

**THE MEANING AND IMPLICATIONS OF RUTH 4:5 –  
A GRAMMATICAL, SOCIO-CULTURAL AND JURIDICAL INVESTIGATION**

**by**

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## *ABSTRACT*

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Uncertainty about the meaning of the problematic word compilation וּמָצָא in its specific context in Ruth 4:5 creates a lack of clarity on the events which take place in Ruth 4. Such lack of clarity is reflected in the diversity of ancient and modern translations of this verse. It is uncertain whether the Moabite immigrant Ruth is described as also selling the land or whether she is merely seen as part of the sale transaction.

The traditional view, as formulated in the available translations, implies that a levirate marriage is involved in the narrative of this chapter. This interpretation, however, creates multiple juridical problems.

The thesis proposes that the legal concept of usufruct can help to solve the uncertainty in the text and to correct the misunderstanding of the verse. The problem is approached through a syntactical and grammatical analysis and the solution that it was usufruct of property which was sold rather than land is justified in terms of the ideology reflected in the book of Ruth.

The thesis contributes towards a better and juridical more workable translation of the pericope in Ruth 4 and, consequently, to the better understanding of the book of Ruth as a whole. It is suggested that Ruth 4:5 should be rendered with, “The day you acquire the

(right/usufruct in respect of) the field from the hand of Naomi and from (the hand of) Ruth, the Moabite woman, the wife of the deceased, you (also) acquire (her) in order to maintain the name of the deceased over his inheritance.”

## **Declaration**

By submitting this thesis for the degree D.Litt. (Ancient Languages and Cultures) in the Department of Ancient Languages, I declare that the work contained therein is my own work and was not submitted previously for a degree at this or a different tertiary institution.

Milda de Vaal-Stanton

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## CHAPTER I: INTRODUCTION

### 1. TITLE

The title of this thesis is: The meaning and implications of Ruth 4:5 – A grammatical, socio-cultural and juridical investigation.

### 2. MOTIVATION FOR THE STUDY

Ruth 4:5 is notoriously difficult to translate and to interpret. This much is clear from the Hebrew text and from a number of ancient and modern translations quoted below:

BHS text: <sup>1</sup>	וַיֹּאמֶר בֹּעֵז בְּיוֹם קְנוֹתָהּ, הַשְׂדֵה מִיַּד נָעֻמִּי וְיָמְצֵא אֶת רוּת הַמֹּאבִּיטָה אֶתְּחַתְּהָ ( [וְיָמְצֵא] לְהַקְיִים שְׂם הַשְׂדֵה עַל־נַחֲלָתָהּ )
LXX Septuaginta: <sup>2</sup>	καὶ εἶπεν Βοοζ ἐν ἡμέρᾳ τοῦ κτήσασθαί σε τὸν ἀγρὸν ἐκ χειρὸς Νωεμιν καὶ παρὰ Ρουθ τῆς Μωαβίτιδος γυναικὸς τοῦ τεθνηκότος καὶ αὐτὴν κτήσασθαί σε δεῖ ὥστε ἀναστῆσαι τὸ ὄνομα τοῦ τεθνηκότος ἐπὶ τῆς κληρονομίας αὐτοῦ (And Booz said, “In the day of <u>your buying</u> the field out of the hand of Noemin and of Ruth the Moabite woman, the wife of the deceased, <u>you must also buy her</u> , so as to raise up the name of the dead upon his inheritance.”)
Vulgate: <sup>3</sup>	cui dixit Booz quando emeris agrum de manu mulieris Ruth quoque Moabitidem quae uxor defuncti fuit debes accipere ut suscites nomen propinqui

<sup>1</sup> The Codex Leningradensis text, as it was electronically published by the University of Michigan (under the direction of H. Van Dyke Parunak, 1981-1982). The words in brackets represent the *Ketib-Qere* variants.

<sup>2</sup> The text of the LXX Septuaginta, as it was edited by Alfred Rahlfs, Württembergische Bibelanstalt. Electronic version under the direction of T. F. Brünner at the University of California.

	<p>tui in hereditate sua</p> <p>(And Booz said to him: “When <u>you buy the field from the woman’s hand, you must take also Ruth</u>, the Moabite woman, who was the wife of the deceased, to raise up the name of your kinsman in his inheritance.”)</p>
Afrikaans Version (1953): <sup>4</sup>	<p>Daarop sê Boas: Die dag <u>as jy die grond uit die hand van Naómi koop, dan verwerf jy tegelyk Rut</u>, die Moabitiese, die vrou van die dode, om die naam van die dode in stand te hou oor sy erfdeel.</p>
ESV 2011: <sup>5</sup>	<p>Then Boaz said, “The day <u>you buy the field from the hand of Naomi, you also acquire Ruth</u> the Moabite, the widow of the dead, in order to perpetuate the name of the dead in his inheritance.”</p>
NAB 1970: <sup>6</sup>	<p>Boaz continued, “<u>When you acquire the field from Naomi, you also acquire responsibility for Ruth</u> the Moabite, the widow of the late heir, to raise up a family for the deceased on his estate.”</p>
NAS/NAU 1977/1995: <sup>7</sup>	<p>Then Boaz said, “On the day <u>you buy the field from the hand of Naomi, you must also acquire Ruth</u> the Moabites, the widow of the deceased, in order to raise up the name of the deceased on his inheritance.”</p>
NET 1996-2000: <sup>8</sup>	<p>Then Boaz said, “<u>When you acquire the field from Naomi, you must also acquire Ruth</u> the Moabite, the wife of our deceased relative, in order to preserve his family name by raising up a descendant who will inherit his property.”</p>

<sup>3</sup> Biblia Sacra Iuxta Vulgatem Versionem, 4<sup>th</sup> Edition, edited by Roger Gryson, Deutsche Bibelgesellschaft, Stuttgart, 1994.

<sup>4</sup> Copyright Bible Society of South Africa, 1953.

<sup>5</sup> The Holy Bible, English Standard Version, copyright 2011 by Crossway Bibles.

<sup>6</sup> New American Bible, revised edition 2010, Confraternity of Christian Doctrine.

<sup>7</sup> The New American Standard Bible 1977 and 1995 Update, copyright La Biblia de Las Americas, The Lockman Foundation.

<sup>8</sup> The New English Translation, copyright 2004, ROHR Productions.

From these translations it is clear that many interpreters understand the Hebrew particle  $\text{מִן}$  in the form  $\text{מִן־}$  in Ruth 4:5 as an object marker. It is unclear from the text itself what the object is to which the supposed object particle refers. According to *The Hebrew and Aramaic Lexicon of the Old Testament* (subsequently HALOT), the form  $\text{מִן־}$  is a combination of the prepositions  $\text{מִן}$  “from” and  $\text{מֵאֵת}$ , “with” (Koehler & Baumgartner 1994-2000:999).

Different translations of Ruth 4:3-5 lead to different interpretations, which can have far-reaching cultural and legal implications. The importance of achieving a uniform and accurate translation of these verses is thus clear.

The idea for this investigation emanates from a previous study on Masters Level in Old Testament Study which researched the female law of succession and inheritance in the Old Testament, using the book of Ruth as starting point (Stanton 2006). The cultural and legal possibilities pointing to the female law of succession originating from the pericope comprising Ruth 4 were considered. The attempt would inter alia be to prove claims which were offered hypothetically during the said previous study, although the current study will reach much further than the foregoing.

The objective of this study is thus to take a closer look at the grammar of this pericope and to consider different translation possibilities by way of inter alia morphological analysis of problematic words and weighing of syntactical possibilities in order to reach a scientifically justified reading thereof.

### **3. RESEARCH PROBLEM**

Uncertainty about the meaning of the problematic form  $\text{מִן־}$  in Ruth 4:5 creates a lack of clarity on the events which are implied as taking place in Ruth 4 and thus have a bearing on the interpretation of the book as a whole.

Such a lack of clarity is reflected in the diversity of translations of Ruth 4:3-5. Although more interpretations are possible and have in fact been offered, mainly two translations of, for instance, Ruth 4:5 require consideration:

1. When you buy today the field from the hand of Naomi, you acquire (it) also from the hand of Ruth the Moabitess, the wife of the deceased.
2. When you buy today the field from the hand of Naomi, you also acquire Ruth, the Moabitess, the wife of the deceased.

Ruth 4:3 displays the following inconsistency: If Naomi did not inherit anything from her husband (as can be inferred, according to some investigators, from Deuteronomy 21:17-21), how could she sell the land? The problem is extended even further in a subsequent verse, Ruth 4:5, when Ruth is mysteriously added as co-owner of the land, provided that translation option (1) above is valid. The verb קנה which appears twice in the verse, as well as in מאת by implication, was inconsistently translated in the various versions. Ruth 4:3 also displays another problematic word, חלקת, for which a variety of translations exist. Literally this word would mean “a cut off piece” (of the land). Some translations use “piece of land,” others “piece of the land” and others omit the implied “piece” completely. Closer to my interpretation would be the instances where “share of land” is utilised (see the German Lutherbibel,<sup>9</sup> “Anteil an dem Feld”). This rendering could imply “a right” in respect of the land in question. The complete meaning and content of such a “right” will have to be researched and described if utilised.

Ruth 4:4 adds to the mystery, because no-one knows who the next of kin is and in which way he (or even Boaz) is related to Naomi.<sup>10</sup> Here the question also arises on whose authority or “power of attorney” is Boaz acting?

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<sup>9</sup> The German Lutherbibel 1984, copyright 1985 by the Deutsche Bibelgesellschaft: Stuttgart.

<sup>10</sup> In this regard, the uncertainty in the text and the meaning of the two words קִיבָּע (*Ketib*) and מִיָּבָע (*Qere*) in Ruth 2:1 also need reflection.

The problem reaches further than the mere translation of the three verses in Ruth 4:3-5. In order to decide on the more appropriate translation, an investigation and analysis of the whole pericope of Ruth 4 as well as the book of Ruth as a whole will have to be considered. It will be indicative to launch also an investigation, as thorough as is possible, into the cultural and legal customs of the time in which the narrative plays out, as well as of the time in which it was possibly written down. Without such knowledge, a substantiated translation cannot be hoped for. Also the writing techniques and possible intention of the author as well as stylistic literary tools like theme and metaphor will have to be taken into account in order to reach a final decision.

Several commentaries have been perused. Although many sources treating the issues separately are available, studies which are related to the combination of grammatical and cultural issues and which are encountered in Ruth 4 are scarce. In general the problems in combination have been overlooked by translators and commentators. Derby (1990:15) identified some inconsistencies created by the presupposition of the levirate marriage (as described in Leviticus 25:5-10 and Genesis 38:6) which can allegedly be read into the chapter, but which is not necessarily referred to here. The further presumption of the next of kin's redemption of the property (the duty of the גאל as we find it in Leviticus 25:25 and Jeremiah 32:6-25) of Naomi's late husband, creates more problems. In a footnote, Derby asks the following questions, but does not address them further and thus does not reach satisfactory conclusions:

- If the next of kin is the rightful heir, why should he have to **acquire** the property?
- What is meant by **redeeming** it?
- Nor is it clear what relationship **Ruth** has to the property (sic).<sup>11</sup>

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<sup>11</sup> The bold type is my emphasis.

Taking into consideration the frequency in which translation possibility (1) of Ruth 4:5 is followed, the following question could be added to Derby's list:

- If neither Naomi nor Ruth had inherited from their husbands, according to the ancient law of intestate succession as set out in Deuteronomy 21:15-17, how could any of them possibly sell the land?

Derby accepts for instance that the verb קנה in Ruth 4:5 should be translated with “acquire” or “redeem” without considering other translation possibilities, also of the object of this verb. If he did, a number of inconsistencies could have been cleared up. It will become evident during the progress of this study that there is a variety of problematic words in the verse which will need attention, of which אה and קנה are the most important ones.

Important information has possibly been overlooked as a result of a lack of a systematic investigation into the grammar, semantics and structure of the verse.<sup>12</sup>

#### **4. RESEARCH APPROACH AND HYPOTHESIS**

The approach in this study will primarily be to undertake a thorough investigation into the grammar, structure and syntax of Ruth 4, with inter alia special reference to the role of the alleged object marker in Ruth 4:5. Subsequently, new translation possibilities will be suggested from the resulting findings. A study of this nature is a study in search of meaning. Bodine (1992:102) remarks that a syntactic model with a semantic basis is preferable. In Chapter I, the grammatical problem of Ruth 4:5 will be researched and possible solutions will be considered.

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<sup>12</sup> Caspi (1994:ix) also notes that “something” got lost but only mentions the story lines.

Generally speaking, the confusion in the text seems to have been camouflaged by the exciting events leading up to the marriage between Boaz and Ruth in the narrative, and lack of clarity has often been attributed to the supposed artistic skill of the author, who “succeeded” in intertwining the institution of the levirate marriage with compliance with the duties of a redeemer (Prinsloo 1982:81). The book of Ruth seems to have as one of its central themes marriage as instrument for providence and survival. The emphasis on this aspect shines through in the various translations. Chapter III will take a closer look at Ruth 4:5 within the narratological framework of the book, emphasising the role which “gap filling” from the side of the reader plays in attempting to understand the narrative. It will become clear in this chapter that the writing techniques applied by the author leave the reader with more gaps than one could expect. In this regard, the works of Powell (1993), Berlin (1983) and Genette (1980) proved to be of great value.

Cultural and historical factors will be taken into consideration in the process of investigation. Along this way, a better “working translation” of Ruth 4:3-5 might possibly be offered. The expectation is that such a proposal for translation could contribute to a better understanding of the events which take place in the narrative of Ruth 4. The hope that this could also lead to a renewed interest in revising the exegesis of the book of Ruth as a whole, might be expressed.

The legal actions which occur in a somewhat disorganised manner in Ruth 4 also lead to confusion in the interpretation of the chapter. A very important part of the approach to this study will be to investigate possible explanations which underlie the legal concepts in the pericope. These legal actions which will be researched will not be restricted to the law of succession as in the earlier study (Stanton 2006). Subjects like sale of land and the phenomenon of power of attorney in the ancient Near East, as well as the *locus standi in iudicio* of ancient women and the role of the “executor” in ancient deceased estates will be scrutinized. A closer look will be given to the contents of *quasi* legal actions like the duty of the redeemer and the levirate marriage, as these two phenomena are central to the pericope.

The legal actions in the narrative play a vital role and carry maybe more meaning than meets the eye *prima facie*. My respectful presumption is that translators were not always particularly equipped with

legal background. The contribution of insight into legal matters was to a great extent neglected and its importance overlooked. Gerleman (1965:9) noticed the important role of the legal occurrences, however. One has to agree with him when he confesses: “Das Noömi ein Acker hat, kommt höchst unerwartet, und macht den Rechtsfall besonders verwickelt...” The inconsistency becomes clear if Ruth 4:3 is read in conjunction with Ruth 1:21, which describes Naomi as “empty” (she has no male relative to provide for her), while the rest of the narrative also portrays her extreme poverty and struggle for survival. The main hypothesis in this study will thus consist of allocating a name to the (limited) right which Naomi could be supposed to have and, subsequently, an explanation will be offered as to why Ruth would also be entitled to the same right. An attempt is made to indicate that this similarity in legal status of the two women clarifies the reason why the author could link the two women to the same piece of land in the same sentence. Unfortunately Gerleman does not offer solutions and explanations to all the problematic legal areas. Chapter IV will address Ruth 4:5 within the context of Israelite Jurisprudence and Society.

In Chapter V, Ruth 4 within the ideological context of the book will be scrutinized. Certain traditionally recognized presuppositions have been implemented by exegetes, commentators and theologians. Since this study does not concern itself primarily with theological meanings and messages, the ideological interpretations which were proposed by commentators will only be revised. There will, however, be an attempt to add another perspective to the well-known perspectives on the theology supported by the book. In this respect it will be pointed out how the underlying theme of “acceptance” alludes to the theme of “survival” and how all these themes can act in support of the hypothesis in this study, namely that the two widows stood in the same relation to the land and retained rights in respect thereof already when Elimelech died. In this sense they would be interchangeable. This hypothesis also conforms to the ancient Israelite quest to keep the family together, to determine who will qualify as family, and why Ruth had to seek acceptance in the eyes of the community although she was legally already part of the family. The claim will be proposed that without acceptance she could not claim her familial rights outright.



Chapter VI will form the conclusion, attempting to offer a proposal for translating Ruth 4:5 in its context. From the final proposal it will become clear that the root of the problem lies with the supposed object particle **תא** in the compilation **מאת**.

A short summary of the different possibilities will be given in this chapter. The three possible objects will be: “Ruth,” “the land” or “the hand” (of Ruth). In accepting my eventual predominant proposal, all the reasoning and analyses which were offered throughout this investigation, should be taken into consideration.

## **5. METHOD**

- 5.1** A comprehensive morphological analysis of the problematic words in the text of Ruth 4 will be made, and all interpretational possibilities in relation to other words and morphemes in in the context will be considered.
- 5.2** As many existing translations in as many languages as possible (including that of the Septuagint, the ancient Greek translation) of the pericope Ruth 4 will be entertained and compared.
- 5.3** Syntactic analysis of each translation possibility which would make sense grammatically in the context will be made in order to understand the different results and eventually to make a final decision.
- 5.4** Attention will be paid to the writing techniques of the author of the book of Ruth, in order to ascertain whether the literary tools which he (or she) utilised could possibly have had some influence on translation possibilities. With regard to this aspect, it is worth quoting Rendsburg (1992:68) who expresses the hope that in his article he could “...demonstrate that atypical grammatical forms often are characteristic of regional variation.” He explains that the Masoretes had intentionally taken into account and applied linguistic methods associated with

dialectology.<sup>13</sup> The objective could not have been to implement a standard vocalization and thus eradicate regional forms of speech. He alleges that the Masoretes acknowledged the existence of separate written and spoken dialects of the language (Rendsburg 1992:67). This aspect will be kept in mind, but due to the fact that this is a lengthy discussion in itself, worthy of further independent research, it will not be discussed *per se*.

This principle can be applied fruitfully during translation of the book of Ruth, seeing that the book was allegedly written after the exile (according to several commentaries),<sup>14</sup> and the influence of Aramaic and the languages spoken in the Northern parts of the ancient Near East is evident. Problematic words can even turn out to be a compilation of a few other words of which the sounds had assimilated into the Israelite mouth of the time, and had become spoken language. According to Rendsburg (1992:77), regional variation sometimes offers the best explanation for *prima facie* inexplicable word forms. If the guidelines proposed by Rendsburg (1992:68) are followed, it becomes clear that the “compilation” מֵאָחַד is not an acceptable Hebrew

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<sup>13</sup>See Berlin (1983:89) for an example where “the term used by the people of the town overcomes the terms of the narrator...” By the end of the story, Ruth has gone from Moabite/foreigner/“girl” to “the wife of a man of substance.” By calling Ruth אִשְׁתֵּי הַיִּל (Ruth 3:11), Boaz raises her to his own status (Ruth 2:1).

<sup>14</sup> During this research, the proposition shall be made *obiter dictum* that the book was written before the exile. At this early stage, at least one argument in favour of this opinion can be offered: Rendsburg (1992:71) quotes instances where the interrogative pronoun מַה changes to מָה, for example in Judges 16:5 bis. These occurrences usually happen outside the non-Judahite context. Although the problematic word מֵאָחַד does not contain an interrogative, it was spoken “in the time of the Judges” (Ruth 1:1). According to Crook (1948:155) this was “... a tale twice told ...” the first time in the pre-Davidic period, secondly in the ninth century B.C.E. with the YAHWEH purist reforms. If it is to be regarded as “twice told,” I would rather suggest the first telling to coincide with the post-monarchic period (because of the writing style), and the second with the post-exilic period when a redactor was at work (and the Aramaic remnants as well as the genealogy appeared).

word. This fact can support the allegation that it could have been Aramaic, or another regional variation of the period.

- 5.5** Other grammatical phenomena in the verse will be scrutinised, as well as intra- and inter-textual relations which can serve as guidelines en route to an acceptable translation. The following can serve as example in this regard: There are other instances in the book of Ruth which point to Aramaic influencing, for example the utilisation of the second or third person plural pronominal suffix  $\text{ָהָן}$  affixed to a preposition instead of a verb or noun (see also  $\text{ָהָן עָדָהּ}$  in 2 Kings 9:18). “The object suffix was probably a form of independent pronoun in Moabite; the plural suffix had not yet been fused to the verb” (Rendsburg 1992:74). With regard to the book of Ruth, Gerleman (1965:1) refers specifically to  $\text{ָהָן לֵּ}$  in Ruth 1:13. The latter exhibits the same construction which is a preposition followed by a personal pronoun which is applied as suffix.
- 5.6** Ancient cultural customs in the verse will be detected and considered in ascertaining meaning. This will be done by way of textual deconstruction.<sup>15</sup> In this regard the phenomena of the levirate marriage and the next of kin redemption are most commonly accepted, because they are allegedly intertwined in an artistic manner by the author. A new translation proposal can deem the reading of a levirate marriage into the text unnecessary, and place the emphasis on the legal action(s) which take place in the pericope. These actions concern the sale of land in particular.
- 5.7** Discovery of new insights into ancient customs will be attempted as a result of the application of a new translation proposal. This attempt can shed new light upon legal phenomena which apply to the sale of land and the ancient law of inheritance, as mentioned before. The findings can result in a logical solution to the question of Naomi’s as well as Ruth’s mysterious relation to the land in question.

