by the conversation between Naomi and the residents of the city upon her return.¹³ If they were land owners, even if forced to sell under duress, their economic situation would not have been as dire as the Megillah makes it seem. In addition, this behavior would seem at odds with Rut's personality as developed in the story. She is a woman of tremendous inner strength and loyalty, but not, as the condition would seem to imply, a demanding and aggressive person. The Alshich amazingly suggests that Boaz acted in an underhanded manner to keep his promise to take care of Rut. She had demeaned and exposed herself by coming to Boaz at the threshing floor and asking him to "spread your robe upon your handmaid because you are a redeemer (ופרשת כנפך על אמתך כי גואל אתה)." Boaz responded in the affirmative that she has "nothing to fear since whatever you have requested I will fulfill (ועתה בתי אל תיראי כל) (אשר תאמרי אעשה לך)." To preserve Rut's dignity, he felt justified in using unconventional means to keep his word. His ploy to accomplish this goal was to improperly connect the redemption of the land to the marrying of Rut. Out of respect for Boaz, the gathered elders refrained from impugning his legal fiction. Their silent condoning of his marriage condition then leaves the primary redeemer too embarrassed to challenge Boaz. Now with Ploni Almoni out the picture, Boaz is able to carry out his plan to both marry Rut and redeem the familial property. While this explanation deals honestly with the spurious connection between the redemption and the marriage, it fails to address Boaz's insistence on not only marrying Rut, but on redeeming the land.

In order to make sense of this, one needs to take a look at a number of stories in Tanach that seem to shed light on the importance of land and family. In Sefer Melachim, the wicked King Achav desired the vineyard of Navot HaCarmeli which was adjacent to his palace.¹⁴ Achav offers Navot a land swap for superior land or any price he desires for the property. Navot refuses King Achav's overtures by telling Achav that it would be profanity before God for me to give away the heritage of my fathers. The Metzudat David there enhances his claim by suggesting that Navot was invoking God's command that the land can never be permanently sold (והארץ לא תמכר לצמיתות).¹⁵ Accordingly, Navot is suggesting that severing his connection to land of his forefathers would in some way be as good as sentencing his memory to obliteration. It would seem that the requirement not to sell the land in perpetuity is not only to temper the buyer's sense of permanence which would cause him to forget that God is the true owner of the land, but it is also to return the seller to his ancestral land. It is not just an economic reset for the seller, but it is to ensure that the familial connection to the land is maintained which then preserves the memory of all those that preceded him and those that will follow him (לא ימחה ולא יכרת). The land represents an unbroken bond of generations that serves as a sign of one's immortality through their descendants. To leave the land of his forefathers, as Navot suggests, would be tantamount to Karet, a loss of the item that characterizes this familial chain. Evidence of this idea can also be found at the end of Sefer Yehoshua, where the Navi speaks of the burials of Yehoshua, Yosef and Elazar.¹⁶ The Navi emphasizes that Yosef is buried in Shechem in the plot of land that his father Yaakov had purchased from Chamor in the land that was allocated to the children of Yosef as an inheritance. The

¹¹ ספרא (תו"כ) בהר פרשה ג תחילת פרק ה ובא גואלו הקרוב אליו מלמד שהקרוב קרוב קודם. והרשב"א סובר שהחובה הוא רק על הקרוב הכי קרוב והמרומי שדה חולק
¹² כך משמע מהרבינו בחיי ויקרא כה, כה והמהרי"ט חולק

¹³ רות א, יט-כא

¹⁴ מלכים א כא, א-ג

¹⁵ ויקרא כה, כג

¹⁶ יהושע כד, כט-לג וגם רעיון דומה יוצא מטענת בני יוסף לגבי ירושת בנות צלפחד (במדבר לו, א-י)

convergence of Yosef being buried there and the inheritance of his descendants being located there made it into a heritage for the children of Yosef which was then able to preserve the memory of Yaakov and Yosef and connect them to their descendants who eventually occupy that land. In addition, Elazar Hakohen is buried in the lot of land belonging to his son Pinchas, known as Givat Pinchas, in the mountains of Ephrayim. Once again, the association of the name with the land produces an eternal memory to that individual and connects them with those that succeed them in the land.