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<sup>15</sup> The concept “deconstruction” is used as a form of criticism that seeks to expose contradictions by exploring below the surface meaning.

**5.8** Thorough continuous grammatical analysis will be inevitable throughout the research. The attempt will be to incorporate into Chapter II the research of the appearance of  $\text{תא}$  in Ruth 4:5. Grammatical and linguistic authorities will be consulted in the quest for understanding the function and application possibilities of the object particle in general. In this regard, I found the work of Van der Merwe *et al.* (1997:257-259) *re*  $\text{אג}$  and *re*  $\text{תא}$  (1997:226) as preposition, useful. The work of Waltke and O'Connor (1990:161) in which they offer extensive treatment of the Hebrew accusative, is extremely significant. The meaning of the prefixed  $\text{א}$  will also have to be considered.

The possibility that the  $\text{א}$  in  $\text{מאת}$  could be a remnant of  $\text{אג}$  cannot be overlooked. Rendsburg in his quoted article (1992:68) makes mention of atypical fusions of words which result in compilations characteristic of regional speech. If the  $\text{א}$  in  $\text{מאת}$  represents a combination of the words  $\text{אן}$  and  $\text{אג}$ , the combination with  $\text{א־תא}$  (whether regarded as an object particle or a preposition) can be a new word, typical of the regional speech of the time. The work of Gesenius (Gesenius-Kautzsch-Cowley 1978:300) and his treatment of the object particle is also invaluable in this regard.

Even the possibility of the  $\text{א}$  being enclitical, will be considered. This possibility is considered favourably by Campbell (1975:146) and is also considered by Chisholm (2013:667n9). Regarded from this viewpoint,  $\text{א}$  in the verse under scrutiny can be anything. It can even be meaningless. According to Rendsburg (1992:76-77), regional variation can sometimes be the best explanation for unfamiliar word forms. Changes in the vowel pattern of the preposition  $\text{אן}$  with suffixes are significant, as the *chirek* changes into *tsere* before heavy suffixes. Could this have been the case here?

**5.9** As much literature and as many commentaries as are available on the pericope and the problems created by different and inconsistent translations, will be consulted. There are enough commentaries on the book of Ruth, but the problem areas have seldom been addressed in depth.

The method will be a text-critical and linguistic-analytical one, but social and cultural historical facts will also be taken into consideration, which will render the study also as historical- and cultural-critical. No separate chapter was allocated to semantics, but the findings of the study included the principles of semantics *obiter* throughout the study.

## 6. SEMANTICS

In this regard, Kedar-Kopfstein (1981:118-119) was consulted and followed. Kedar-Kopfstein points out that a word cannot simply be removed and isolated from its context, in order to find out what its meaning would be. Several factors will influence the meaning of a word. Not only will the previous and subsequent words in a sentence contribute to the meaning of a word, but especially the wider context, which will include previous chapters, books, and the whole of the Hebrew Bible as well as unwritten context such as culture and period. In a study of this nature, application of this principle seemed inevitable and all these aspects were taken into account in reaching a proposed new interpretation and translation.

“Auf jeden Fall besteht zwischen dem Kontext und dem Einzelwort engste Beziehung, allein schon dadurch, dass die gesamte Umgebung dem Wort die Vorkommensmöglichkeit eröffnen muss” (Kedar-Kopfstein 1981:119).

Some interesting Biblical examples as discussed by Kedar-Kopfstein can be looked at: The word **לֶחֶם** will not always mean “bread,” but will often be used when “food” is meant (see 1 Kings 21:5). Reference to “mountains” could imply the *habitatio* of the gods, and not necessarily point to a geographical phenomenon (Psalms 15 and 121). Similarly, **בֵּית** will often not mean the building in which people had dwelt, but refer to the totality of members of the household, including slaves (e.g. 2 Kings 8:2). This principle could be useful if not *sine qua non* when researching possible idiomatic or metaphoric writing techniques (keeping the cultural backdrop and period in mind). Although little specific attention was given to Semantics during this research, no linguistic study can exist without at

least giving recognition to the valuable principles as laid down by Semantics. They will be kept in mind continuously in the process of ascertaining the meanings of problematic words. These principles can for example be applied when the meaning of תחלק will be researched. In this regard also the meaning of 7 will be put to the test. Should the word be understood literally (to buy a piece of land from ‘the hand’ of a person), or is it used idiomatically to suggest a marriage?

One is always in search of meaning, as stated by Bodine (1992:102). In this investigation it is, however, inescapable to also keep the larger influences on meaning in mind, such as the unwritten cultural circumstances of the period in which the narrative plays out, as well as the time in which it was written down. In fact, an important part of the objective for this study was derived from this suggestion.

The antecedent for the abovementioned semantic principle is to be found in the theory of component analysis (Kedar-Kopfstein 1981:187). The method entails dissolving a word into particles as small as possible. These would be the morphemes, as smallest vehicles for conveying meaning.

The value of these underlying grammatical principles cannot be underestimated in a study of this nature.

## **7. SYNTAX**

The same that was said about Semantics in paragraph 6 applies *mutatis mutandis* to the field of study of syntax. Under this heading the work of Waltke *et al.* (1990) was scrutinised.

## **8. OBJECTIVES OF THE STUDY**

The aim of the study is primarily to be a profound linguistic and grammatical one. Results and hopefully, new insights, should however, find application in practice. In saying this, I hope to contribute not only to the better understanding of the verses in question and the book of Ruth as a whole, but also to a small but important facet of Biblical Hebrew.

Understanding and exploiting an apparently insignificant word or morpheme<sup>16</sup> can lead to surprising and exciting new discoveries in the text as well as in the language.

## **9. EXPECTED RESULTS**

Eventually the expectation of any researcher would be that suggestions and findings will be taken note of, applied and utilised by future translators, and in this case, even by legislators.

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<sup>16</sup> See also the definition given by Bodine (1992:50) of a morpheme as the smallest semantic element of a language. He points out that this unit can sometimes be invisible, as in the different stem formations of Hebrew. While consonants stay the same, different “meanings” of the same “word” can be created by only changing the vowels. The language can exist, however, even without the vocalisation.

## CHAPTER II: THE GRAMMATICAL PROBLEM OF RUTH 4:5 AND POSSIBLE SOLUTIONS

### 1. INTRODUCTION

It is widely accepted that the fourth chapter of the book of Ruth is the one which offers the crux of the narrative. Not only is the question whether Boaz would succeed in his endeavour to marry Ruth driven to a climax,<sup>17</sup> but also the problem of Naomi's impoverishment seeks a solution. The author applies skilful ways in an attempt to trick the reader into believing that certain procedures and customs could have existed at the time of either the penning down of the story, or the time in which the narrative plays out.<sup>18</sup> He even succeeds in distracting the reader's attention from the problem he faces towards the love story by using humour<sup>19</sup> in the narrative. Potgieter (1991:15) points out how humour can contribute to the accumulative characteristics of a character. In the case of Ruth 4:5, the usage of humour is functional.<sup>20</sup> For me the abbreviated form in which the dense expression *ומאת רות* is implemented,

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<sup>17</sup> Beattie (1974:265): "...it should be observed that the entire episode had been created by the author purely to provide a dramatic climax to his story."

<sup>18</sup> Beattie (1974) devotes his article to a search for "legal situations which had been credible and intelligible to his original audience."

<sup>19</sup> Stanton (2006:39-40): The austere theme of providence and survival is mitigated through this literary tool and tension is heightened. The humour is subtle (as is the appearance of true humour throughout the entire Old Testament), and consists mainly of the negation of the true name and character of the redeemer (by calling him "Mr. So-and-So"), in order to let Boaz (at this stage hopelessly in love with Ruth) stand out as romantic hero in the events. Boaz's actions, words and conclusions follow rapidly as if he is anxious not to let the outcome change. See also Breytenbach (1994:37). This is a popular book of essays, but the author points out the differences as well as unexpectedness of humour in the Bible.

<sup>20</sup> Although Potgieter (1991:5) warns against emphasising rhetorical aspects like humour at the expense of the didactic nature of the narrative (in his case, the book of Jonah).



represents the haste of the speaker's intention and conceals his secret agenda. Along this way, the reader has little concern about the justness and even the existence of certain legal actions which are described in Ruth 4:3-5. The compilation will therefore have to be analysed carefully. Which are the particles from which it is built up?<sup>21</sup> Without proper grammatical justification, it is commonly accepted that the two ancient customs/laws of the redeemer and the levirate marriage are intertwined in the text, specifically in verse 5. Closer reading brings to light that this assumption leads to inconsistencies and unanswered questions which became principally a concern for translators.

The problems arising from the pericope can be classified on two levels: grammatical on the one hand and cultural/historical/legal on the other hand (matters which relate to the *Sitz-im-Leben*). In this chapter a closer reading and analysis of the text will be offered. The questions will be posed (see 1–5 below) in the discussion which follows and solutions will be offered in a subsequent chapter.

## 2. GRAMMATICAL PROBLEMS ENCOUNTERED IN THE TEXT

Ruth 4:5:

לְהַקִּים שֵׁם הַמֵּת עַל־נַחֲלָתוֹ קָנִיתִי וַיֹּאמֶר בְּעֵזֶר בְּיוֹם־קִנּוּתָהּ הַשָּׂדֶה מִיַּד נְעֻמִי וּמֵאֵת רוּת הַמּוֹאֲבִיָּה אֲשֶׁת־הַמֵּת

The confusion leads to different interpretations and translation suggestions (leaving the last part of the sentence: “in order to maintain the name of the deceased in his inheritance” aside for the time being):

1. “When you acquire the field from the hand of Naomi, *you acquire (it) from Ruth*, the Moabitess, the wife of the deceased” (KJ, NKJV);

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<sup>21</sup> Saxegaard (2010:158) also asks this question: “Should *וּמֵאֵת רוּת* be read as a particle of minor significance for the translation, or does it contain the preposition *מִן* suggesting the translation ‘from Naomi’s hand’ and from Ruth’s pointing out that Ruth also owns the land that Naomi wants to sell?” Saxegaard yields, however, that the term is decisive for the understanding of the redemption of the land, which means understanding the legal aspects.

2. “When you acquire the field from the hand of Naomi *and from Ruth* the Moabitess, *you acquire* the wife of the deceased” (JPS, NJPS, NIV, Vulgate, LXX);
3. “When you acquire the field from the hand of Naomi, *you also acquire* Ruth the Moabitess the wife of the deceased” (ESV, NASB, NCV, TEV, RSV, NRSV, NLT);
4. “When you acquire the field from the hand of Naomi, then *I acquire* Ruth the Moabitess the wife of the deceased” (REB, NET Translator’s notes).

These translation interpretations can be reduced to three possibilities:

1. Naomi and Ruth together sell the land.
2. Naomi and Ruth together sell the land and Ruth must be married off.
3. Naomi sells the land and Ruth must be married off.

The possibility to be explored in the course of this study is the following:

4. Naomi or Naomi and Ruth together sell *a right* in respect of land, regardless if Ruth gets married to the purchaser/speaker or not.

In the light of the *Ketib/Qere* question concerning the last קנה in the sentence, it is at this stage not clear at all to whom Ruth must be married.

Beattie (1974:263) mentions only two difficulties found in the text on grammatical level. These are widely assumed to be the main sources of the confusion:

1. “First, there is the form which, it is generally agreed, must be corrupt and by general consent of the commentators should be emended in such a way as to make the word ‘Ruth’ the direct object of the verb that follows: ומאת רות.”<sup>22</sup>
2. “The second and more significant phenomenon is that the verb in the second part of the verse has a *Ketib* and *Qere* form: קניתי but this is vocalized so as to be read קנית.”

Although Beattie acknowledges in a footnote that various other readings of ומאת have been suggested, he does not even consider any of them or give a further analysis of the Hebrew compilation in question. Proper analysis of the problematic compilation can refute the assumption of “corruption” of the “word.” He also does not consider what the outcome would be if another object like “hand” or “land” is considered, neither does he investigate the possibility of keeping the *Ketib*. It would appear from this discussion that syntactically another (second) קנה is missing from the sentence and is also concealed in the compilation ומאת. It will become clear that it is in fact not the last (third) קנה in the sentence which is in search for an object, but the second (invisible) one.

Further to these two aspects, I would like to add at least one piece of vocabulary outside of verse 5, namely the appearance of חלקת in verse 3:

3. What is the semantic content of this “cut off piece” of land which is at stake? Cultural and legal background can help to determine the meaning of the word, but the exact meaning of the word in this context (this is after all the first object of the sale which takes place in verse 5) can vice versa clarify the legal mind-benders in the pericope.

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<sup>22</sup> Gow (1992:161) is not in favour of an “emendation” of the compilation ומאת רות to רות את יד רות following the Vulgate, because he regards the Vulgate translation as a relatively “free” translation. Neither does he believe that the compilation is “corrupted” but may be ambivalent in search of an object for קנית. He contends however (Gow 1990:302), that the LXX supports his proposal (see also Chisholm 2013:667).

### 3. PROBLEMS ARISING FROM THE SITZ-IM-LEBEN: TEXT vs. CONTEXT

Further to these observations, a few others can be added, not necessarily grammatical but also on the level of ancient law, custom and culture. It is impossible to discuss these contextual difficulties completely separate from the textual, grammatical and linguistic encounters, or separate from the contents and purpose of the narrative. These aspects will be dealt with more completely in the following chapters and will include discussions on ancient customs which might be at stake, like the levirate marriage and the right of redemption (Chapter IV), the validity and applicability of certain legal concepts and actions (Chapter IV), and the presupposed contexts of the patriarchal system and family centeredness (Chapter V).

### 4. THE QUESTION OF FEMALE OWNERSHIP AND INHERITANCE

As prerequisite for the two women to be able to sell land, they had to be the owner(s) thereof. Thompson and Thompson (1968:97) take the trouble of mentioning that “many commentators take exception to the story here” (in verse 5) maintaining that “according to Israelite law, women could not inherit.” Sadly, they do not treat this very important issue in question any further in order to draw a conclusion. Prinsloo (1982:83) also notices that there is something that does not make sense here: Deuteronomy 21:15-17, as supported by Numbers 27:8-11, indicates that in the Old Testament women did not inherit from their husbands. He chooses a simple solution without further questioning or investigation by commenting that, “The fact is ... that Ruth 4 treats the situation as if Naomi had the right of possession.”<sup>23</sup> De Vaux (1962:106) walks into the same trap by speculating that “Naomi heeft een bezit dat zij uit armoede moet verkopen.” So, the next problem is:

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<sup>23</sup> The problem with this statement is twofold: the right of “possession” is not the same as the right of “ownership” and the two quoted texts do not describe the same right.

4. The law as set out in Deuteronomy 21:15-17 implies that women were excluded from their husbands' inheritance.<sup>24</sup> Of course they could inherit from someone else, including their children and their parents,<sup>25</sup> or be the owner(s) of land (Proverbs 31:16). The land in question belonged to Naomi's late husband (and according to the text, at that stage still belonged to him) and arguably to his sons Mahlon and Chilion who presumably did not have the opportunity to take possession of their inheritance since they also died in a foreign land.<sup>26</sup> Thus, the question of ownership of the land becomes an interpretational challenge. Naomi, a self-declared "empty" person (Ruth 1:21) and thus an impoverished widow, who was by law prohibited from inheriting from her husband, suddenly owns land that she could sell.

For this reason, Beattie's (1974:256) conclusion that, "The fact that the author represents Naomi as being in possession of property 'which was of our brother Elimelech's' (Ruth 4:3) must serve to indicate that it was possible in Israelite law for a widow to inherit her husband's estate," needs further explanation and more research on the question. The text alone (amidst such a great deal of evidence to the contrary) cannot serve to indicate that this was possible in Israelite law. This assumption also brings us no closer to an explanation of how Naomi could be completely "empty" and so poor that she needed to direct herself and Ruth to the custom of gleaning (Ruth 2:2), but at the same time owned land. Neither does it attempt to offer a grammatical breakdown of the problematic word מָאֵה (which locks in

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<sup>24</sup> See also Eskenazi (1992:35) for reasons: "The fear of mixed marriages with their committant loss of property to the community, makes most sense if women can, in fact, inherit...(from their husbands)."

<sup>25</sup> The whole misconception around land ownership by women in the Old Testament had been discussed in Stanton (2006:25). See also Loader (1994a:12) who tries to let Numbers 27 (women may inherit land) conform with 2 Kings 8 and Ruth 4 (women can allegedly be landowners) by suggesting that the fact that women could be landowners applies to a later date. The situation is the other way round: Numbers 27 in fact proves that women could be landowners while 2 Kings 8 and Ruth 4 point out that women did not inherit from their husbands.

<sup>26</sup> See Leggett (1974:224): "The 'dead' in 4:5 may well have reference to Mahlon as it apparently has in 4:10, and in the raising up of Mahlon's name that of Elimelech would also be continued."

the mystery of the sale-object) in order to find an answer within the text itself. To this commentator, “estate” necessarily means “real estate” (land).

Beattie (1974:258) gets closer to an explanation when he declares that “...the original seller and his heirs retained some rights to the property.” Thus, if Mahlon had inherited the property from Elimelech, Naomi retained *a right* in respect of the property of her husband and Ruth subsequently retained the same right in respect of the same property when Mahlon died. Only now can Naomi and Ruth act interchangeably, that is, find themselves in exactly the same relation to the land at the same time, and also conform to the meaning of the mysterious  $\text{מַמְנָה}$  in the text. Although this statement is still very hypothetical at this point, the name and content of this *right* will be investigated further on.

In an attempt to get around the legal problem, Beattie takes the liberty of using legal terminology like “legal fictions” and even “trusteeship” and “executorship.” It is not clear from his argumentation that he is completely familiar with the content of these concepts. Davies (1981:138) uses “usufruct” (also without explaining the meaning of the legal concept). None of these concepts explicitly existed in ancient law, but they could have existed in different forms or formed part of unwritten customs which did not have names.<sup>27</sup> It is therefore more important for a commentator to be able to declare that he is aware of the consequences of a certain legal action than to name the action or concept. As a whole, Beattie’s argumentation around the justification of the actions which take place is unsatisfactory. He prefers to “conclude” with resolutions which turn out to be “assumptions” (Beattie 1974:263), unknown “customary procedures” (Beattie 1974:265), “some rights” (Beattie 1974:264) “connected in some way” (Beattie 1974:256)<sup>28</sup> which were supposed to link the surviving widow or any other “dependant” like a daughter-in-law, to a property and inheritance.

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<sup>27</sup> See remarks on the article by Van Wyk (2014:56, 67 n115 and 68) on pp. 58, 71 and 72 of this study.

<sup>28</sup> Muffs (2003:169) in the same fashion records an incident from the Neo-Babylonian written laws where the widow of the deceased should be present during the sale transaction of his property, but fails to explain her right. He calls it a “magical attachment.” This is a concept which is non-existent, unacceptable and thus unresearchable.

Davies (1981:141 and further) argues for the viewpoint that the levirate marriage (or sexual relationship, not necessarily marriage) was to provide an heir for the property of the deceased. He fails to see the implication of his statement, namely that whatever is sold then must be *a right* and cannot possibly be bare *dominium* which changes hands. There is in fact, another narrative objective to the inheritance, and that is the fact that the deceased's *name* (and all that is understood thereby) would be kept intact.

Thompson and Thompson (1968:97) also draw the conclusion that despite the prescription found in Deuteronomy 21:15-17, there should not be any doubt that widows *did* in fact inherit from their husbands. Which other logical explanation could there possibly be for the events that take place in Ruth 4:3-5? This conclusion (equally unfounded), does not solve all the remaining problems still posed by the verse(s) in question. The question of ascertaining the direct/indirect object or finding a syntactical justification for the last קנה in the verse, is not addressed at all, neither is the problematic מאה scrutinized and analysed.

My respectful criticism to the work of all the above-mentioned learned commentators is that none of them manages to give a name to the right in respect of land that is at stake. Calling it “ownership” through lack of any other insight simply does not reflect the complete picture or at least all the possibilities.

## 5. THE PROBLEM OF THE LEVIRATE MARRIAGE

A lot of effort was taken by commentators to find the exact content and meaning for the supposed levirate marriage which presumably follows the sale of land, and forcing the two events together as if the one could not take place without the other. Thus the following problem persists:

A marriage does follow, but is it a levirate one? If so, what is the connection between the duty of redemption as found in Leviticus 25:25 and Jeremiah 32:6-25 and the levirate marriage as found in

Deuteronomy 25:5-10 and arguably in Genesis 38 and why do they have to be interdependent in order to be effective in an attempt to make sense of the narrative and “complicated” grammar of the verse?

Can the text provide a grammatical solution to this problem, or is it simply interpreted to satisfy traditional presuppositions which prevailed for centuries? Why is the alleged “ownership” of the land linked to a marriage with either Naomi or Ruth (as substitute)?

Davies’ argumentation (1981:144) develops to the point where he acknowledges that the levirate marriage alone cannot provide for the built-in duty of a husband or any other surviving male member of the family to provide for the widow. Because of this, all sorts of “links” between the two *quasi* legal concepts are hypothesised, whereas they require two completely different sets of facts and actions and are not related at all. The unfitting puzzle pieces become more and not less.

## **6. POSSIBLE SOLUTIONS**

In order to find solutions to the five questions posed above it will be necessary to take a magnifying glass view of the grammar of the sentence of Ruth 4:5 and also investigate the cultural and possible legal background of the surrounding events, whether found intra-textual or outside of the text. Being a grammatical and translating study in the first place, the main objective would be to find out whether the grammar and vocabulary can be of assistance in clarifying the cultural vagueness, and vice versa.

## **7. GRAMMATICAL AND MORPHOLOGICAL ANALYSIS**

For purposes of this study, only the problematic forms *ומאת* and *קניתי* will be analysed with applicable references to words, phrases, morphemes and moods in the preceding verses which can be of use in order to draw conclusions.



The form וּמֵאֵת:

- (i) The compilation consists of *vav* copulative plus preposition מִן (“out of, from”) plus deictic object marker אֵת with replacement function<sup>29</sup> (“that”)<sup>30</sup> replacing “the hand” (of Ruth).<sup>31</sup> Another possibility is that this is a combination of the preposition מִן and the preposition אֵת, “out of, from.” According to Köhler & Baumgartner (1994-2000:999), this combination usually occurs “after verbs of removing.” A similar case would be Genesis 17:27, where one reads of “(men) bought with money from foreigners” (וּמִקְנֵת־כֶּסֶף מֵאֵת בְּדֹנָקַר) although it is remarkable that this sentence has no direct object. If this is the intended form, it would imply that the piece of land was also bought from Ruth.

Translation (i): and (buy it) out of that (“the hand”) of Ruth; or: and from Ruth.

This translation suggestion equals the one proposed in (1) as far as meaning is concerned, although grammatical justification for the way it has been rendered there will have to be found.

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<sup>29</sup> See Gesenius (Gesenius-Kautzsch-Cowley) (1978: 364, 117d) for examples where the foregoing object is not repeated as it was already mentioned in order to avoid repetition. It is presupposed that the reader bears knowledge of the object that is at stake. In this specific case, the object is the one that is unclear or unknown. See also 117.f4. In continuing footnote 3 on p.363, the replacement value of אֵת is pointed out, as if the deictic pronoun had lost its force. It can be translated by *ipsum* (Latin) *dasselbe* (German) or *same* (English). In my opinion, this rendering can resemble אֵת in its capacity as so-called *subject marker*, because of the loss of meaning of the replaced word, and because of the importance of the meaning thereof.

<sup>30</sup> Waltke and O’Connor (1990:307, 17.2b) classifies אֵת in its capacity as object particle, as a deictic word which tends to be demonstrative.”

<sup>31</sup> Following the foregoing מִן in מִיָּד.

NOTES:

- It is clear from this translation that **מֵאֵת** will have to serve two purposes namely that of object marker replacing “the land” as well as that of preposition “from.” It might be argued that this double duty may just be stretching the function of **מֵאֵת** in the sentence too far, but according to my interpretation this is exactly what is happening here.
  - It also equals the first part of translation suggestion (2): ... and from Ruth ... which is but a simplified version of ... and from **מֵאֵת** of Ruth, which would also be written: ומֵאֵת רוּת but in which case **מֵאֵת** will not be an object marker, but the preposition “from.”<sup>32</sup> The possibility of rendering the whole clause “the wife of the deceased” as object for the second **קָנָה** in the sentence will have to be analysed and justified syntactically.
- (ii) The compilation can also consist of *vav* copulative plus conjunction **וְ** (also)<sup>33</sup> plus object marker **מֵאֵת** pointing to “Ruth” as direct object, following the translation of the Vulgate: *Ruth quoque Moabiditem ... debes accipere.*<sup>34</sup>

Translation: ... *and also Ruth* ...<sup>35</sup>

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<sup>32</sup> See also Botha (2009:538) where a discussion of Ps 24:5 provides a translation of **מֵאֵת** (“out of” or “away from”). The author’s translation of the compilation consists of a contraction between the two prepositions **מֵאֵת** and **מִן** and does not consider the **מֵ** in the compilation as remnant of **וְ**. In Genesis 25:10 the compilation **מֵאֵת** also appears, but “...with the significant difference that the verb has an object which it does not have in Ruth 4:5.” (Leggett [1974:223]).

<sup>33</sup> See also Gesenius’s discussion of the possibility that **מֵ** could be a remnant of **וְ** or a contraction between **וְ** and **מִן** which will result in: “and also from the hand of” or “and also Ruth.” In both cases the function of **וְ** will be merely emphasis whereas the copulative particle **וְ** provides not only for the conjunction but also for the addition.

<sup>34</sup> See also Gow (1990:303).

This translation resembles translation proposition (3) in the introduction to this chapter, but the following should be noted:

NOTES:

- The translation implies the acquisition, purchasing or acquiring (not necessarily marriage to) of Ruth. For purposes of this study, it is important to ascertain whether a marriage is implied in the sentence. It is irrelevant for purposes of this study to ascertain beyond doubt whether it would imply a *levirate* marriage.<sup>36</sup> Davies (1981:139) draws the conclusion that it can only be the levirate marriage which can provide the waterproof legal tool for the provision of the widow of the deceased, because only along this way would she be able to “inherit” his “estate.”<sup>37</sup> This statement can be proved lacking during the course of this study.<sup>38</sup>
- A marriage does follow later on in Ruth 4, but it is never stated that it is a levirate marriage, neither is it stated that it followed as a result of what had been offered in verse 5, despite popular and fixed presuppositions that this is the proposal which had deviated the redeemer’s appetite away from the purchase of the land. This circumstance will have to be grammatically justified, and will depend largely on the outcome after considering the form of the last קנה in the sentence.
- The text-critical notes in BHS suggest the rendering of the Vulgate version: *quoque*, which will merely be translated as “likewise, besides, also, too” but does not suggest a direct object for the second (omitted/implied) קנה in the sentence. It should be considered whether the last קנה in the sentence is in fact the verb which requires a direct object. The verb appears

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<sup>35</sup> מ being a remnant of גם “also,” although Gow (1990:303) offers a proposition originating from the seventeenth century to delete the מ (which means that it is enclitic) and to read: ואת רות.

<sup>36</sup> The commentator offers a complete discussion of the origin and meaning of the levirate marriage.

<sup>37</sup> Although Davies yields that this custom differed from the phenomenon found amongst neighbouring nations (the Hittites, Assyrians and people of Ugarit), he does not draw a clear distinction.

<sup>38</sup> See also Pilch & Malina (1989:75), on the core value of the maintaining of the family name.

problematic in the text because of the first person singular rendering, and the question would be to ascertain whether a *Ketib* or *Qere* rendering would be preferable. If the former is found to prevail, I shall attempt to point out that syntactically another קנה is lacking in the sentence. This missing verb would be the one requiring the object and not the last קנית.<sup>39</sup>

- It should also be noted that the object marker lacks the *maqeph* which is usually *attached* to the end of the particle indicating that the object which it refers to, belongs thereto. If broken down, (i.e. should the ׀ be removed from the compilation), it should result in א followed by the object. In this case it results in א followed by no object. If “also from the hand of” is meant, “hand” will only be the indirect object and א can only replace the foregoing “land”<sup>40</sup> not as object marker but as deictic replacement particle.
- (iii) The compilation can also consist of *vav* copulative plus conjunction word ׀ plus object marker א pointing to a missing object (for the second, but omitted, קנה) “hand,” alternatively: deictic object particle replacing “hand of” to avoid repetition, whereas it had already appeared in the sentence.

Translation: ... and you will also (acquire) the hand of Ruth ...

#### NOTES:

- In this case the translation will of course be figurative or idiomatic and will imply a marriage (not necessarily a levirate one) to Ruth. Whether this idiomatic expression existed in ancient Hebrew will have to be put to the test. Gow (1990:303) makes the statement that ׀ does

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<sup>39</sup> As Gow (1990:303) suggests.

<sup>40</sup> Note at this stage that I prefer the use of “land” as in fixed property above “field,” to emphasise the legal concept of ownership which is in question in the pericope. “Field” can also mean “savannah” or imply country-like scenery which is of course highly functional in order to create atmosphere and images of the countryside which forms the backdrop of activities in the narrative. It can also replace any word referring to a place where agricultural activities take place.

indeed have an idiomatic application, in that it is used figuratively for economic possession or control, a fact that cannot be denied in terms of a man's marriage to a woman in ancient terms.

- What I miss from the compilation מאת followed by Ruth, is not only the *maqeph*, but also the rendering of the construct state which is clearly needed in a phrase like: *from the hand of ...* The missing indirect object (for instance "hand") should be in the construct state, indicating possession in regard of the following noun "Ruth".

The form קניתי:

This is a Qal perfect, first person singular of קנה.

Translation: "I bought."

NOTES:

- Köhler and Baumgartner<sup>41</sup> renders this form as a perfect.
- Prinsloo (1982:83) and Loader (1994a:79) both remark that the perfect tense is utilised here, as if Naomi had already sold the land, although both are convinced that this could not have been the intention. It is a well-known grammatical fact that the Hebrew perfect and imperfect tenses could alternate in ancient narrative literature, without necessarily affecting the meaning. In my opinion the tense in which this word appears is less important than the subject ending which it represents. Eventually this study is intended to discover which actions are performed by which role players, and finding the meaning of each action for the purposes of the narrative.
- The *Biblia Hebraica Stuttgartensia* text-critical apparatus reads as follows, and can be useful in making the ultimate choice: A few Hebrew texts have as it is read (Q) קָנִיתָ but it is written as (K) קָנִיתִי, possibly read קָנִיתָ, cf. the (ancient) translations.
- The majority of translations make the emendation in order to make sense of the text by utilising a second person singular with the form of the verb. Emendation of the verse on syntactical rather than morphological level can be explored. This will make the emendation of the word unnecessary, and provide a fresh, but sensible interpretation ... *you shall also acquire Ruth, (in*

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<sup>41</sup> HALOT (Köhler and Baumgartner 1994-2000:8423).

*the same way) as I should acquire her ... (subjunctive mood) and not: ... (because) I have already acquired her ...*<sup>42</sup> (perfect). The complete explanation will follow in a further chapter. It should be clear that the emendation also lies on a syntactical level.

- There is no real consensus on the content and meaning of this last קנה in the sentence. In the majority of translations, *acquire* is rendered, with the implied (although not explicit) meaning of *marry*.<sup>43</sup> Leggett (1974:226) explores the possibility that one of the meanings of the stem of קנה can be “ownership through acquisition” but concludes eventually that in this case “acquisition in general” should be understood. The core meaning of this stem had been rendered in at least one instance, namely the Jerusalem Bible, “*then you also buy ... Ruth.*” This possibility and probable custom which might underlie the circumstances had not as yet been properly explored. Should it be found to mean *marry*, then still the question (which had since become more of an uncontested doctrine) of the marriage being a Levirate one, will have to be explored. My finding is that a morphological analysis of the problematic words in verse 5 is not complete without reference to at least one problematic word in verse 3, namely חלקת. This word contains the object of the sale transaction, and finding the exact semantic content thereof, is *sine qua non* in finding solutions to the questions surrounding the sale and other events in the pericope.

Verse 3:

The form חלקת:

This is a noun, feminine singular, construct state of חלקה.

Translation:

- (i) Part of ...
- (ii) Cut off piece of ...

<sup>42</sup> As some translators prefer to believe, meaning that Boaz had already consummated his relationship with Ruth.

<sup>43</sup> Is there a big difference between “acquiring” and “marrying” a woman in ancient terms? “Marriage” did not include any paperwork or legal requirements like today. The procedure consisted of celebrations, the couple entering a tent, hut or room and coming out of it the next day. In Hosea 2:2 לקח is translated by “to take a wife” and in 1:3 by “marry.” See also the translation of the same word in Genesis 4:19 and Genesis 6:2 and also Van Leeuwen (1968:76). See also discussion on p. 104 of this study. In Ruth 1:4, נשא is used for “taking” wives.

- (iii) Share in/of
- (iv) Plot of land.<sup>44</sup>

NOTES:

- The noun is in the construct state, which precedes the (implied) genitive of the noun which follows, namely הַשָּׂדֶה. This observation is significant in that the sentence cannot be understood as if an entire or undivided entity is being sold. A ... (something) *thereof* is at stake.
- It is true that idiomatically “a piece of land” is a more modest or unostentatious reference to an entire farm in modern day language, but it cannot be ascertained without doubt that this expression existed in Ancient Hebrew. The euphemism can only be observed in the construct state of the word חֶלְקֶת in Ruth 4:3.
- If it can be found that the object of the sale is a right in respect of land and not land itself, the content of this right has to be investigated. A significant usage of “*share in the land of ...*” can be found in the German Lutherbibel. A share does not imply bare dominium, but a right, that is something less than ownership. If “cut off piece” is to be understood, to whom does the other subdivisions belong? There is no indication in the text. It can, however, be understood figuratively to mean “a lesser right.”
- An important inter-textual relation which can be kept in mind and also be tested against this background, is the history of the widow in 2 Kings 8:1-6 who appealed to the king for the return of her property after her long stay in the land of the Philistines. A close reading of verse 6 brings to light that the king ordered his official to return to her everything that belonged to her, including the “income” (NIV), that is, the “proceeds” of the land, nota bene, not the land itself, although that is what she had asked for. The land probably belonged to her son in terms of the law of succession as set out in Deuteronomy 21. It makes no difference whether the widow in 2

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<sup>44</sup> According to HALOT (Köhler and Baumgartner (1994-2000:2927) it refers to “the plot of land allotted to an individual out of the whole land of a community.”

Kings 8 already had a son. The principle stays the same. The stem of the word that is used here is בוא (“come in, bring in”; recognisable in the Afrikaans equivalent: *opbrengs*).

## 8. CONCLUSION

To conclude, I would like to repeat that I believe solutions for textual or interpretation challenges should be tackled by directing the attention to the text itself in the first place. Of course not all possible solutions will be found along this way. The next step would be to approach and implement extra-textual tools to help with possible interpretations. This chapter was an attempt to identify the textual difficulties by analysing the text and let the problematic pieces surface as a result. In the following chapter the difficulties which were underlined in this chapter will be tested within the narratological framework of the book. Only if all the elements had been researched and put together, a chapter will be dedicated to possible ways in which solutions for the abovementioned intricacies and unanswered questions can be found.



## CHAPTER III: RUTH 4:5 WITHIN THE NARRATOLOGICAL FRAMEWORK OF THE BOOK

### 1. INTRODUCTION

In the previous chapter it was mentioned that the crux and resolution of the narrative of Ruth is to a great extent to be found in the text of the pericope Ruth 4:3-5, with special reference to verse 5.<sup>45</sup>

It is therefore of the utmost importance for the reader to understand the events which play out in this condensed burning point, and why verse 5 can be regarded as the coming together of the aim of the narrative. Unfortunately, as it was pointed out, the text itself poses more questions than answers, unless the reader is prepared to accept stagnant presuppositions (Wessels 2001:332)<sup>46</sup> which will conform with their (and arguably the narrator's) direction of thinking without questioning and research of the inconsistencies.

In this chapter the narrative will be analysed on a textual level as well as on the level of its deep structure in order to enable us to compare the findings of Chapter II (the grammatical difficulties) with the narratological aspects of the book. The objective is to bring us closer to possible solutions which can be of assistance in finding a more accurate interpretation and translation of the pericope even if new insights will have to result.

The expectation also arises that these findings will lead to a better understanding of the book and its underlying message(s).

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<sup>45</sup> Gow (1992:790) regards verse 5 as the "...crux of the section (Ruth 4:1-11b) ... (which) becomes the hinge upon which the whole situation turns."

<sup>46</sup> The author is in favour of a historic-critical method which creates a healthy distance between reader and text and also restricts the *familiarity* with the text. See Le Roux (1997:404): "... researching both the minds of the people and that of the narrator of the time, is a historical undertaking."

## 2. THE STRUCTURE OF THE BOOK OF RUTH

The book of Ruth is generally regarded and respected as one of the most successful and artistic examples of a complete short story in the Old Testament. Berlin (1983:83) in fact chose the book of Ruth as model for her narratological research exactly because it is “... conveniently short ... there is no problem in defining the boundaries of the narrative, and because its literary qualities have long been recognized.”<sup>47</sup>

It can be asked if the structure of the book of Ruth can be found by using the method called “form criticism” (Berlin 1983:122) and if so, how will this method assist the reader or scholar in the interpretation of the deep structure and possible “meaning” of the book. In order to accomplish his goal(s), it appears that the ancient author devised a strong structure around the story before he started working on the narrative. The narrative seems like a unit as a whole and is not compiled from smaller “independent” stories (differentiate this from smaller “scenes” as discussed on p. 43 and 56) by which most Bible stories are apparently “combined in a certain order to make the greater narrative” (Berlin 1983:123). The premeditation by the author of the book of Ruth does not resemble the “framework” given by Berlin as analogous to the individual small frames from which a film is made up. To my view it rather resembles a “framework”<sup>48</sup> similar to that which is required from pupils when attempting first essays. Berlin also stands sceptical towards forcing a method of form criticism onto the structure of the book of Ruth, because the structure of the book of Ruth does not consist of smaller literary units “that once existed independently” (1983:122).

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<sup>47</sup> Together with the narratives of Joseph and Esther, and arguably Jonah and Daniel. See Potgieter (1991:5 and 107) who classifies the book of Jonah as a short story, not only because of its length but because of the definition of its prosaic form and the fact that “...’n verhaal word deur iemand aan iemand onder bepaalde omstandighede vertel” (a story is told by someone to someone in certain circumstances) (my translation of the Afrikaans). These criteria can also be applied to the book of Ruth.

<sup>48</sup> See Gottwald (1985:556) for the formation of this structure.

It should however be kept in mind that the ancient art of scriptwriting differed in more than one way from that which will today be regarded as “artistic” or “successful.”<sup>49</sup> Loader (1994a:9) mentions at least one characteristic of ancient stories: The feelings and motives of the characters are seldom described. It can only be inferred from their words and actions. Ska (1990:18) even confesses that “...the modern reader feels frustrated by the lack of interest in happenings...” This highly tantalizing method is called reticence by Alter (1981:114), a technique which Saxegaard (2010:193) finds particularly meaningful in the apparent “silence” of God throughout the narrative. In Gen. 6:5-7 however, we find an example of an instance where God’s feelings are described. Berlin (1983:137) calls it “the technique of leaving gaps” and reminds us of the many actions and reactions throughout the Bible which are rather “suggested than recounted.” In the book of Ruth these instances occur all the time, and the different forms in which the gaps can present themselves will be explored during the following discussion.

#### **a. THE EXTERNAL STRUCTURE OF THE BOOK OF RUTH**

“Surface does not always match “significant structure” (Phelan and Rabinowitz 1994:166). In order to justify this statement, a brief summary of the chronological sequence of events is necessary to get a bird’s eye view of the “outside” story. This report is a factual one, although gaps in the narrative will be pointed out. The possible reasons for or meaning thereof will be argued subsequently. The main function of these “gaps” or ellipses<sup>50</sup> is that a call is made to the imagination of the reader to take part in the narrative. This method turns the process into a creative affair (Wessels 2001:339). These gaps create either suspense or expectation and even surprise on the side of the reader and can thus be highly

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<sup>49</sup> See Alter (1981:115) and Wessels (2001:338), who both remind us that the ancient text plays out in different places and times as well as represents different cultures and languages. The test for success lies in its usability.

<sup>50</sup> “... a leap forward without any return ...” (see Genette 1983:43). Although the terms *prolepsis*, *analepsis* and *ellipsis* usually has to do with duration or lapse of time, “gaps” like failure of name giving and failure to describe a person’s feelings cannot be left out for purposes of this investigation.

functional. Should the narratological method and the linear recital of chronological facts meet each other in the experience of the reader, Genette calls the effect “*narration*.”<sup>51</sup>

In English the word “narration” (to tell) does not mean exactly the same as the French *narration*. It is therefore necessary to explain Genette’s distinction between “narrative” (the linear recital of chronological facts or succession of events) and “narrating” which is the “producing of narrative actions” (p. 27). Although “narrative” can be translated into French by *narration*, my interpretation of Genette’s application of *narration* is that it is rather an outcome or “effect” which results from the application of both “narrative” and “narrating” in a “story,” because the manner in which the events are being produced by the “narrator” is also significant. In its turn, “story” can imply more than just a recording of events. Phelan and Rabinowitz (1994:101) expand on this term by explaining that some scholars call it the “raw chronology,” *fabula* or “material plot.” “Story” can thus entail the meaning “plot,” which is quite something different from “raw chronology.” The term “plot” had always been difficult to define. To me it means that part of the story which contains the problem, waiting to be resolved. The resolution is therefore part of the “plot” rather than of the “story.”<sup>52</sup>

The chronological reporting of the story happens on a factual level (paratactical), but the narrator also makes use of smaller scenes within the broader telling (see the subsequent discussion in 2.2). Ruth 1:1 sets the events generally within the time of the Judges<sup>53</sup> which action pretends to render the genre as that of a historical novel. The HAT (*Handboek van die Afrikaanse Taal*) includes “leuen” (lie) and “verdigsel” (fabrication, fable) into the meaning of “*storie*.” It can be questioned whether a “story” can

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<sup>51</sup> Genette (1980:25); Alter (1981:80); and Ska (1990:46).

<sup>52</sup> It is interesting to note that an equivalent for the term “plot” does not exist in Afrikaans. The term had probably been adopted into many other languages as it stands. Afrikaans offers the one instance where the term “*storie*” would also include the understanding of “plot”.