The Gemara in numerous places postulates the principle that land cannot be stolen (קרקע אינה נגזלת).¹⁷ Rashi commenting on that concept suggests that the reason for this assumption is because the land is always under the auspices of the owner; they never give up hope of returning. That eternal connection between owner and the land in a sense makes the individual immortal. Aggregating these concepts, we can now understand why Boaz insisted on correlating the levirate marriage with the land redemption. As he states himself, he took Rut as a wife along with the land in order to sustain the name of the deceased upon the land. The ability to preserve the name of the deceased is inexorably connected to the redemption of the land. As the Midrash suggests, the only way for the levirate marriage to work is if the familial land carries the name of the deceased and the widow and not the name of the redeemer.¹⁸ Redeeming the land alone can preserve the ancestral familial connection to the land, but it cannot preserve the association of the deceased with that property. In order for the levirate marriage to successfully perpetuate the name of the deceased, it needs to be associated with the land. That is because human beings are mortal, but that transience can be compensated for by connecting their name to the immortal land. Boaz insists that if you bifurcate the redemption of the land from the levirate marriage, one will successfully allow the redeemer to perpetuate his name in the family chain, but he will not grant that same benefit to the deceased. The brother performing the levirate marriage on behalf of his deceased brother also inherits his brother's assets not just to provide economically for his new family. It is because the child born of the levirate marriage who perpetuates the name of the deceased also needs to be able to connect to his deceased "father's" land to immortalize his "father's" name. By redeeming Machlon's land and marrying Rut, Boaz ensures that Oved will eternalize Machlon's family chain by allowing Oved to take his place on the immortal land of his "father" Machlon and his "grandfather" Elimeech and in that way ensure an unbroken ancestral chain that prevents Karet.

What is true of the individual is also true at a national level. There is no better example of this than the story of Yirmiyahu HaNavi and his uncle Chanamel.¹⁹ The account is set in the closing days of the First Temple when the final Babylonian exile and destruction is imminent. Chanamel approaches his nephew Yirmiyahu to ask him as his closest relative to redeem the property he is compelled to sell in Anatot. It is obvious, that Yirmiyahu's purchase of the land is futile because the people will shortly be exiled from the land. Yet much to Yirmiyahu's surprise, God instructs him to purchase the land from his uncle at full price and to preserve the purchase contract in an earthenware utensil. Totally perplexed, the Navi beseeches God to explain to him this seeming charade that is ignoring the realities transpiring around him. God responds by telling Yirmiyahu that the destruction and desolation that you see today will be replaced with hope and a revitalization of Bnei Yisrael upon this land. The contract that you just signed for this "worthless" land is a sign that the eternal bond of the people to the land will only be temporarily severed. Bnei Yisrael will return to their land, flourish and once again be the people of God. There is an inseparable connection between Am Yisrael and Eretz Yisrael that gives them immortality and binds them to generations past and future. After the destruction of the Second Temple, Bnei Yisrael's burning desire for two thousand years to return to the Land of Israel kept alive their deep connection to the land. That eternal bond sustained generations in the exile and eventually spawned their return to their ancestral homeland Eretz Yisrael. It was a long awaited reunion, but one that connects us to our ancestors that left Egypt and stood at Har Sinai and one that sustains us by giving us hope for that unbroken chain to continue into future generations.

Chag Sameach and Shabbat Shalom

¹⁷ סוכה ל: ורש"י שם

¹⁸ פסיקתא זוטרתא (לקח טוב) רות ד, ה וגם במלבי"ם... ובזה יש תנאי להקים שם המת על נחלתו, שנחלה זו תקרא ע"ש אשת המת לא על שמך כד"ן יבום

¹⁹ ירמיהו פרק לב