<sup>53</sup> The era of the Judges lasted for about 150 years, from ca. 1200 to 1050 B.C.E. (cf. Bright 1972:166). Perhaps an instance of a gap called *anachrony* (“... all forms of discordance between two temporal orders of story and narrative ...”) in the text? (see Genette 1980:40).

then only be a story if the events are fictitious. To Genette (1983:25) it makes no difference whether the events are historical (real) or fictitious. The book of Ruth lies somewhere in between, because the facts cannot be proved (neither can the dating of the book<sup>54</sup>), in spite of the genealogy at the end of Chapter 4, which has another objective and was probably added long after the story was written down (see discussion in Chapter V).

Venter (1989:917) offers a very brief symmetrical framework of events, mainly to point out the similarities and contrasts in the narrative, the meaning of which will be looked at later on in this chapter. He calls it a “ring composition,” thus a kind of envelope structure which will prove of significance in the alleged deep structure of the work:

(At this stage it is important to note that the composition begins with a flashback (*analepsis*<sup>55</sup>) of Naomi’s family background and the prospect of her never having any descendants. This theme is taken up at the end again, forming an important parallel which frames the outward structure of the book by way of *inclusion*.<sup>56</sup>)

- 1:1-5: **Naomi’s generation is beginning to perish**
- 1:6-22: Naomi confirms her lack of a future vision

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<sup>54</sup>Leggett contends that the reason why it is so difficult to date the book, is that the phenomenon of the levirate marriage cannot be discussed without a timeframe in which the narrative plays out: “The problem of dating the book is to some extent linked to the purpose of the book,” whereas Von Rad (1965:52) dates the book to the period of the Solomonic enlightenment: “...showing similarities of style and content to other literature coming from the period of the monarchy...”

<sup>55</sup>According to Genette’s (1980:40) definition of *analepsis*: “...any evocation after the fact of an event that took place earlier than the point in the story where we are at a given moment...” while *prolepsis* is “...any narrative maneuver ... evoking in advance an event that will take place later...”.

<sup>56</sup> Probably following the example which was originally proposed by Bar-Efrat (1980:157) and incorporated in his study by Gow (1992:93).

- 2:1-23: Boaz meets Ruth and provides food.
- 3:1-18: Boaz is convinced of acting as redeemer and husband.
- 4:1-17: Boaz marries Ruth and Naomi becomes a grandmother
- 4:17-22: **The famous family tree of descendants of Naomi.**

Venter stresses that there are many gaps in the narrative. They are there for a purpose. They invite the reader to take part in the filling of the gaps because these are the spaces where God meets humanity (his human subjects).<sup>57</sup> This technique is typical of the ancient style of writing and it helps to determine what both the written and the unwritten text would like to communicate. For the purpose of this study, it will be important to ascertain whether this technique features also in the resolution of the story and if so, whether it contributes to the hypothesis in this study. Although this method of close reading lies on the level of the deep structure, I would like to point out the gaps by way of recording the sequence of events.

The book begins with a description of the circumstances which compelled a family to move from Judah to Moab. After a short note about the death of the mother's husband and her two sons, it begins in actual fact with a description of the return of Naomi as a widow to her homeland, together with her two widowed daughters-in-law, Orpah and Ruth (Ruth 1:1-22). The implied narrative of Elimelech, a former landowner from Bethlehem who fled to the (gentile) neighbouring country of Moab with his family because of a famine, can be read as the background<sup>58</sup> to the actual story. Both his sons, Mahlon and Chilion, married Moabite women during their stay there. Unfortunately all three male persons in Naomi's life die in the foreign country, leaving three impoverished widows behind.

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<sup>57</sup> Venter (1989:928): Spatiality becomes a technical aspect of the narrative strategy: "In daardie ruimte is die onsigbare God aanwesig en tree Hy op in en saam met die mense ... in wie se lewe die geloof tot wasdom gekom het."

<sup>58</sup> A flashback or analepsis.

In the light of Ruth 1:6, Naomi decides to return to Bethlehem in Judah and her two daughters-in-law decide to accompany her (Ruth 1:8-13).<sup>59</sup> Along the way, Naomi tries to convince the two younger women to leave her and go back to their own land. Orpah eventually complies, but Ruth persists in going with her (Ruth 1:14-17). The reason for Naomi's decision is that which is explicitly stated in Ruth 1:6, namely that the Lord had paid attention or had cared for his people, an insight which is probably important in this context.<sup>60</sup>

As they reach Bethlehem in the midst of the barley harvest, people express surprise about the return of Elimelech's widow (mentioning Elimelech, who is still remembered, by name).<sup>61</sup> No one seems to be willing to extend a helping hand to the two hungry and homeless women (despite the apparent abundant availability of resources),<sup>62</sup> and Naomi laments her physical and mental state by describing

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<sup>59</sup> It is generally accepted that the reason is their loyalty to Naomi, but see Stanton (2006:43) for the possibility that they also had no male relative to provide for them (gap filled): Naomi refers to "the mother's house" of each of them in Ruth 1:8. "Mother's houses" is changed to "parents' houses" in the NAV, apparently to conform to the idea of the patriarchal system of the time.

<sup>60</sup> See Fentress-Williams (2012:28): "... Naomi was the embodiment of famine ..."

<sup>61</sup> See Morris (1968:251): the Talmud regards the death of all three male relatives as a punishment for leaving Judah. Gow (1992:103), however, expresses his doubt whether the author "wishes to see the deaths in Moab as a punishment." See also Loader (1994a:13) who refers to the "punishment" mentioned in the Targum on Ruth. Westbrook (1988:41) mentions that the community sometimes had to decide on the sanction which had to be applied on people who had left the country. According to Fentress-Williams (2012:29), Moabites were associated with forbidden worship practices in marriages, which were severely punished by God. The presence of Moab in the midst of Israel is a threat to Israel's well-being and very existence. However, in the story of Ruth, there is a reversal.

<sup>62</sup> Can the indifference of the community be as a result of Ruth's presence with Naomi? Something must have made her "different," although her appearance (e.g., her complexion or dress) is never described, but her nationality (as Moabitess, understood as "gentile") is stressed through repetition in the whole book: 1:2-22; 2:1, 2, 6, 21; 4:5, 10. See also Loader (1994a:13). This gives the character of Ruth a negative connotation in the narrative (cf. Deuteronomy 23:3; Nehemiah 13:1-3). Saxegaard (2010:204) explains Naomi's initial indifference

herself as “empty.”<sup>63</sup> She also accuses God (referred to as “the Almighty”) for having allowed her to leave as a “full” woman (rich for having a husband and sons to provide for her) but causing her to return “empty” (they are now all dead: Ruth 1:20-21). It is uncertain if she sees her fate as the result of God’s punishment although she calls him “Almighty,” thereby admitting that God is capable of bringing good as well as evil into the lives of people.<sup>64</sup> In the past, the gap-filling at this point might just have been overly exploited and presupposition became tradition: Gow (1992:98) warns that “... there is no suggestion in this book that the famine was caused by God, or that it was a judgement for national sin ...” The presupposition that God was “silently” involved and timeously intervened at the right moment(s) does, however, conform to the theme of providence and survival (which is also visible as an *inclusio* in both the external and the deep structures of the book), as well as with the popular theology of God’s involvement in people’s lives.

Ruth apparently feels compelled to help find food and requests Naomi to allow her to participate in the custom of “gleaning.” In the course of time, she “accidentally” (but necessarily for the narrative), wanders onto the lands of Boaz, a relative on Elimelech’s side. It is not known how Ruth became aware

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towards Ruth in this way: “... [it is not that she dislikes Ruth] ...there is just no future in a Moabite.” It is known that the character of Ruth evolves during the narrative to find approval in the eyes of not only the community, but also of the reader. This is in fact already done in Ruth 1:16-17. The tension line consists of the question whether the other characters will also “side” with her. The fact that the reader had already sided with her, underlies the change of her as foreigner from a state of exclusivity to that of inclusivity. As Saxegaard (2010:204) puts it: “...Ruth demonstrates by her actions that her foreign identity is not necessarily a threat for the Israelite community, but rather a blessing.”

<sup>63</sup> Here is a rare example of a biblical character describing herself. Linafelt (2010:118) stresses that biblical narrative tends to avoid description of any sort and that “It is striking how rarely we are told what ... people ... in biblical stories look like.” Examples can be found in Genesis 29:17 where something about the appearance of Laban’s daughters is given away, and in 1 Samuel 16:11 where David’s good looks are described in no unclear terms. In Genesis 29:11, there can be no doubt about Jacob’s emotional state.

<sup>64</sup> 2 Samuel 16:5-11; Isaiah 45:7.



of Boaz's existence or activities, neither is it known why Boaz did not intervene<sup>65</sup> to help his impoverished elderly relative in the first instance. It is also not known how Ruth became aware of the Israelite custom of gleaning which was reserved for only the poorest of the poor (Deuteronomy 24:19 and Leviticus 23:22).<sup>66</sup> It is also not mentioned where the two women found a roof over their heads.<sup>67</sup>

Boaz, however, notices Ruth as she was gathering grain stalks and displays mercy towards her (despite her being "different") in more than one way. He orders his servants not to bother her, to let fall more grain stalks for her to pick up, and even invites her to lunch (Ruth 2). Here also it is notable that any description of Boaz is absent.<sup>68</sup> It is commonly accepted that Boaz was a much older man than Ruth, although it is nowhere stated in the text, leaving a huge gap open to the imagination of the reader which is easily filled by the notion that he was necessarily much older than Ruth.<sup>69</sup> Having already been married for ten years herself, Ruth could also not have been that young anymore (Linafelt 2010:120).

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<sup>65</sup> Ellipsis.

<sup>66</sup> See Morris (1968:284): "Though Ruth carried out the plan ... there is no indication that she knew anything about the custom until Naomi outlined it."

<sup>67</sup> Several instances of ellipses. The facts are probably not important for the plot and elaboration thereupon could compromise the quick tempo of the narrative, but by now the reader's curiosity is stimulated and it urges him or her to read further.

<sup>68</sup> Saxegaard (2010:149) suggests that the description of Boaz in Ruth 2:1 should have been something like "vigorous," "mighty," "influential," "strong," "brave"; therefore a variety of characteristics, but no outward appearance.

<sup>69</sup> See Stanton (2006:42) where the allegation that Boaz is much older, is found unjustified. Support for this view can now be found in Linafelt (2010:119-120). He also adds that "This is not the absence of characterisation but a certain mode of characterisation: more complex than simple ..." The reader must follow up the few hints that are deliberately given and in Boaz's case the hints describing him are so vague that they are close to non-existent. His character can rather be known by his actions.

In Chapter 3 Naomi decides to make her own plans as she directs Ruth to go to the threshing floor of Boaz during the evening and cover herself with his shawl when he has fallen asleep, a very symbolic enacted metaphor for the time, namely to invite him to marry her and cover her nakedness (shame).<sup>70</sup> The “bed scene” forms a high suspense small act (*chreia*)<sup>71</sup> within the broader narrative (Ruth 3:9-14), since no feelings but only actions and dialogue are offered. As Louw (1991:4) points out, it is rather the reader than the characters who “find pleasure,” (feel) the impact of the actions, but he warns that people’s interpretations can differ and can lead to misunderstanding of the text. It is important that the translation stays meaningful. This scene creates the expectation that a marriage between Ruth and Boaz will follow. At this point it is important to point out another huge gap which is never cleared up, despite the marriage which takes place later on. The reader wants to know what really happened on the threshing floor. Gow’s argumentation (1992:155-166) on this point is highly interesting and scholarly, because it lies on a grammatical level. He suggests that the answer can possibly be found in the inexplicable first person singular suffix of the last *הָקַם* of Ruth 4:5 (another phenomenon which will probably keep translators struggling forever).<sup>72</sup> He suggests, together with a few other supporters like Sasson and Beattie that this form can point to the possibility that consummation of the relationship between Boaz and Ruth had already taken place. It is clear, however, that this approach does not enjoy much affirmation, and leaves the gap open. Even this lack of information serves a purpose: it keeps the reader excitedly interested and eager to get to the conclusion of the narrative, just in case something more would be said about the event. The author succeeds in keeping the reader reading.

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<sup>70</sup> Probably repeating the imagery of Boaz in 2:12 where the expression points to an act of God.

<sup>71</sup> Tannehill (1995:57): “This little scene serves to display the wit and wisdom of a particular person whose pronouncement or significant action is presented for admiration and often for emulation.”

<sup>72</sup> Gow (1992:126): “The immense literature on the subject testifies to a problem unsolved.”

On the surface structure, Boaz apparently resists her,<sup>73</sup> but does not let her go without a large gift of food and a blessing.<sup>74</sup> Because of his reaction, Naomi predicts a positive outcome for the events as soon as the “affair” (legal proceedings which she envisages) is concluded. It is not explained how she could have known about the proceedings which were to follow.<sup>75</sup>

In Chapter 4 the proceedings do indeed follow. Boaz sits down at the city gate, traditionally the meeting place of the elders of the city, in whose presence important matters had to be decided upon.<sup>76</sup> Thompson and Thompson (1968:84) quote a Hittite law where the “gate of the king” is used as the court of the elders.

“Incidentally” (but certainly opportunely, thus an instance of serendipity) a nameless person (constituting a gap) who is described by Boaz as “the redeemer”<sup>77</sup> also passes by quite co-incidentally

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<sup>73</sup> Gow (1992:157) quotes Daube (1981:34) who is convinced that no intercourse takes place, and justifies his view by defending Boaz’s “better title” as kinsman, who has to deal with the legal actions before “they can go ahead...”! Boaz’s integrity is assumed hereby.

<sup>74</sup> An instance of ellipsis. Here again no feelings are described, but the reader already concludes that Boaz is in love. This is another good example of “showing” (through dialogue) instead of “telling” (by describing) by the narrator. This method contributes to the dense structure of the narrative. See also Ska (1990:18) “...rather displaying than unravelling ...” the scene also serves as imagery for the deeper meaning and theme of the book: providence and survival.

<sup>75</sup> An instance of ellipsis.

<sup>76</sup> The author utilises this historical fact to effect meaningful spatiality. See also De Vaux (1962:272).

<sup>77</sup> As meant in Leviticus 25:25 and Jeremiah 32:6-25. Keeping in mind that a story seldom reflects reality in great detail, my opinion is that this unlikely coincidence compromises the credibility (or trustworthiness) of the historical and legal allegations and represents a weak spot in the author’s writing skill. Fentress-Williams (2012:68) sidesteps this possible problem by classifying it as “... the stuff of comedy. Our theological lens brings an understanding of these activities as more than a literary device; they are the work of God.” The traditional opinion is also that this coincidence (the ‘just then’ phenomenon [see Fentress-Williams 1991:68]) is on the same level as that of Ruth stumbling upon a piece of land belonging to Boaz. The intention in both instances is

(נהוה).<sup>78</sup> Shortly afterwards Boaz invites him to join in the meeting. Boaz also invites ten elders to act as witnesses, but directs himself to the “so-called” redeemer, whose name is not mentioned.<sup>79</sup> He explains the redeemer’s rights in respect of the land to him. He gives him the opportunity to accept the offer to buy the land,<sup>80</sup> explaining that he himself, as the next in line, will otherwise buy “it.” It is not clear from the text whether Naomi and/or Ruth attended the proceedings. Women usually did not have the *locus standi* to be present at legal proceedings, especially in public.<sup>81</sup> Venter (1989:918) alleges that Naomi and Boaz never meet in the narrative, and that this is significant because Ruth acts as common denominator to further the interests of both main characters. In the mind of the reader, however, Naomi and Boaz could well have met, planning the “conspiracy.” Such a meeting is not described<sup>82</sup> and

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probably to show the involvement of YHWH. It can be stretching the “magic” too far. Louw (1991:4) warns that sometimes the obscurity in Bible translations is justified by saying that “... all religious language is bound to be mysterious.” Keeping in mind that the reticent involvement of God is one of the very much established theologies of the book of Ruth (Venter 1983:12), my viewpoint will probably not be received well.

<sup>78</sup>See Berlin’s (1983:62) discussion of the function of הנה in biblical narratives. She explains that this word sometimes marks the perception of a character as distinct from that of the reader and the narrator. The latter two know beforehand what would happen, but for the character an occurrence can come as a surprise. Utilization of the direct speech and present tense works more “dramatic.”

<sup>79</sup> Both Saxegaard (2010:70) and Stanton (2006:40-41) regard this failure to name a character as highly effective. A nameless person cannot be important or a protagonist. Saxegaard regards his namelessness as functional in order to create a stark contrast with the character of Boaz. The actions of “Pelson Almoni,” however, play an important role in the development of the resolution and the author uses him to display more of his writing skills. His existence is important, and fills an important gap: Is there really a next of kin, and is he destined to be Boaz’ rival? The tension builds up. An important prolepsis is also created hereby: Boaz (who has a name), will probably win the contest.

<sup>80</sup> At this point nothing is mentioned about Ruth.

<sup>81</sup> But see Muffs (2003:169) on the discussion of an ancient custom where the widow or someone who retained a right or interest in property, had to be present at the sale thereof.

<sup>82</sup> Although Nielsen (1997:31) handles the case as if they really never meet, and therefore their similar plans are in fact coincidental, as is YHWH’s alleged parallel involvement. According to Nielsen, it should be noted that

another significant “gap” is created which can possibly render the silence from the narrator’s side intentional. The uncertainty adds to the suspense of the narrative. It would make perfect sense if the reader could imagine such a meeting between the two main protagonists. Now follows the next scene about which the attentive reader must have been pondering: what are the exact legal procedures of which we have already received several hints in the text? A gap was already created, but was overshadowed by the reader’s curiosity about the love story.<sup>83</sup>

Only after the redeemer has accepted the offer, Boaz’s demeanour changes and it is alleged that he also hastily and feverishly<sup>84</sup> points out that Ruth is to be married (or “acquired” or “bought”) together with the land (Ruth 4:5).<sup>85</sup> The redeemer seemingly loses his enthusiasm for the whole transaction<sup>86</sup> and

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none of the plans are “fully coordinated,” but everything works out as intended by all the parties. In my opinion a meeting need not be stated in the text in order to be imagined.

<sup>83</sup>Not only the reader, but also some commentators seem to become confused by the merging between the love story and the inevitable legal proceedings which have to take place. Berlin (1983:91) claims that Ruth did not realize that her mission was intended to be a romantic one (as Naomi had planned it to be), and says that Ruth was under the impression that she was sent to the threshing floor to complete secret legal business. This is an attempt by Berlin to fill a not so obvious gap, but the result is unjustified.

<sup>84</sup> Two writing techniques are implemented here: first Boaz omits important information (ellipsis), and the next moment he blurts out the implied obligation and its consequences with astounding speed (prolepsis), as if he is afraid that the redeemer will abide by his decision. In the narrative, this works functional. The reader perceives his true feelings for Ruth.

<sup>85</sup> Here are a few ellipses in the text, created by the mysterious rendering of grammar and vocabulary, which proved difficult to translate and interpret. Translators attempted to fill the gaps, with different results. It is uncertain if the text really implies a marriage at this point (see the translation of, among others, the KJV).

<sup>86</sup> It is noteworthy that the translation of Ruth 4:5 in the KJV does not make mention of the presentation of Ruth as bride in addition to the sale of land. The land is sold, but from the hands of both women. In verse 6 the kinsman offers a change of mind by explaining that: “I might endanger my own estate ...,” meaning that his existing children will be prejudiced by a smaller inheritance of his own existing property (see Gow 1992:166-167). In this case the excuse has nothing to do with the surprising revelation that Ruth comes with the land.

yields to Boaz's right whereupon the sandal procedure, effecting the sale of land (which was still valid at the time of the events), is explained by the narrator.<sup>87</sup> The reasons for this explanation can be argued about. The author does not find it necessary to explain the concept and consequences of the levirate marriage. This fact places the question of whether a levirate marriage is meant in the text, under suspicion. If the land was bought from Naomi and the levirate marriage is (somehow) understood to be attached<sup>88</sup> thereto, Naomi should be mentioned in the same breath as the sale of land, and not Ruth. It is not mentioned whether Naomi was the sister-in-law of the next of kin or of Boaz (there is an undisclosed possibility) but Ruth is definitely not, and a huge gap in the narrative is posed hereby. To conform to a levirate marriage, Boaz should have said to Naomi: "Because you cannot marry Peloni Almoni, you will have to marry me," or (the other way round if he so wished) to Peloni Almoni: "Since you cannot marry Naomi, you will have to marry Ruth." The author explains nothing about this sudden substitution. Again, it would make sense if Boaz and Naomi had agreed upon this beforehand. If there was an underlying law which supports this proposal, it is unknown to the present day reader and needs investigation.

The biggest gap left by this small pericope (verses 3-5) for me, is the mysterious jump from the status(es) of the two impoverished women, to that of two women who are the rightful owners of land which they can effectively sell for money. Whether the author intended this gap to remain inexplicable, is highly uncertain, unless the reader is prepared to follow up the almost invisible hints which are locked up in (1) the cultural and legal background of the narrative; and (2) the grammar (or imperfections thereof) utilized by the author, in order to keep the reader wondering.

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Strangely, a marriage does follow, independent of the translation which omits Ruth as potential bride, and without having to interpret the marriage as a levirate one (as meant in Deuteronomy 25:5 and Genesis 38).

<sup>87</sup> This is an instance of dialogue versus description. The writing technique lies on a structural level.

<sup>88</sup> Thompson and Thompson (1968:79) devote their whole article towards a "new interpretation" of a "small piece of Israelite law" by attempting to find the "connection" between the customs of the redeemer and that of the levirate marriage, but do not reach a satisfactory conclusion.

The aim of this study is *inter alia* to find an explanation for this apparent interchangeability of the two possible brides, which the author seemingly offers with so much ease. It can be found in an ancient legal custom which has to do with the main theme of the book, namely providence and survival, and which is also relevant to landownership. Previous attempts by commentators to connect landownership, female inheritance and forced marriages had failed, although everybody agrees that it should have something to do with maintenance of the family (the “name”) and to provide for the widow. Muffs (2003:169) calls it a “magical attachment.” The connection needs a name and not speculation. Thompson and Thompson (1968:97) desperately yield that Naomi must have inherited “something,” thus denying the exclusion of female inheritance from a husband (Deuteronomy 21:15), but contradict themselves (Thompson and Thompson 1968:96) by alleging that the property still belonged to Elimelech.<sup>89</sup>

The fact that certain actions and customs are omitted and others have to be explained, leaves the reader in the dark as far as valid legal proceedings are concerned. The text will have to be read closer to reach a better informed interpretation, but for the time being (and on the surface), the reader’s curiosity and expectations regarding the resolution of the tension (“What happened then? Did Boaz and Ruth marry?”) are satisfied instantly. Thompson and Thompson (1968:88) get closest to a convincing conclusion when they justify the vagueness in the light of it being a story: “As stories the narratives of Ruth and Genesis ... maintain a tension and suspense in the mind of the hearer,” but this being an unsatisfactory and incomplete conclusion, they do not end their argumentation there.

The rest of the narrative is concluded by embroidering on how they got married, how happy and prosperous they were by producing an heir “for Elimelech” and especially on how happy this made Naomi (not to mention how happy it makes the reader). The meaning of it all is spelt out in ancient

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<sup>89</sup> See Leggett (1974:224): “The ‘dead’ in 4:5 may well have reference to Mahlon as it apparently has in 4:10, and in the raising up of Mahlon’s name, that of Elimelech would also be continued.” Therefore Mahlon and Elimelech also seem interchangeable for purposes of ancient laws of inheritance.

terms<sup>90</sup> (Derby, 1990:15). Then follows the alleged addition<sup>91</sup> as to how the house of David is linked to the events, a piece of mind-boggling prolepsis in itself.

It is not the main aim of this study to extract universal or theological meanings from the narrative. If “meaning” could be derived from certain events (or the lack thereof), it would be applied in tracing down ancient customs or the mind-set of ancient people in aid of arriving at a more satisfactory translation of the pericope in question. The effort would be to clear up at least the uncertainties left by the “gaps” or ellipses in the text of the problematic verse(s). “Biblical exegesis involves examining words, phrases, passage(s) of a text” (Sindima 2012:79). Rules of grammar and syntax are the starting point to investigate words, phrases, pericopes, chapters and whole books of the Hebrew Bible.

#### **b. THE DEEP STRUCTURE OF THE NARRATIVE**

Gottwald (1985:556) defines the “deep structure” of Ruth as a “transformation of binary options.” He wraps up his findings from a reading of the external text by opposing two sets of repetitive themes in the book in juxtaposition. The work of Berlin (1983:83-110), in contrast, analyses the poetic characteristics of the book of Ruth. Working from this viewpoint, such an analysis can bring one closer to identifying the deep structure of the book. The deep structure of the book is not very obvious, but becomes clear by analysing aspects like name giving and symbolism. She suggests a possible “structural symmetry” (Berlin 1983:86) in which the characters represent groups of people. A

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<sup>90</sup> A woman, for instance, could only find happiness in having children/offspring. Compare also the narrative in 1 Samuel 1.

<sup>91</sup> Interestingly enough, Gow (1992:88) alleges, following the view of Sasson (1989:185-187), that the genealogy existed before the writing of the book itself, thus dating the narrative in the time of Chronicles. It was then implemented and “tailor made” for the Ruth narrative” whilst Leggett (1974:143) sees the problem of dating the book as “... linked to some extent with the purpose of the book,” meaning that one cannot in fact date the book without considering the institution of the levirate marriage. By saying this, Leggett presents the question of the existence of the levirate marriage as central action around which the legal affairs pivot in Ruth 4:5.



triangular backdrop pattern appears from it: Naomi, Ruth and Boaz respectively represent the women of Bethlehem, the harvesters and the witnesses at the gate. To me, the binary pattern represented by Naomi and Ruth which emerges from the deep structure of the narrative is stronger and more relevant, as they represent different aspects of the theme(s). There are of course other binary options also, for example the more obvious antithesis as represented by the poor widows on the one hand and Boaz or the male providers on the other hand. These options will be looked at.

It is important to repeat at this point in the study that, by presenting smaller scenes within the overall bigger framework of the narrative, contrast can be created. The function of the contrast would be to empower the thematic substructure of the narrative.

On the surface, the main theme of the book is “providence and survival.” The important antithetic pairs manifest in the reference(s) to “emptiness” versus “fullness.” The narrative starts by reporting about a famine which forced the family of Elimelech to leave Judah (Ruth 1:1). Afterwards, the reader learns about the famine being ended. From Ruth 1:6 it is clear that Naomi felt the urge to go back after learning that the Lord remembered his people. Berlin *discusses* this by pointing out how the poetics in the book serve as a tool in order to highlight the theme (Berlin 1983:106).

The constituent elements which classify under “emptiness,” would be: famine, isolation, barrenness, old age and hopelessness. Although several smaller scenes supporting this theme feature in the text (Ruth 1:1-3; 1:20-22; 2:1-3, 3:1), the demarcation of scenes are not always clearly visible in the text. The text is presented more as a whole than as a unit compiled of smaller components. Naomi is regarded as the subject of the motif of emptiness and fullness. Although she is the protagonist, Ruth is the main character. She appears in every scene except the scene at the city gate, but the reader is in any case more concerned about what will happen to Ruth than about what will happen to Naomi (Berlin 1983:84). Berlin does not elaborate on who the character can be that takes up the symbolism of “fullness.” At first sight this function should be filled by Boaz (as the provider) but to me the image that primarily emerges from the gleaning scene is that of Ruth with armfuls of sheaves, and secondly that of Ruth returning from the threshing floor with Naomi’s shawl full of food. Later on she is the one

with the full womb who provides the future provider. Of course, it is Boaz and especially YHWH who enable her to reach “fullness” in each of these aspects (cf. 2:9, 2:12, 2:14; 2:16; 2:19; 3:17, 4:13-14).

The parts by which “fullness” is made up, are those which develop by the progress of events in the narrative: harvest, community, fertility, youth, hopefulness: Ruth 2:8; 3:14-17; 4:14. These deep structural elements are not easily spotted at first glance like the family motif which clearly (on the surface structure) forms a closed circle. The opening act resembles the closing act and is recognisable in the text itself. The others only become clear as the narrative unfolds, and only then can the reader investigate their meaning.

The symbolic portrayal of “emptiness” can also be found in the absence of male providers, and the “fullness” in the arrival of more male providers. This antithesis is valid, because in ancient culture a woman was rejected and impoverished in the absence of these relatives but without some background knowledge of ancient culture on this point, the conclusion cannot be drawn.<sup>92</sup> Because this presupposition underlies the narrative, it is of the utmost importance to note the contrast(s) and link a (possible) meaning to it, apart from just satisfying the hunger of the reader to see a romantic ending to the narrative. It is furthermore important to notice the extent of the tension which these two opposite poles (the former, emptiness, a statement; the latter, fullness, an insight), create in the narrative, especially in the light of the fact that women were excluded from inheritance from their husbands’ estates (an insight which also demands some inter-textual knowledge, i.e. what is written in Deuteronomy 21:15-17).<sup>93</sup>

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<sup>92</sup> Only a few references are given here, because this fact is more common knowledge than news for the student of Old Testament literature: The consequences which barrenness, widowhood and loneliness included for ancient women, are described in Isaiah 62:4 (De Vaux 1962:8, Derby 1990:15). In 2 Sam.6:24, Michal is “punished” with barrenness (see Berlin: 1983:25).

<sup>93</sup> Eskenazi (1992:35) even offers an explanation for the exclusion: should she be widowed and subsequently marry a gentile man, the land (which belongs to YHWH in principle), will be alienated.

Emphasis will therefore be devoted to this main theme, without having to analyse each and every other stylistic element which the very capable author had implemented in order to create a lasting work of art like the book of Ruth (Berlin 1983:83).

It will also be necessary to use extra-textual ancient legal sources in order to measure the importance of reference to landownership and the right of inheritance which alludes to this theme and which serves to satisfy the development and completion of the narrative.<sup>94</sup> It is perhaps only relevant to point out one other ancient perception which can come to the aid of understanding the link between ownership and inheritance and which lies on grammatical level: the fact that both concepts are represented in Hebrew by the same word: נהלה. In Numbers 18:20, נהלה is translated with “your property” and in Genesis 15:3, ירש is translated with “possession” (proof that ownership and possession are two different legal concepts), but the participle of ירש in Genesis 15:4 with “heir” instead of using the stem נהל to imply “inheritance” and “ownership.” The confusion in the legal content of the two concepts had always caused misconceptions. Van Wyk (2014) treats the erroneous usage of ancient concepts by modern day scholars, in this case the concept of the *usufructus*. She refers to the Koran (2014:446) and points out that “At first there was no distinction between a usufruct and possession, but with the Arab conquest, ‘usufruct’ turned into real ownership. The ‘usufruct’ deriving (sic) from land codes includes a right to work, rent, sell and mortgage.” This wide interpretation of the word “usufruct” defeats the semantic meaning as well as the legal content thereof, and is clearly an instance where a present-day term could be used unqualified. My submission is that the term “life right” (as explained by van Wyk [2014:447]) would have served the purpose of the example from the Koran better, although even “life right” does not entail the “rights” listed in this example anymore (see discussion in Chapter IV). This piece of legal knowledge will also become important in reconstructing the deep structure of the book of Ruth, as verse 5 represents the pivot point of the narrative and it mainly rotates around the acquisition of land. The “land” in its turn becomes symbolic of “survival” and consequently “fullness”. Therefore it is of

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<sup>94</sup> See Brueggemann (1979:32, footnote 12): “The theme of *empty* becomes *full* may well be linked to the *landless* becoming *landed* ...” (my emphasis added).

the utmost importance to arrive at a proper understanding and translation of the verse. The scene leaves “gaps” on different levels of interpretation which will absolutely have to be filled by the reader, in search of meaning.

It should become clear during the course of this study that gaps are also created by problematic words, in particular מאת and קנה of which the meaning is unclear as it appears in the text. These gaps do not lie only on a narratological level, but also on a grammatical one. They conceal undisclosed legal actions. Is it possible that more can be read into these words than meets the eye?

### **3. THE FUNCTION OF GAPS IN THE TEXT OF RUTH 4:5**

Although it cannot be said that all the “gaps” which could be observed in the foregoing lengthy discussion was included deliberately by the narrator, the discussion was included in order to illustrate the function which stylistic tools like ellipsis and analepsis can fulfil in ancient narrative art. If Genette (1980:106-108) is understood correctly, there is a difference between “definite” and “indefinite” ellipses, a difference which can also be observed in the two terms “explicit” and “implicit” ellipses. In the book of Ruth these can be recognised in the ellipses which were possibly “intentional” and those which were implemented “unintentionally” in the narrative. It will be difficult to prescribe to the narrator long after the story was written, which of the gaps he should have meant intentionally and which not. We can only reflect on the effect which the lack of information has on the structure of the narrative and on the experience of the reader.

As was apparent from the narrative, ellipses often concern periods of time that pass (duration) and the failure to spell out the lapse of time which had occurred. An instance where the ellipsis was probably used intentionally, can be found in Ruth 1:4, where mention is made of a lapse of ten years in which Elimelech and his family had dwelt in Moab, but what they did there during this lengthy period is not described. Clearly the function in this instance would be to economise on the length of the narrative, by refraining from elaborating on insignificant or boring detail. The undefined duration of time between Ruth 2:23 and Ruth 3:1 (whether implemented intentionally or not) is more significant. It clearly

creates tension. So does the omission of the description of duration of time between Ruth 3:18 and Ruth 4:1.

As pointed out, the placing of the events within the “time of the Judges” in Ruth 1:1 was probably intentional in order to provide a clear setting in terms of culture, politics, history and customs for the narrative. Ironically this *prima facie* “precise” dating (which might have been intended to “help” the reader to interpret the narrative), created an instance of even more uncertainty and opportunity for “gap filling” by the reader as well as by scholars. An example of “hypothetical” ellipsis (Genette 1980:109) can possibly be found in Ruth 1:7-17. There is no indication as to where or when the famous conversation between Naomi and her daughters-in-law took place. By way of deduction one can only imagine that it must have been somewhere between Moab and Judah. According to Genette (1980:109) hypothetical ellipses are usually “implicit.”

Following Genette’s definition of *sylllepsis* (1980:85 and 11), the “bed scene” (Ruth 3:7-14) can possibly be regarded as the “gathering of a cluster of events,” thus creating a climax to the aggregate of small scenes which created tension and expectation in the foregoing narrative up to this point. This kind of scene is usually “inflated,” although certain detail is still withheld. Keeping in mind the expectation which was created, it is simple to conclude that translators could read a marriage into Ruth 4:5 (which can also serve as an example of *sylllepsis*), although it is not necessarily stated in the text. The marriage is anticipated throughout the text in the book of Ruth, but cannot be defined as a levirate one,<sup>95</sup> neither can it be concluded that consummation of the relationship took place on the threshing floor.

At this point, comments by Louw regarding the importance of what the text has to say and does not say, will be looked at. Contrary to everything that was said about gap-filling and inevitable subsequent

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<sup>95</sup> Contrast the view of Gow (1992:181): “the overall evidence of the book of Ruth weighs heavily in favour of the levirate interpretation ... evidence against this view ... not to be serious objections at all.”

interpretation by the reader in this chapter, Louw (1991:4) alleges that it is not the reader's interpretation of the gaps which contributes meaning to the gaps, but analysis of the text and background. In the light of this statement, the problematic word(s) in Ruth 4:5 will have to be looked at closely to see whether gaps in the words themselves (that is, the grammar) exist. This is a view which I respectfully support. Louw (1991:5) warns against the lecturer's method of insisting on literary translation by students. Without taking cultural and idiomatic elements into consideration, the student may end up translating the text as measured against his or her mother language.<sup>96</sup> It is often impossible to translate correctly because of the lack of knowledge and understanding of expressions found in a newly acquired language.

The difficulty with this text which translators had experienced for many years, can lead to no other conclusion than the fact that a small word (or compilation) like *מֵאָה* in itself creates gaps. That means that a gap (or more than one) is left not only in the narrative, but also in the text. In the case of this word compilation, a gap (and therefore tension) is created which is reflected in the ambiguity of translation possibilities. In my opinion the author intended to leave an important gap in the text right here.<sup>97</sup>

He succeeded in doing so, firstly by utilising the ambivalent word compilation *מֵאָה* and secondly by omitting to explain the nature of the custom(s) which are followed here. By utilising the word "redeem," he places the reader on a strong track towards the custom of redemption by the *גֹּאֵל* but the word "levir" or "brother-in-law" (*יָבֵם*) does not feature in the text, leaving the text open to speculation as to whether a marriage is at stake right here, and if so, can it be classified as a levirate one? Being a "story," as pointed out, the narrator is surely free to manipulate the suggestion of a marriage whichever

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<sup>96</sup> An example can be found in 1 Kings 17:18: *מֶהֱלִי וְלִךְ* which would literally mean: "What is it for me and for you?" – an expression which is meaningless in English. It is therefore translated with, "What do you have against me?" (NIV).

<sup>97</sup> A view which is supported by Gow (1990:303, footnote 6) in principle although he chooses to "... refrain from surgical techniques until it be shown that the malady requires it." (!)

way he wants, without having to force it into a certain form. The purpose of the narrative, namely to conform to the theme of providence and survival, will stay intact.

This is the point where the invitation for the reader to take part in the interpretational experience (utilising tools from one's own realm of living) slots in to let the "magic" happen.

#### 4. SUMMARY

In this chapter it was pointed out how gaps (or ellipses as they are known by in the modern theory of narratology) were used in the ancient art of storytelling to create suspense and compel the reader to take part in the creative process in order to reach the optimal meaning of the book as intended by the ancient author.<sup>98</sup>

It was found that the author could use this technique intentionally, and that this could be the case in the text as found in Ruth 4:5 – not only on a narratological level, but also on a grammatical one. It was also found that the uncertainty around the word compilation *וּמֵאָה* leaves a gap (or more than one) on grammatical level. This unexplained compilation concerns the legal action(s) which allegedly take place in the narrative. Because of this, much uncertainty prevails amongst translators and commentators. Filling the gaps by analysis of the text and following up on the meagre clues in the narrative, fresh interpretational possibilities will directly affect the legal aspect of the book. It is clear that there is a need to take a closer look at the word *וּמֵאָה* in order to find a new interpretation and translation possibility.

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<sup>98</sup>While narratology is not an ancient art (as story telling is) but rather a modern theory of uncovering meaning in narratives both ancient and modern, Berlin (1991:135) defines Biblical narrative as a form of art like painting or music: "Biblical narrative is a form of literary art."

It was also found that there is no unanimity amongst commentators and translators to name the “magical attachment” which surrounds the two legal/customary actions which allegedly form a “subtle mixture”<sup>99</sup> of customs at the time when the story plays out.

Whereas commentators all agree that this “attachment” entails the elements of female inheritance, providence and survival for the widow, maintaining the name and property of the deceased and landownership, no one succeeded in allocating a name to this “link.” The aim is to really contribute to the interpretation of a “small piece of Israelite law” (with apology to Thompson and Thompson).

In the next chapter a name for this mysterious phenomenon which kept translators guessing for many centuries will be suggested. The phenomenon is to be found on a legal level, and would be called the *right* of “usufruct” in modern legal terminology. There will also be an attempt to define exactly which legal actions take place in the gaps left by the text.

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<sup>99</sup> Thompson and Thompson (1968:88).



## CHAPTER IV: RUTH 4:5 WITHIN THE CONTEXT OF ISRAELITE JURISPRUDENCE AND SOCIETY

### 1. INTRODUCTION

In the previous chapters it was ascertained that: 1) the compilation ומאת contains grammatical and translation challenges; and 2) leaves significant gaps in the narrative.

Our next challenge would be to ascertain to what extent the compilation represents a legal content.<sup>100</sup> A grammatical breakdown of the mysterious compilation alone cannot clarify the complete legal content of the verse. Investigation into the jurisprudence and customs of the time in which the narrative plays out, is indicative in order to fill the so many gaps left by the “corrupted”<sup>101</sup> grammar of the verse.<sup>102</sup>

As Sakenfeld (1999:70) puts it: “So interlocked are the problems here, and so full of uncertainties, that the literature on the topic may fairly be described as chaotic.” Setting aside all the controversy, differences in findings and massive attempts to disclose the exact content of the legal actions which take place in verses 3-7, it is unanimously agreed that Ruth 4:5 is regarded as a “legal text.” It also represents the crux and the suspension point of the narrative (Gow 1992:150). Inasmuch as the outcome

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<sup>100</sup> Gow (1990:309) states that the term has legal significance and the elaboration ומאת רות “signifies that Ruth also has a legal interest in the transaction.”

<sup>101</sup> Gow (1992:161-162) and also earlier (1990:311). In my opinion, the fact that this form needs “emendation” does not mean that it was “corrupted” *ab initio*. The author could have *intended* it to be ambiguous in order to include both widows (Gow 1992:151).

<sup>102</sup> “Back in the days of the judges ...” Loader (1994a:22) thinks that this statement draws the reader’s attention to the fact that the story plays out in a time when law was practised according to customary law.

Linafelt (1999:71) states that the author succeeded in convincing the reader that “some (contemporary) genuine custom” is referred to in Ruth 4:5. Von Rad (1965:52) dates the book at the time of the “Solomon Enlightenment,” showing similarities to other literature coming from the period of the monarchy.

of the story satisfies the reader, so much do the unanswered questions still tantalise the curious academic.

Sakenfeld (1999:70) is correct when she hints that the many “legal” issues at stake confuse the mind to such an extent, that it can be overlooked that they actually fall into three categories, namely customary, legal and moral. It is sometimes difficult to distinguish between the three kinds of “law” which were in use in ancient times. Thompson and Thompson (1968:83) note that “[i]t is not clear that any practice came into being because a law about it was being made.” This is the antidote to the belief that a custom, if practiced over a long time, can become law.<sup>103</sup> The difference between “law” and “custom” would be that “laws” would have a sanction attached to the transgression thereof, while non-compliance to a custom would generally not. Immoral conduct would, however, not easily go unpunished. The power and reaction of society to unsocial behaviour is probably immeasurable.

In a previous study<sup>104</sup> it was found that written “laws” in fact only came into existence after a difficult matter had been brought to the king<sup>105</sup> and he had to resolve the problem by promulgating a new decree

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<sup>103</sup> See Vuilleumier (1988:197) on the topic of the levirate marriage: “L’usage fait loit.” A law can also be abolished through disuse. In South African Law the classical example can be found in the case of *Green vs. Fitzgerald* (1914 AD 88) which concluded that the law which defined adultery as a crime is no longer in use. See also Sakenfeld (1999:69): our knowledge of customary proceedings of the time is “greatly lacking” obviously because they have either died out or were so commonly in use at the time that they did not need any explanation. For a contemporary definition of “Customary Law,” see Bosman F. *et al.* (1997:8).

<sup>104</sup> Stanton (2006:58 and further).

<sup>105</sup> An example can be found in I Samuel 30:23-25 and as well, of course, in the cuneiform laws like the Codex Hammurabi. De Vaux (1962:258) also draws an important similarity between the Israelite Laws which would rather be placed within the narrative context (and of which the Ten Commandments is a good example) and the Hittite laws of 1300 BC. Both represent “written law.”

or “law,” more or less on the model of our modern precedent system.<sup>106</sup> Only after the court case was finalised and judgement was given, a rule was manifested. Ancient laws which governed everyday life were rather collections of the already existing customs and traditions of a people (Thompson and Thompson 1968:83). Customs were unwritten behavioural codes. Because everybody knew them and lived by them, it was seldom necessary to spell them out or pen them down.<sup>107</sup> This is probably the reason why some of the “legal” concepts known to the people in the narrative of Ruth, were not explained but presupposed.

Green (1980:70) acknowledges that “The understanding of the story’s plot is heavily dependent on legal knowledge.” She yields that “interpretations of legal matters and consequent application of conclusions to the story of Ruth are usually quite influenced by presuppositions often unexpressed and possibly unrecognised ...” She finds it a pity that such an attitude had not always been “fair” to the narrative itself, meaning that the text deserves more research on unclear matters in order to be understood. Unfortunately the author herself prefers not to take the trouble of tackling the legal uncertainties in the text but chooses to “interpret the story from the point of view of its own dramatic structures ...,” thus paying no contribution to this important aspect of the narrative. The author is however correct when she comments that the uncertainty of how the expectations of law and custom can be met, adds to the tension in the story (Green 1980:72).

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<sup>106</sup> Sakenfeld (1999:71) mentions the precedent system, but only to illustrate that no other examples can be found in the “Biblical collections” where women did inherit from their husbands.

<sup>107</sup> Westbrook (2003:9) is of the opinion that once the “laws” had been “frozen” into tablet form, they reflected society. They were meant as guidelines rather than to lay down binding rules (Westbrook 2003:14). Versteeg (2000:103) regards The Codex Hammurabi as common law recorded in writing whilst Segal (1984:iii) concludes that the Codex Hammurabi laws were “amendments to an existing common law.”

## 2. WHICH ARE THE MULTIPLE LEGAL PROBLEMS?

Sakenfeld (1999:70) identifies amongst the legal “chaos” that she perceives, the following: “Theories about practices of *land tenure* and *inheritance*, about *sale of land* and *redemption* rights and about *marriage* practices in cases of a man’s death without offspring ...” (my highlights in italics).

It is a good thing that the author regards every previous attempt to clarify, link and name the legal actions in Ruth 4:5 as “theories,” thus acknowledging that all of them had failed the test of being proven so far. The many questions posed by authors like Derby (1990:15), Davies (1983:231) and Sakenfeld (1999:71) allude to this confusion.

Sakenfeld recognises the main question as being the one concerning Naomi’s right to sell Elimelech’s land (1999:70) but like many other commentators, is also concerned about the way in which she acquired control over it. In fact it is not really all the legal phenomena in the verse that are unknown, but mainly the mysterious “link” or “connection”<sup>108</sup> (which seemingly connect some of them) which had not been named yet.

In effect the main remaining questions are the following three:

How do Naomi and Ruth link? How do the levirate marriage and the duty of redemption link? How do these unnamed links “link” to female inheritance?

The possibility that רותומאת represents this link had been researched over and over again without real usable outcome, but the possibility that this compilation can entail all answers, had been overlooked.

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<sup>108</sup> Muffs (2003:169) calls it a “magical attachment,” Gow (1990:306) calls it an “intrinsic connection” and Thompson and Thompson (1968:85) a “legal fiction.” The possibilities seem innumerable in literature on the topic. Through the ages and until today it is accepted that it was this “link” which convinced the next of kin to “give up his right of redemption ...” (Linafelt 1999:69).

In broad terms: how could Naomi sell the land, let alone Ruth?

### 3. A NAME FOR THE MISSING “LINK”

It is easy to sense from the context that there must be “legal” applications which are interdependent or have common ground.<sup>109</sup> In my opinion attempts to link the levirate marriage to the sale of land, is the wrong starting point. The answer lies in one legal concept (or custom) which withstood the test of time to such an extent that it did not need to be called by name any more at the time when the narrative was written.<sup>110</sup> It formed an integral part of Israel’s everyday life and moral beliefs. One single “magical insight” can replace speculation around different concepts and unveil an unexpected solution. This tool emanates from the laws of inheritance and not from ancient procedures “connecting” and surrounding sale of land and marriage. This legal concept had gained a name during Roman times and is still in use:<sup>111</sup> *usufructus*. The usufruct was the oldest of the personal servitudes, and establishes a right in favour of one person over the property of another. This means that the proceeds (fruit) of the property of another (the owner) can be used by the rightful person. The *res* need not be fixed property (Van Warmelo 1965:166). It can be vested by way of agreement or inheritance although the right is personal

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<sup>109</sup> Gow (1990:311): “Not only does Boaz link the redemption of the field with marriage to Ruth, he also gives the reason for making this link ... that she is the wife of the deceased.” This is a clear example of a failed attempt to explain the “link.” In fact this explanation does not clear up anything. No account is given of her right to sell the land. Compare other failed attempts by commentators like Thompson and Thompson (1968) and Davies (1981) who devote whole articles on the matter but do not reach a satisfactory conclusion.

<sup>110</sup> See Goswell, (2014:116) who acknowledges that the view that the book of Ruth is a “late” work (with its main purpose counteracting the reforms of Ezra and Nehemiah) “continues to find many supporters” (2014:129), but appeals for the possibility that the book was written as a *continuity* and *delightful contrast* to the final chapters of Judges (Goswell 2014:117), and whereas the book “looks for possible connections between the book and the house of David.”

<sup>111</sup> Van Warmelo (1965:165) and Gane (1955:312-313). Gane adds that it is a right by which “*a property brings to someone other than the owner an advantage which is contrary to the nature of ownership ...*”

and cannot be passed on to heirs (Gane 1955:380). In modern day law it can be sold, rented out or donated (Van der Merwe 1989:115). At the cancellation thereof, either by way of agreement or at the death of the rightful person, the property will increase in value. A usufruct therefore has monetary value. The right is limited to the usage of the fruits of the property although Van Warmelo yields that the property will more often than not be in the “possession” of the *usufructuarius* (the entitled person). This statement will prove to be inconsistent in the following discussion. Westbrook (2003:125) points out that the concept of usufruct had already been known in ancient times by pointing out a law from the 6<sup>th</sup> dynasty in Egypt which describes the right as “*one who eats but does not diminish.*”<sup>112</sup> To which extent did previous commentators recognise the possibility that this legal concept could feature in the problematic pericope?

Davies (1981:198) begins his article by using the word *usufruct* in the same breath as female inheritance of the land of the deceased husband. One can either inherit the property *or the usufruct*.<sup>113</sup> If she inherited the bare land, she would in any case own the proceeds thereof. No separate mention of inheritance of the usufruct would be needed.<sup>114</sup> If she inherits the usufruct, it would mean that she did not inherit the land, but only the right to the proceeds. This and other attempts to force this legal

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<sup>112</sup> This duty on the *usufructuarius* is described by Van Warmelo (1965:166) and emphasizes that this right should be exercised *civiliter, salva rerum substantia*.

<sup>113</sup> Compare the narrative written down in 2 Kings 8:1-6. The woman requested that all her property be restored to her. The king ordered that “everything that belonged to her, including the income (אֲהָרָה) (proceeds/fruits) of the land” be given back to her, indicating that the ownership and the right to the proceeds are two separate things. Her son probably inherited the land from his deceased father, and she retained the right to the proceeds (usufruct). It makes no difference that the widow in 2 Kings 8:1-6 already had a son (heir) who could inherit the bare dominium (the land). The principle stays the same. In the book of Ruth, the heir lacks but it is clear from the narrative that he will be provided. The tension in the sequence of events points towards this outcome right throughout the story line. The matter is treated like an emergency.

<sup>114</sup> Although Gane (1955:313) finds it necessary to explain that this right to gather fruits could also entail the right to do so “*by virtue of one’s own right of ownership,*” it will just not be indicated to mention the right of usufruct separately in the case of an owner.

concept onto the text are appreciated, but incorrect. Segal (1984:83) translates a law from the Codex Hammurabi (no. 180) containing the word “usufruct.” What would this word be in the original language, and does she understand the content of the term?<sup>115</sup> The ultimate case where lack of insight can be found is Muffs (2003:164) who calls the right of the husband to administrate his wife’s dowry, a *usifruct* (sic). Not only does Muffs confuse this legal term with a loan, but also calls the money “money of becoming a wife,” which could not be further from the truth<sup>116</sup>.

To my great delight, I found Sakenfeld (1999:71) offering the possibility that Naomi could have been selling *either* the land *or* a usufruct (thus eventually finding support for my hypothesis), thus admitting that a usufruct is a right in respect of land, that it has monetary value, and that it has something to do with female inheritance. She also defines the right correctly in yielding that it means “the use of the land’s produce.” However it is clear that the author does not understand the content of this legal concept or how to “link” it to the remaining questions. She still calls it “some claim.” She is on the

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<sup>115</sup>Van Wyk (2014:443-480) researches this exact problem, by comparing words from the Sumerian and Akkadian which were translated by “usufruct”. Her examples bring to light that the words *akālu* (Akkadian) and *ninda* (Sumerian) translate as “food” or “to provide for oneself” while the related *ikālu/ikulu* is usually translated by “usufruct.” Keeping in mind that the term probably did not exist in ancient times bearing exactly the same meaning as we would understand it today, it would not be wrong to use the modern term in translations which has to do with the maintenance of a family member (other than the owner of the property) by means of the food or proceeds from that property. Bringing the term *labīru* (inheritance) into coherence with “usufruct” will be correct (Van Wyk 2014:452 and the example used in footnote 21), but the rest of the translation does not make sense. It implies that the officials wanted to take away their property (which belonged to the forefathers) as well as the usufruct (which belonged to the forefathers likewise) from the same property. As pointed out already, if one owns the property, it includes the usufruct automatically unless someone else becomes entitled to the right in which case it has to be named separately. The owner owns the fruits thereof automatically. No separate legal explanation is necessary. One can either inherit the property or the usufruct thereof.

<sup>116</sup> Van Wyk (2014:452-453 footnote 23 and p. 472 footnote 66) also offers examples where “usufruct” had been interpreted as “dowry.” In these translation interpretations, the core meaning of “usufruct” is lost, and cannot be correct. They confirm Van Wyk’s concern as stated in the abstract (Van Wyk 2014:443) namely the “unqualified use of foreign terms” by mainstream ancient Near Eastern scholars.

right track, but then (Sakenfeld 1999:73) surrenders the whole quest for an answer by saying: “we cannot reconstruct the inheritance regulations.”

The fact is that we *can* indeed reconstruct the inheritance regulations, by applying the law (as recorded in Deuteronomy 21) as well as the implied custom of the usufruct. Reference to this legal concept is scarce, and those who dared consider its existence in the problematic verse, did not follow their findings through. An important contribution in this respect is made by Van Wyk (2014:443). Van Wyk treats the problem of ancient Near Eastern scholars who use foreign terms “diverged in time and space,” unqualified, and points out in her article how this error can influence translations and our insight into ancient texts. She devoted her attention specifically towards the understanding of the term “usufruct.” Although Van Wyk’s reasoning and examples can be agreed upon in general, I do not agree with her explanation of the differences between a “life right” and the “usufruct” (2014:447). It is correct to say that both terms imply a “time-limited interest” in the property of someone else, but a “life right” can be one of three legal phenomena (personal servitudes): *usus* (the right to use), *habitatio* (the right to dwell) or *usufructus* (the right to use the fruits).<sup>117</sup> For purposes of this study, the differentiation between the origins of the two terms is irrelevant. The usufruct is also a “life right.” All these legal concepts were already known in Roman law which qualifies them as being part of “civil law.” Furthermore, the usufruct is not a “kind of servitude” (Van Wyk 1991:449) over the property of another, it *is* a servitude which burdens the property of the owner (a *ius in re aliena*<sup>118</sup>). Although in modern law a servitude can be registered over property, Van Warmelo distinguishes between “personal servitudes” (of which the *usufructus* is an example) and “praedial servitudes” of which the right of *aquaeductus* (the right to run water across the property of another) and *via* (the right of way across the property of another) are the most common examples. The first kind of servitude involves one property and adheres to a person, the latter kind of servitude involves two properties, the servient tenement and the dominant tenement. If a servitude nowadays is registered in the Deeds Office against the property

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<sup>117</sup>See Van Warmelo (1965:166-167)

<sup>118</sup> See van Warmelo (1965:118)



of someone else, it becomes a “real” servitude, which means that it is also enforceable against third parties.

Although Boaz had “voluntarily confiscated” the land which lay without owner<sup>119</sup> (but technically still belonged to the estate of someone), cultivated it and used the fruits, he cannot be classified as a “usufructuary.” A personal right can only be inherited or be agreed upon (Van Wyk 2014:453-454). In fact, Boaz had no legal “right” to use the land. Although it cannot be ascertained whether the land on which Boaz was farming was the same land that belonged to Elimelech (Stanton 2006:12), it would make sense that a family member would occupy the land.

Applying the usufruct to the situation in Ruth 4:5 will not only confirm that women did not inherit land from their husbands, but (recalling the abovementioned remaining questions) clear up the following:

- Naomi and Ruth both inherited the same right (each from her own deceased husband and in respect of the same piece of land) and are therefore interchangeable in the situation. Both are selling the same thing, one after the other.
- The levirate marriage and the right of redemption do not link, except maybe in a moral way. They both bestow a moral duty on a family member and therefore lie on the same level. Both phenomena “link” with the underlying presupposition that the family (name and property) should be kept alive, but they remain different, independent actions.
- Wives did not inherit their husbands’ estates. They retained a right, which formed part of an ancient survival tool,<sup>120</sup> and that is the right to use the proceeds of the bare dominium (house,

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<sup>119</sup>De Vaux 1962:107)

<sup>120</sup> The article of Van Wyk (2014:443-480) displays the insight that wherever the term “usufruct” was implemented by ANE translators (whether they “got lost in translation” by the modern term or not), it had to do with the maintenance or survival of a person to whom the property did not belong.

land, money); Naomi acquired this right on the death of Elimelech and Ruth on the death of Mahlon, who inherited the land from Elimelech. The land lies without owner, but is still “in the family,” awaiting the next rightful heir still to be born.<sup>121</sup>

The link that can connect all these possibilities is called a “usufruct.” So, Naomi (as well as Ruth) did not sell land but a *usufruct in respect of that land, to which they both are (legally and customarily) entitled*. Now the object of the sale as proposed in Ruth 4:3 will eventually also make sense: חלקת השדה. They are not disposing of ownership to land, but of a lesser right: a “share (*Anteil*)” or “interest.”

The motivation for my findings will be set out further on in this chapter. It lies on a cultural level and concerns survival much rather than legal regulations. This “magical attachment” is not confined to ancient custom, but still lives on to this day.<sup>122</sup>

It would maybe be a good starting point to at least classify the alleged “legal” issues which are at stake, into the three categories mentioned above, and by calling them by the names which cause translators and interpreters so many splitting headaches.

#### 4. THE LAWS

The following actions could possibly have been regulated by written guidelines (laws).

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<sup>121</sup> Fischer (1999:32) even goes as far as to allege that Ruth 4 entails the only instance where a baby was born “for a woman” (Naomi) and not “for him” as is usually the case in ancient terms. In these circumstances, the baby could just as well be born for Ruth herself, as she and Naomi stands in the same position regarding the land and the next of kin.

<sup>122</sup> The difference would be that today it will be regarded as a personal right (thus legal) which has to be registered against the title deed of a landowner and lapses on the death of the holder thereof or with his consent.

- 4.1** Selling and purchasing land of which we can read in the following texts: Proverbs 31:16, which allows a woman to buy land; and Genesis 23:3-20, where Abraham buys land from the Hittites. He probably realised that the king would retain some sort of right in respect of the land if he accepted the land as gift. His ownership would subsequently not be unburdened. The same occurred in 2 Samuel 24:24 when David insisted to pay for the land; not much was said by commentators about the sale transaction which takes place in Genesis 33:18-2 (Jacob buys land for 100 coins of which the value is unknown); and Jeremiah 32:9 where the duty of redemption is described. The interesting conclusion which can be made is that Abraham paid about 24 times more for his land than Jeremiah, although in a much later period.<sup>123</sup> It is unknown how land was valued in ancient times, although Leviticus 25:15 offers a kind of method. Hubbard (1988:48) also experiences frustration at the limited biblical and extra-biblical evidence on the subject in order to explain what exactly happened in Ruth 4:3-5. Hubbard (1988:53) touches on the possibility of Naomi selling only the “usufruct” of the land by quoting Lipinski<sup>124</sup> but does not elaborate on the possibility because of the meagre and “unpersuasive” evidence on the suggested meaning of the right.
- 4.2** Owning land (by way of occupation: Genesis 13:11-12; Leviticus 25:1-28; all land in Israel belongs to God).<sup>125</sup> Hubbard (1988:54) tries to contribute on this point also in order to understand the happenings in the book of Ruth. He alleges that someone else had “informally

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<sup>123</sup> See Stanton (2006:55)

<sup>124</sup> Lipinski (1976:126). According to Hubbard (1988:53), Lipinski measures this conclusion at the hand of Near Eastern Laws, a finding which is crucially important for purposes of this study, and which is exactly the issue which was researched by Van Wyk (2014).

<sup>125</sup> De Vaux (1962:107) also mentions the possibility of “voluntary confiscation” in cases of land which lies unattended to or which is without owner or occupant. Another gap in the narrative emerges: is it possible that the land which Boaz was cultivating, was the same land that belonged to Elimelech? As relative, he could have seen the possibility to “confiscate” in Elimelech’s absence, in order to save the land from being alienated out of the family, pending a more formal arrangement.

(unlawfully?) annexed *ownership* of the land while Naomi was in Moab.” He is, however, concerned about the fact that no one offered Naomi any proceeds from the land and why she could not enjoy any benefit from it, despite its presumed cultivation. In my opinion this can be clarified in lieu of the fact that Naomi had Ruth with her. Ruth was initially regarded sceptically by the small society.

- 4.3** Possessing land (Deuteronomy 26:1; Genesis 15:3, where  $\text{שָׂרָה}$  is used for “taking possession” or “being heir”). Inheriting land (by a female) (Deuteronomy 21:15-17 which pens down the exclusion of wives from inheriting from their husbands); Numbers 27:1-11; Numbers 36:6-9; Joshua 17:3-6; Job 42:13-14.<sup>126</sup> These texts all deal with the question of allowing inheritance from a father by his daughters. This kind of inheritance was not unburdened either. Hubbard (1988:54) points out that the laws which followed this directive forbade a daughter who had inherited land to marry outside her father’s tribe lest her property becomes part of another tribe’s holding. No mention is made, however, of the procedure or prescribed formalities whereby ownership of land should be conveyed into the name of an heir.<sup>127</sup>
- 4.4** The right to give power of attorney (Ruth 4:5):<sup>128</sup> Hubbard (1988:51) sees that the situation in the book of Ruth calls for “stand-ins” for both Elimelech and Naomi if they are to have an heir

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<sup>126</sup> Note that Deuteronomy 21 places a prohibition on female inheritance from husbands, whereas the other quotations from scripture confirm that women could inherit from any other relative thus being able to *own* land. Gow (1992:254) and Sakenfeld (1999:71) both have to yield that there is no indication in the Bible that women had in fact inherited from their husbands. Sakenfeld’s attempt to fabricate a theory around “giving away” and then “retrieving” the land again, simply makes no sense. A woman can only sell what she owns.

<sup>127</sup> See Boecker (1970:161).

<sup>128</sup> Linafelt 1999:67 alleges that it could not be assumed that Naomi had given Boaz power of attorney to act on her behalf if it is not pre-supposed that they have met and conspired beforehand – a view which I support in Chapter III. This gap in the narrative is also questioned by Hubbard (1988:54). Hubbard finds it hard to make sense of the actions at the gate without at least a mutual understanding between Boaz and Naomi. Furthermore it

– for Elimelech because he is dead, and for Naomi because she is too old. On this topic also, explicit reference in the Hebrew Bible is scarce, making it even more difficult to explain the legal actions of the characters, seeing that the main protagonist (Naomi) is absent.

**4.5** Executorship in deceased estates:<sup>129</sup> Here also Hubbard (1988:55) contributes quite meaningfully. He considers the events in 2 Kings 8:1-6 as evidence that a widow could exercise some control over her husband’s property as “trustee” for her son, until he comes of age. This view supports my assertion that the widow did not inherit the land from her husband, but only the proceeds, because the king ordered his servant to give her back “all that belongs to her as well as the proceeds (תבואה) of the land (which implies: “not the land itself”). Here also the prospect is uttered that the son would eventually look after his mother, in the way Deuteronomy 21:15-17 (tacitly) intended it.

**4.6** The *iuris standi in judicio* of women: Hubbard (1988:54) proposes that Naomi either “did not know how to proceed or because property redemption required a male sponsor to represent her interests in front of the elders ...” The first option is obviously not applicable. Even should she

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can be argued that she gave Ruth power of attorney to marry on her behalf. Since the concept of “power of attorney” is not described in the OT, one should look for tacit examples. The levirate marriage might be one. Brothers gave each other power of attorney to marry their widows in case of death of any of them, although in modern Law one’s power of attorney will lapse on one’s death. Sakenfeld (1999:70) also questions the authority by which Boaz announces what Naomi intends to do with the land.

<sup>129</sup> This office is also not described as such in the OT, but several commentators used the term in order to find a solution for the situation (see Beattie 1974:255 following Neufeld’s theory): both recognize that she could not have inherited from her husband, therefore she had to act in the interest of his estate, none other than by way of being the “executrix” or “trustee” (neither term which existed in ancient Israel as far as we know) thereof. See De Vaux (1962:106) who also fails to understand how Naomi could have sold the land of her late husband, seeing that she acted as caretaker (“behoeder”) of her deceased son’s rights.

have known the procedure, it is commonplace that she would not have been allowed to do it herself. The history of Tamar (Genesis 38) serves as best example for this exemption.<sup>130</sup>

1.7 The law(s) underlying the right to “link” some of the “laws” in certain circumstances.<sup>131</sup>

## 5. CUSTOMS:

Although some of the following can be found in the Hebrew Bible, they seem to have settled in more comfortably as habits, often failing a sanction:

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<sup>130</sup> Genesis 38: Tamar had to disguise herself not to be seen sitting at the city gate in order to defend her own case *in personam*. The absence of Naomi and Ruth while other people decide upon their future, confirms the prohibition, but see Muffs (2003:169) who quotes a neo-Babylonian law (1000 BC – 331 BC) which requires women who had a legal interest in land matters to be present at the sale thereof. The time span of the era parallels that of the time in which the Ruth narrative could have played out. Gow (1990:309) does not doubt his finding that the mere construction רותומאת signifies that Ruth *has* a legal interest in the transaction! In an interesting recent article, Claassens (2013:607) quotes Allen (1999:122). Both authors support the view that “...resistance despite injustice...” is a characteristic of both ancient and modern women. Naomi (and disputably Ruth) must have been in possession of some kind of “strength” or “capacity” which made them rise above the circumstances of the time, namely the patriarchal system and male oppression in general. Is this what happened here? The article discusses the situation of the daughter of Jephthah, which is recorded in Judges 11. (If Naomi and Ruth also lived “in the time of the judges,” they could easily fall within this category of “strong women.”) Boaz took the law into his own hands, but was warned by an assertive Naomi beforehand that there would be consequences to his non-compliance with her prescriptions.

<sup>131</sup> Fischer (1999:40): the feminist view would be that “she (Ruth) presents an interpretation for the Torah...” as if this “connection” is written up in the Torah. She quotes Braulik (1996:121) who, on the other hand, states that this phenomenon was recorded in an old Phoenician inscription, implying that it is not original to the book of Ruth. Whilst Ruth seeks to interpret the Torah, “the Torah does not know such a connection.”

- 5.1** The venue where the procedure takes place<sup>132</sup> (Genesis 38, Ruth 4, Jeremiah 32:12; Deuteronomy 25:7).
- 5.2** The question of witnesses or a “quorum” (Ruth 4:1 requires a quorum of ten, but the figure probably only has symbolic value).<sup>133</sup>
- 5.3** The duty/right of the redeemer (Jeremiah 32; Ruth 4:5).<sup>134</sup>
- 5.4** The duty of a brother-in-law or next of kin to marry a widow.<sup>135</sup>

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<sup>132</sup> Much had been written about this aspect. As it is not disputed in this study, I shall omit further discussion on the topic for purposes of my hypothesis. The only relevant aspect concerning this procedure, and which is stressed by most authors, is that the women (although the matters decided upon involve them) would not be present, because they did not have a “voice.” See Sakenfeld (1999:68).

<sup>133</sup> The function of the members would only be to act as witnesses, and not to take part in decision making. Whether they were head-hunted beforehand or whether Boaz had picked the first ten passers-by, is unclear (see Sakenfeld 1999:69). Linafelt (1999:65) sees the symbolism in the ten years spent in Moab as well as in the ten generations recorded at the end of Chapter 4.

<sup>134</sup> This custom turns out to be rather a duty than a right. It is only applicable in the case where a next of kin (note: *not* a brother-in-law) comes to the rescue of an impoverished relative. Jeremiah was the cousin of Hanamel. The procedure always involved sale of property and arguably a right in respect of property (Stanton 2006:17) and not a marriage. Westbrook’s (1988:52) definition of *go’el* is in a strange way presented in coherence with that of *levir*. He links the relation to the principles of inheritance, but the definition proves to be inconsequent.

<sup>135</sup> This phenomenon probably represents a borderline case between law and custom. Fischer (1999:36) states that Deuteronomy 25:5-10 presents the legal text concerning the levirate marriage. The text also offers a sanction described in verses 7-10. Here the “sandal procedure” is applied to the refusal of the *levir* to fulfil his duty. It is not repeated in Ruth 4. Ruth 4:7 applies a “sandal procedure” in order to explain the confirmation of *a sale of land (or land matters)*, thus once again no proof that it is a levirate marriage which is to take place in the narrative. The sanction for non-compliance of “the marriage-duty” will probably once again lie in the reaction of

- 5.5 The duty to keep the name of the deceased alive (Numbers 27:4; Ruth 4:5).<sup>136</sup>
- 5.6 The custom of removing a shoe when a man's widow refuses to marry her brother in law (Deuteronomy 25:9) and then shaming him in public by spitting in his face.<sup>137</sup> This text contains the core action describing the existence of the practice of the levirate marriage in the Old Testament. Whether Ruth 4:7 is inter-textually implemented to effect irony by the author, is not ascertained beyond doubt. This scene depicts closing a purchase deal on a piece of land.<sup>138</sup> The "refreshment note" offered by the author in order to describe the attestation of the closing of a deal (Campbell 1975:149), can clearly not be seen as analogous to that of refusing a marriage. Mention of a marriage is omitted in Ruth 4:7 as well as in Ruth 4:8. Redemption of property and a sale of land-transaction are described in this scene. It can also be argued that the next of

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society. This was the case in Genesis 38 and can also be seen in the positive response of the community in the subsequent verse: Ruth 4:11.

<sup>136</sup> Davies (1981:141): "the name of the deceased is preserved as long as his descendants remain associated with his property..." To me, this means that only a descendant can inherit the land, and not the widow.

<sup>137</sup> There is a sanction attached to this conduct: "*That man's line shall be known in Israel as The Family of the Unsandalled*" (Deuteronomy 25:10 NIV).

<sup>138</sup> See Carmichael (1979:69 and 77) who sees a sexual meaning in the taking off of the redeemer's sandal and putting it on herself. To my opinion this allegation is not well founded except that the word for "feet" is regarded to have a sexual connotation (or means marriage) in certain circumstances, as is sometimes alleged in regard to Ruth 3:7 (oral communication with J. A. Loader: Vienna 2003). In Deuteronomy 25 and Hosea 5:6, the verb for "removal" (of the sandal) is הִלֵּךְ and this is the one with the sexual meaning, according to Carmichael. In Ruth 4:7 the verb used is שָׁלַף. See also Fischer (1999:37). The author fails to see that the procedure in Deuteronomy differs from that in the book of Ruth. The latter only confirms a sale of land. The spitting "releases the widow from the duty of the levirate marriage..." Sakenfield (1999:71) spots the similarities, but also the differences. At the conclusion of a sale of land, no sanction (like spitting) follows the procedure. In a previous study, many cuneiform and written laws from neighbouring cultures were explored. I could not find any reference to a sandal procedure, but only that usually a formula (טוב לבי – "my heart is good") was spoken as a sort of *acquittance*.



kin intended to spare himself the public shame by removing his own shoe and handing it over to Boaz, but still, Boaz acts in his capacity as the seller of property and not a potential bride. This view is supported by Campbell (1975:150). Campbell examines several interpretation possibilities of the act taking place, quoting also from the Targum and the Midrash. Confusion exists around who removed the shoe from whom, handing it over to whom, involving only the redeemer and Boaz, both males. He admits that there is a variety of possibilities but concludes that “*the circumstances are sufficiently different to make attempts to conform the two practices, doubtful.*”

- 5.7** The “custom” to link some of these customs in certain circumstances (Ruth 4:5).<sup>139</sup>
- 5.8** The custom of gleaning (Deuteronomy 24:19; Leviticus 23:22).<sup>140</sup> In the book of Ruth, this custom is important, as it represents the inexplicable jump in status of the two women: from “empty” and “impoverished” to that of “landowner(s).”

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<sup>139</sup> Too much had been said about this to repeat all. I quote only Linafelt (1999:68): “Naomi and the field are seen as bound up with each other legally or at least by custom ... in a way that Naomi and Ruth are not.” And Linafelt (1999:72): “at the heart of (Boaz’s) statement is the pairing of the two widows ...” My endeavour is to prove the contrary: Naomi and Ruth are (legally) in the same position in respect of the land and are interchangeable in the circumstances.

<sup>140</sup> This custom is important for the narrative inasmuch that it proves the poverty of the two women, although Loader (1994b:30) notices that in terms of Leviticus 19:9-10 Ruth as foreigner was not even entitled to this grant. Unfortunately he does not explain his finding further, as the two verses explicitly include strangers. Sakenfeld (1999:70) is intrigued by this baffling question: “Why are (Naomi) and Ruth pictured so impoverished (so that Ruth must go out gleaning) if Naomi owns land?”

## 6. MORAL RIGHTS/DUTIES

It will be difficult to distinguish between customs and morals because they lie on the same social level. As mentioned before, the difference may lie in the application of a sanction by the community. Nielsen (1997:86) offers the interesting example that Boaz is not legally bound to exercise the levirate marriage, nor can he impose such duty on the kinsman, but he has “committed himself morally (to do so) at the threshing place.” Following this insight, my suggestion is that the following examples constitute a moral duty: The duty of a male relative to provide for his family (see further the discussion in Chapter V) and the moral duty of society to care for the widow, orphan and the poor (there are many examples recorded which prescribe how strangers should be treated with dignity and humanity: Leviticus 19:33-34; 19:9-10; 26:47; Deuteronomy 24:14 and 19). In chapter V it shall be pointed out how Ruth’s “right” to claim rights are to a great extent dependent on her acceptance by the community, and to this extent, Boaz’s endeavour to accept her in marriage, bridges this need.

For purposes of this study, it would seem unnecessary to discuss most of these themes in detail, as they do not form part of the problematic part of the text in question and had been worked through thoroughly by previous commentators who had analysed the whole book. They should, however, be kept in mind as they underlie the narrative as background. They include *inter alia* the customs of gleaning, the venue where jurisprudence took place, and the amount of witnesses present as well as the custom of removing the shoe to close the deal.

This discussion will be limited to the matters which Sakenfeld (1999:70) also sums up in a paragraph once more loaded with even more questions with apparently no satisfactory answers:

1. “[H]ow is it that Naomi has control over her dead husband’s land (possessing land)
2. “so that she can sell it” (the right to sell land);
3. “How did she acquire that control” (executorship in deceased estates);
4. “[W]hy are she and Ruth pictured impoverished” (female inheriting land)  
(so that Ruth must go out gleaning)

5. “if Naomi owns a piece of land” (ownership of land);
6. “By what authority is Boaz announcing what Naomi intends to do about the land” (power of attorney);
7. “[W]hy is acquiring Ruth connected to the redemption of land” (the authority to link rights/customs).

Underlying these uncertainties there remains in fact only one question: “How could Naomi sell the land of her husband (if women did not inherit from their husbands), let alone Ruth? A single new insight will answer not only this mystery, but also the one of the interchangeability of Naomi and Ruth ... both regarding the sale of land as well as being offered as wife. The women did not sell the land, but a right in respect thereof. The purchaser never acquires the land. If a purchaser (in this case a redeemer) intends to buy the “right” to which the holder is entitled, it follows naturally that he would be in a position where it could follow that he could just take control over (buy? marry?) (קנה) this entitled person instead of paying in cash or *in natura*. He could for instance offer his services (cultivating the land) in return. In this way he could also share in the proceeds thereof. It is not strange then, that Beattie (1974:266) concludes that “redemption was not equivalent to purchase ...”

In the narrative of Ruth, this “purchase” would serve another objective at the same time: the land seeks a rightful owner which must be a descendant.<sup>141</sup> It would give the holder of the right (the woman) the opportunity to produce a new owner for the bare dominium of the land. For this, she would have to marry a man. In the narrative a subsequent marriage would serve a purpose, and it was in any case Ruth who proposed marriage to Boaz (Chapter 3) and not the other way round. No other mysterious “link” between redemption and marriage is present. In this way she could also obtain a labourer who could

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<sup>141</sup> In this respect it is worthwhile to quote Davies (1981:140) who admits that the levirate marriage alone would not suffice in order to reach the whole objective of the book: “the marriage between Boaz and Ruth was designed in the first instance to ensure the continuation of the line of her deceased husband by providing her with male offspring...”

cultivate the land to her benefit. The events pivot around the interest of the woman after all, regardless of apparent male dominance (as opposed to male providence) and decision making.<sup>142</sup> This finding is a far cry from failed attempts to regard the widow as an “object” for the benefit of the redeemer.<sup>143</sup>

Eventually this discussion seeks to prove that only by implementing the “missing link” – the right of a usufruct as the object of the sale – can the problematic verse make sense in all aspects, once and for all. And once and for all the late estates of Elimelech and his son can be wound up.

Other than can be expected in a technical, analytical “legal” discussion of this kind, I would like to put all the grappling aside and continue my reasoning from a completely different angle. After much research, my finding is that the main theme and purpose of the book of Ruth, namely Providence and Survival, underlies the whole accumulation of events in Ruth 4:5 (see chapter V).

## 7. THE LAW OF SUCCESSION IN THE OLD TESTAMENT

Having established the importance of the survival of the ancient family (which should include the widow – see Chapter V) and the reasons for that, the consequences of the written law of (“intestate”) succession in the Old Testament seem completely inconsequential and incomplete. The only version can be found in Deuteronomy 21:15-17. The prescription makes no mention of how the widow or concubine, (thus the mother/s of the heir/s) will be looked after. The assumption is that the heir would

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<sup>142</sup> This conclusion would allude to the (feminist) view voiced in Fischer (1999:41): “From her (the ‘female’ author of the book of Ruth’s) viewpoint, the law favours the living woman, not the dead man.” This would be Ruth’s second marriage to a Judahite man (Fischer 1999:44 footnote 67). Could it be possible that Ruth realised that Judahite men provided for their wives in a better way?

<sup>143</sup> Thompson and Thompson (1968:80): “Boaz does not claim a legal right until he had purchased that right ... she was part of the inheritance...” see also Davies’s explanation to the contrary (1983:232): “it is by no means certain that women were regarded as ‘property’... and besides, Ruth was free to marry whom she wished ... and was not automatically acquired along with the estate of her husband ... if it was customary for the widow to be acquired together with the property, it is curious that the kinsman did not realise this ...”.

look after his widowed mother but if it was the intention to imply this duty of the heir in the pericope, it does not feature clearly in the text. It can possibly be read into the text where it states that the firstborn son of the deceased should inherit a double portion *to enable him to look after his widowed mother*. It could also have been such an indisputable part of custom that it need not have been repeated in writing. A vague reference to this implied duty can be found in Naomi's lament of her deceased sons, which, she says, left her "empty" (that is, without any means of survival brought about by a male relative) (Stanton 2006:10) (Ruth 1:21).

It speaks for itself that there was no built-in guarantee in the latter suggestion.<sup>144</sup> The only reference to a cultural rite which would provide for this lack of clear prescription, can be found in the reference to the so-called levirate marriage. This prescription is described in Leviticus 25 and finds practical application only in Genesis 38 and (disputably) in Ruth 4.<sup>145</sup>

Whereas the legal position simply does not conform to the ideal of maintenance of *all* the surviving family members of the deceased, the reason for the omitting should be investigated, unless it can be argued that the wife was not regarded as a "relative"! (But see the argumentation in Chapter V).

#### **a. THE REASON FOR DISINHERITING THE WIFE**

Why would the Law of the God of Israel prescribe that the wife of an Israelite man should be disinherited contrary to the core values of ancient Israel?

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<sup>144</sup> Davies (1981:138) also stresses this point following a discussion on Babylonian, Ugaritic and Assyrian laws of inheritance whilst Van den Brink (1995:179) also mentions the duty of children in OT times to look after their widowed mothers.

<sup>145</sup> Certain cuneiform laws make mention of this duty. It should be kept in mind that ancient laws were written down where common law did not provide a solution and were decided on by kings or officials appointed in the office of judge.

A well-researched conclusion is given by Eskenazi (1992:35). I re-interpret in my own words: The land of Israel was divided and handed out to the people by God himself as part of the Covenant (Ezra 9:12b). The well-known belief was that implicitly God remained the owner thereof. Land could never completely fall into the hands of a private owner (Genesis 49; Deuteronomy 6:10-15; 11:13-17; Leviticus 25:55). Habel (1995:101) notes that there is always a link between Israel's obedience and a future in the land.<sup>146</sup>

The men were disobedient and married *peregrinus* wives who worshipped pagan gods (Ezra 9 and 10, Nehemiah 13:23-31) contrary to the commands of God. Suppose a man should die and leave his property (which includes land) to his *peregrinus* wife and she subsequently marries a man from her own tribe, it would mean that she alienates God's property to a pagan god. While understanding the "jealousy" of the God of Israel (see discussion in Chapter V), this could not be tolerated. As a preventative safety tool, she thus was never allowed to inherit from her husband.

## **b. RELATED CONTEMPORARY SOUTH AFRICAN LAW: A COMPARISON**

### **i. JUSTIFYING THE CONTEMPORARY PERSPECTIVE**

This study was meant to be a multidisciplinary one. Coming from a legal background and entering the new field of ancient languages and culture, I had no choice but to apply my knowledge and insights to this new field. Without a legal background I would not have been able to identify the possible new reading of Ruth 4:5.

Reference to the state of the law in a country distant in time and place from the ancient position, might seem farfetched and irrelevant in the present study. This reference is included primarily because it is exactly this principle in South African law that had opened my eyes to a possible new interpretation of

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<sup>146</sup> See also Hamlin (1996): The title of the book says it all: *Surely there is a future*.

Ruth 4:5. It is also included in order to illustrate how far fixed thinking patterns in the mind of man (as in “mankind” but possibly also as in “male”) can reach. A study of the written and common law of other countries on this subject will simply be too extensive for purposes of a primarily linguistic study of this nature. I therefore conclude with a glimpse on the current South African position.

## ii. DIFFERENCES

The Intestate Act of Succession, Act 81 of 1987, includes the surviving spouse of the deceased as co-heir of his estate, together with his children. She inherits a child’s share or a prescribed amount (which can be promulgated by the legislator from time to time) whichever is larger. It is interesting to note that, as in ancient times, adopted children as well as children born out of wedlock are included in the inheritance (in equal shares), but the oldest child (not only “son”) does not inherit a double share as set out in Deuteronomy 21.

It is also interesting to note that “spouse” now also includes life partners of the same gender, common law spouses<sup>147</sup> and wives from customary marriages. Hindu and Muslim marriages are not as yet<sup>148</sup> recognised as marriages in South African Law and such wives are therefore still excluded from inheritance from their husband’s estates in the absence of a written will. This rendering seems contrary to the present political climate and definition of “common law spouse.” This leaves the widow in much the same position as the widow in Deuteronomy 21:15-17. Applying the unspoken (maybe long-forgotten) principle of a built-in usufruct as in ancient laws of inheritance (the children inherit the

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<sup>147</sup> The Civil Union Act 17 of 2006 and The Recognition of Customary Marriages Act 120 of 1989 which came into operation on 15 November 2000.

<sup>148</sup> At the time of writing of this thesis, Islamic and Hindu marriages were not yet protected by the new legislature, although a draft act on this topic had been passed already in 2002. This position gave rise to several costly court applications by Islamic widows who were left penniless after the death of their spouses. The consequence is that Islamic marriages are still regulated by Islamic law. A court case example can be found in *Fatima Hassam vs. J. Jacobs NO and others* (2008), All S.A. 350 (c).

property of their deceased father but the widow retains the right to survive on the proceeds thereof) will automatically resolve the problem and will render court applications from her side unnecessary.

### iii. A SIMILARITY

There are other traces in South African Law which point out the fact that bequest can become a very strong tool in the hands of the testator/provider. Reference will be made to one such tool which had withstood the test of time. This tool resembles to a great extent unwritten customs which apparently existed in ancient times as set out before. This tool is aimed at the need to provide for the surviving widow. The circumstances which lead to the implementation of this legal tool are so notably similar to the viewpoint on marriage and survival found in the Old Testament, that a discussion thereof can hardly be ignored.

However strange it may seem, the assumption remained for a long time that the husband will predecease his wife. Should she die first, the same tool will be set into operation according to the will, but many men do not adiate (accept) the directive, because her death leaves no survival problem for him.

The survival tool which can serve as example is called the doctrine of “Massing.”<sup>149</sup> Ancient custom is recognisable in this doctrine. Massing is not an intestate rule of Law, but a permissible enacted directive to be taken up in the joint will of spouses (Wiechers and Vorster 1984:75) married in community of property. Whereas the duty of adult children to maintain their widowed mother might have faded away in the course of time, the content of this tool makes perfectly sense.

In order to fully understand the concept and the possibility to apply the underlying principle thereof on the pericope Ruth 4:3-5, a few aspects should be kept in mind. It must be understood that spouses have

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<sup>149</sup> Sec. 37 of Act 66 of 1965.



separate estates (of which each spouse can dispose separately), even though they are married in community of property. A “joint” will is two different wills taken up in one document.

It should also be kept in mind that traditionally, average South African men were farmers and wives stayed at home and did not build up an asset base of their own. They were also untrained and could be well advanced into old age at the time of the husband’s death, leaving her unable to administrate her own affairs. Sec 37 of the Act on Deceased Estates was intended to fill this need.

In a will where the massing of their two separate estates is directed, the children (or one child, most likely the oldest son) will inherit on the death of the first dying parent. Supposing the situation where the man dies first and the wife accepts (*ad iates*) the conditions in the will, it means that the widow waives her right of inheritance, and at the same time disposes of her lawful half of the estate. More often than not, the asset will be land (a farm or house) or a sum of money. The surviving spouse will retain a right called the *usufruct* over the asset. This right entails entitlement to the proceeds procured out of a lease of the asset, interest on the monetary investment, or to the proceeds of all farming activity (the fruits) produced on the farm.

The usufruct is a life right which only lapses on the death of the holder thereof. Cancellation of this right/servitude unburdens the property. The owner-heir will usually be entitled to a salary for his activities on the farm or an administration fee for handling of the monetary asset. The *bare dominium* held by the heir becomes subject to and thus burdened by the personal right (“servitude”) in favour of another in this way. He may not use the proceeds of the burdened *res*, neither can he sell the property. Full unburdened ownership will only be set into operation in favour of the owner-heir after the death of the *usufruct* holder, in which case the value of the property will increase. It follows that this right has monetary value.

What happens to the right of the usufructuary in the case of change of owner of the property? The position of the usufructuary will stay unchanged. It follows that Naomi did not lose her right in respect

of the land when Mahlon (the owner after Elimelech) died, although Ruth (Mahlon's widow) was added as usufructuary in respect of the same property.

The modern arrangement thus proves to be a strong tool in the hands of both the testator and the surviving spouse. The objective of such an arrangement is clear: to provide for the surviving spouse who is often the wife, uneducated, unemployed and living on the farm which formed part of the communal property in terms of the marriage in community of property. The difference is that nowadays this scenario will have to be arranged, whereas in ancient terms, it was probably part of the law of inheritance in a *sine qua non* way. Does this scenario resemble that which plays out in the book of Ruth?

## 8. CONCLUSION

Taking the abovementioned into account, I would like to conclude that it could never have been the intention of an ancient Israelite man (or his God) to leave the widow unprovided for. The book of Ruth wants to emphasise this fact, rather than to bring the reader under the impression of her impoverishment. This would be contradictory. To get married would be only one solution for her problem. God can provide either way he wants to, even by means of providing a (providing) husband. To sell whatever right she could have retained from the estate of her late husband, even to a redeemer, would be the alternative waterproof solution thereto.

These observations do not have as objective to convince the reader of an alternative translation merely on cultural or historical grounds. It serves only as optional filling for the open spaces still left after legal deconstruction<sup>150</sup> and grammatical analysis of the text. Although I am an advocate of close

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<sup>150</sup> See Efthimiadis (1991:112): "The narrator could be aiming at a complete subversion or re-interpretation of Israelite social and legal institutions." This study deals with the technicalities of deconstruction as a whole, using the Book of Ruth as a vehicle because of its problematic legal texts which seem to be in need of deconstruction (Efthimiadis 1991:1). I could, however, not agree with the author's following finding (1991:113): "it is surely

reading and of following the text in the translation process, every translator can find himself in the position where he has to apply “gap filling” in order to make sense out of what the text does not provide. Cultural-historical analysis had proved a helpful tool over a long time span. My conclusions are not final, but the saying goes: “If the shoe fits, put it on” (pardon the pun). In the case of Ruth 4:3-5, the text still leaves open some spaces, notwithstanding thorough analysis. The foregoing cultural-juridical background can provide several fitting shoes.

## 9. PROPOSED (LEGAL) READING OF RUTH 4:5

Then Boaz said, “The day you acquire the (right in respect of)<sup>151</sup> the field from the hand of<sup>152</sup> Naomi and from (the hand of)<sup>153</sup> Ruth, the Moabite woman, the wife of the deceased, you (also) acquire<sup>154</sup> (her) in order to maintain the name of the deceased over his inheritance.”

The implication of this translation is:

“If one should want to buy this right, namely the proceeds of the land, in one’s capacity as redeemer, from both women, it follows that one (either you or I) can obtain Ruth together with the right, because she is the entitled person.”

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permissible and understandable that a woman could inherit property and fend for herself where the legal institutions which are meant to protect her were insufficient to do so.” This statement results in speculation. In the book of Ruth the women did not inherit property and neither were they allowed to fend for themselves in public.

<sup>151</sup> חלקת.

<sup>152</sup> מיד.

<sup>153</sup> ומאת.

<sup>154</sup> קניתה.

The contents of this second version is implied according to the ancient custom of the usufruct, but none of this is stated explicitly in the text.

Let us conclude with Gow's (1990:309) insight: "If it had not been for the pressure to find an object for the second קנה in the sentence, it is doubtful that anyone would ever have thought of emending ומאת רות."

## CHAPTER V: RUTH 4:5 WITHIN THE IDEOLOGICAL CONTEXT OF THE BOOK OF RUTH

### 1. INTRODUCTION

At this point in time the hypothesis in this study needs to be tested in view of the perceived ideology of the book of Ruth.

Keeping in mind the foregoing discussion on several levels of the text of Ruth 4:3-5, it can be attempted to explain what the text has to say in terms of the ideology of the book. Do the findings in this study correspond with the pre-supposed ideology of the book, or are they perhaps too remote from traditional ideological perceptions? The answer can possibly be found in the theme of providence and survival, one of the underlying core themes of the book of Ruth.<sup>155</sup> The important role which the concept of “family” (as a safe space for purposes of survival of the clan) played in ancient Israel, will become evident in this chapter. It should be kept in mind that the hypothesis in this study has to do primarily with the survival of impoverished women and how their inheritance rights could or did offer a means of survival for them. The result of the investigation in this study was that they did inherit from their husbands, but only a limited right in respect of land<sup>156</sup> and that a tool for this was identified and named. This tool has everything to do with the theme of providence and survival. This finding can add a new perspective to the traditionally accepted ideologies identified in the book. The role of the male provider will come under scrutiny and so will the importance of the definition of the ancient Israelite family.

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<sup>155</sup> See, inter alia, Zenger (1992:27), who points out that the “universal” theme of the book (“Der Güte Jahwes”) is related to that of the book of Jonah. See also Schilder (1982:47) who treats the book of Ruth from the perspective of the providence (“voorzienigheid”) from the hand of the God of Israel.

<sup>156</sup> Although Zenger (1992:85) also uses the translation “Feldanteil” (share in the land), he continues to treat the purchase object as a whole piece of land, as in a “farm” which had to “fall back” into the possession of someone, failing an heir. The question is: who is the entitled new owner?

## 2. METHOD

Elliott (1993:36) quotes Bultmann who laid down the initial “fundamental methodological axiom of biblical interpretation,” namely that “exegesis without presuppositions is impossible.” In this study a great part of the objective was to compare certain fixed presuppositions by adding new possible perspectives.

Summarising readers’ response over a long period of time, Caspi (1994:ix) adds to this insight: “... our reading of the book of Ruth in the Bible, is shaped by our upbringing ... Ruth and Naomi can be whatever the reader chooses. The images brought forth, the meanings gleaned, the lessons taught, all depend on the cultural, educational, political and religious background of the reader.” Of course the fact that this text was scrutinised from a legal background opened up a number of possible ways to understand the very text with which translators and commentators have struggled through the ages.<sup>157</sup> It is inevitable that the hypothesis in this study would be directed towards legal justification of the outcome of actions as offered in the final chapter of the book of Ruth. This justification will not necessarily have to correspond with generally accepted traditional beliefs, but the expectation is to have it considered at least alongside the traditional ideas in future. The role of the main players, Naomi, Ruth and Boaz will have to be scrutinised defining their function in the ancient Israelite family, but also as carriers of legal concepts or entities. The expectation is to make a contribution to the interpretation of a small part of Biblical Hebrew along this way.

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<sup>157</sup> Although Hubbard (1988:49) regards the book of Ruth as a piece of narrative literature in the first place and not as a legal treatise, it should be kept in mind that commentators through the ages had struggled with Ruth 4:3-5 precisely because it contains an obscure “legal text.” The summary of legal inconsistencies as presented by Derby (1990:15 and 1994:181) is still valid up to this point in time. Compare also De Vaux (1962:106); Gerleman (1965:9); Van den Brink (1995:144-145), Thompson and Thompson (1968:79-99); Beattie (1974:251-267); Linafelt (1999:63-84); Sakenfeld (1999:68-75) and more recent attempts by inter alia De Villiers (2012). Davies (1983:231-234) wrote an article in an attempt to justify the kinsman’s change of mind.

### 3. DEFINITION OF IDEOLOGY

An abbreviated version of Elliott's (1993:130) definition of "ideology" would be:

"An integrated system of beliefs, perspectives, assumptions and values, not necessarily true or false, that reflect the perceived needs and interests of a group or class at a particular time in history ... when ideological formulations refer to God or the gods, divine representations or agents, sacred tradition, or any instances of power as ultimate or highest sources, warrants, norms and sanctions of behaviour, ideology merges with Theology and theological constructs are used for ideological ends." In a study of this nature, it will therefore not always be clear whether a worldview or a theology is at stake. While the text which is researched in this study emanates from a Biblical source, it is inevitable that conclusions could have been arrived at which represent one or more ideologies. This is what happened to the book of Ruth in the course of many centuries.

In order to measure whether the hypothesis in a study can meet this definition, Elliott (1993:48) suggests application of a certain method called "abduction" or "retroduction." Quoting Woodson (1997:1), this method is described as "a process in logic of the discovery procedure of working from evidence to hypothesis, involving a back-and-forth movement of suggestion checking. In this process two pieces of data<sup>158</sup> could be explained by a hypothesis, the validity of which could be corroborated by the finding of another piece of data." This procedure involves social-scientific criticism which is not exclusively deductive (from model to material) nor inductive (from material to hypothesis) but inclusive of both procedures.

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<sup>158</sup> Caspi (1994:xiv) also recognizes the "text" as a two-part system: "the written (or oral) and the read or heard, (but) the act of the text is not complete until it was interpreted."

The attempted methodology in the foregoing chapters was aimed at scientific as well as historic-critical and sociological findings, continuously checking the data to and fro. Although not in search for an ideology, the expectation can only be expressed that the research would result in both confirming traditional perspectives and contributing to existing worldviews by formulating new perspectives.

The conclusion that women did inherit a limited right from their husband's real estate can only be corroborated against what we already know about the cultural background of the people involved in the narrative, as well as by what we read in the text.

The next step will be to measure the findings against the traditional view of the ideologies (see below) presented by the book of Ruth, keeping the possibility open to add yet another ideology to those. Finding a supplementary ideology will involve researching a new question.

The question which had enjoyed little attention in previous investigations and commentaries and which corresponds with some of the main ideologies of the book of Ruth<sup>159</sup> is the question about Ruth's being accepted within the Israelite community in relation to her rights. It is widely accepted that Ruth had to "earn" her rights. The viewpoint will be offered that she already had rights when she entered Israel, but that without being accepted in the community, Ruth would never have been able to claim her rights. For this, she would have had to be accepted into the community of her late father-in-law first. Siquans (2009:443) stresses her contention namely that Ruth "achieves a legal status that is not applied to any other woman in the Old Testament," on account of the fact that she is an "alien" (גר) in Israel, and is therefore "unacceptable." This statement implies that Ruth did not have any rights when she entered Bethlehem, and that she had to earn them in an unusual way. This might be true on cultural level (in

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<sup>159</sup> Von Rad's (1965:400) excellent formulation stays universal: "The conviction that those whose legal standing was weak and those who were less privileged in the struggle of life were the objects of Yahweh's particular interest reaches far back into the history of the people of Yahweh. This conception of the poor practically contains a legal claim upon Yahweh." I shall however question the statement further on, as far as Yahweh's solidarity with weak women as opposed to needy men is concerned (see the discussion on p. 108 of this chapter).



Chapter 2 alone she is described as a Moabitess” or “stranger” at least five times<sup>160</sup> but also on social level (Ruth was “unknown” to the community and thus a “stranger” in this sense).<sup>161</sup> The attempt would be, however, to point out how her legal status was already established before she arrived in Israel<sup>162</sup> despite her invisibility and unimportance. This happened when she became “family” of Elimelech already when she married his son.<sup>163</sup>

Why was it then so difficult to accept her in Bethlehem? The reasons are usually described in works which deal with the ideology of the book. Matthews and Benjamin (1995:11) describe how parties of an intended marriage rarely chose their own sexual partners. The father was responsible for electing a “legally” fit candidate for the marriage and to choose such a candidate for the benefit of an already existing household (1995:13) and this is probably what would have happened back in Moab – Ruth should have been approved by Elimelech as future wife for his son. Unfortunately he died before his sons took wives (Ruth 1:3-4). This principle does not, however, apply to people entering a second marriage, as the main responsibility of the father is to guarantee the virginity or chastity of the bride.

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<sup>160</sup> Ruth 2:2, 6, 10, 11, 21.

<sup>161</sup> It is noteworthy that in Chapter I, Naomi was immediately recognised by the community when both women entered Bethlehem, but no mention is made of Ruth, as if she was invisible, or so unimportant that she was overlooked.

<sup>162</sup> Even Caspi (1994:xii) has to admit: “We can be fairly certain Ruth never had to go back to glean barley – she owned the field.” This statement is not explained further, except to suggest that Ruth might have been a “gold digger,” but obviously her “ownership” is linked to her marriage.

<sup>163</sup> According to Matthews and Benjamin (1995:16) the newlywed couple lived with the father of the groom after their marriage, not only because of the patriarchal system, but because their offspring provided the household with future farmers and herds. The complication with exogamous marriages would lie on an economical level more than on a cultural one. They were regarded as high risk marriages, because responsibilities brought about by the poorer (foreign) family could impoverish the richer one, thus alienating property which belonged to God, outside of the Israelite sphere. Marriage within an existing Israelite household reduces the risk, but does not render the foreign bride as an outsider, although marriage to certain close family members (mother, sister, aunt) would (1995:15).

When Ruth approaches Boaz on the threshing floor, she exercises her own authority, but does not necessarily lose her status as member of Elimelech's family. Keeping these two arguments in mind, it seems all the more confusing why she would not have been accepted into the community. In a recent article by Maré (2011:186) the author also falls into the trap of regarding Ruth as a foreigner who has to earn her status of belonging to an existing Israelite family by marrying Boaz. It is commonplace that marriage to a Moabite woman was "not permitted" (p.185) but it is not true that it (the marriage) could only be "restored" though an Israelite marriage. The statement simply does not make sense. Marriage to a Moabite woman is still a marriage and it is nowhere stated that such marriage would be void *ab initio*, especially when it was performed in Moab.

Ruth can thus be regarded as a member of Elimelech's family without having to earn this position and she did not need to be approved of by community in order to obtain rights. Her rights already existed. The question lies in why she did not or could not claim her rights openly right from the beginning, and this also goes for Naomi. The legal issues in this study do not question Ruth's eligibility as bride for Boaz. They are based on a textual level to such an extent that new interpretation and translation might be indicated.

Having established the name and/or content of the right that they were entitled to (the *usufruct*), the main remaining legal question is to be found in the mystery of Ruth and Naomi's hesitation to step forward in order to claim their rights, which they allegedly were aware of right from the beginning (Naomi for instance, did not have to be "accepted" for she was immediately recognised as Elimelech's widow).<sup>164</sup> Ancient Israelite law and family customs read together, can possibly clarify at least some of the mysteries. Family life and law were closely linked in ancient Israel. Jacobson (2013:5) asserts rightfully that "if folks wanted to settle issues dealing with family, they would look to the law." One of the legal/familial problems that we encounter in the book of Ruth is that Naomi is left behind with her

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<sup>164</sup> Siquans (2009:445) confirms that (also) Naomi's status in Moab would now be that of a foreigner, thus her decision to turn back to where she will regain her original status.

two daughters-in-law.<sup>165</sup> “This hardly qualifies as a legal family unit, either then or now ...” and: “for their own good they cannot be her daughters” (Jacobson 2013:6-7). I have to differ from Jacobson on this point, because the aim of this study is specifically to point out *inter alia* how marriage in its ancient Israelite meaning could manifest laws and rights for the in-law wife of an Israelite husband. Neither Naomi nor Ruth was blood-related to Elimelech. They became “family”<sup>166</sup> and took the same status on account of their marriages, regardless of their nationality. Naomi’s relation to Elimelech’s family is not questioned, so why is Ruth regarded as an “alien” outside of the family? The connection which both had with the deceased established rights for them, a fact which most commentators on this subject, and whom I have consulted, seem to admit. Jacobson (2013:5) does not intend to suggest an era in which the book was written, but hits the nail on the head when she alleges that the book was widely read in the time of Ezra and Nehemiah, when family was very much an issue. The challenge would now be to “marry” the legal findings of this study with the ideological context of the book. This would include pointing out not only how Ruth managed to become part of an Israelite family, but also succeeded in fulfilling the expectations of later interpreters who sought a message of inclusivity in the book of Ruth.

#### **4. THE IDEOLOGY OF THE BOOK OF RUTH**

##### **a. WHAT ARE THE TRADITIONAL VIEWS OF THE BOOK OF RUTH?**

Although one has to admit together with Caspi (1994:ix) that “something” had been lost over time (Caspi wants it to be the storylines), it has to be accepted that we do not even know what all the lost

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<sup>165</sup> Van Wolde (1993:25) sees a resemblance between the words כָּל (full), כִּלְכַל (fulfil), and כַּלְתָּה (daughter-in-law), representing the ideal of “emptiness” being “fulfilled” in the book of Ruth.

<sup>166</sup> Koosed (2011:105) is of the opinion that Naomi, Ruth and Boaz *decided* to “create” their own family, “and to define their own understanding of kinship and their responsibility to one another...,” a comment which I think cannot be further from the truth. The main aim of the book is focussed on the maintenance of an already existing family (Ruth 4:5), in accordance with the existing prescriptions and principles of old Israelite customs, as laid down by the God of Israel himself.

elements might entail. The result, however, is that “a varied number of social and historical readings is possible.”

The following views (as summarised by Venter [1983:12]) are widely accepted as underlying the ideology of the book:

The book was read at the celebration of the reaping of the barley harvest; it tells of God’s redeeming powers and involvement with people; it is the story of a converted heathen girl which is told for the sake of the conversion; the story legitimises the throne of David; the narrative is aimed at setting aside forbidden marriages to Moabite women<sup>167</sup> (Deuteronomy 23:3).

Caspi’s review on possible reader’s responses (1994:ix) reflects *inter alia* that the ideological objective of the book of Ruth was written down as a political tool used to further patriarchal goals by reminding wives, daughters and daughters-in-law of their duties. While this view can be frowned upon, the view that it was used as a political tool by those who wanted to re-establish their link to the house of David, is more widely accepted.<sup>168</sup> Caspi’s following discussion namely that it has been used as a religious exhortation reminding the audience that reliance on God and his laws have definite rewards, holds more water: Ruth is held up for her virtues of love, then, out of steadfast adherence to kinship ties, marries ... (Boaz). To Caspi’s view can be added that of Bush (1996:268) who regards Ruth’s “loving commitment and obedience ... which transcended these claims of self-interest” as the most important and meaningful characteristic of the book of Ruth. The views of Venter (1983:12) and Gerleman

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<sup>167</sup> Although Vuilleumier (1988:203) alleges that the book goes further back than a time when these marriages were prohibited.

<sup>168</sup> See Morris (1968:229-381), who also deals with the ideology of Ruth under the abovementioned five headings, of which the genealogy of David is regarded as an appendix rather than a climax. I am of the contention that the link which the house of David could have had with Moab, lies on historical rather than ideological level.

(1965:39) also allude to the ideology of Ruth's truthfulness until death, and her humbleness which was eventually rewarded.<sup>169</sup> On a theological level, this ideology was extended to the involvement of God in the lives of ordinary and simple people. This theology would in its turn, correspond with the underlying presupposition that the God of Israel will be on the side of the poor and the wretched and "those whose legal standing was weak and who were less privileged in the struggle of life"<sup>170</sup> promoting the idea that a believer should present himself pious before God.

A summary of the ideological content of the book of Ruth which is offered by Nielsen (1997:28-31) displays a feministic flavour:

The book has David and his family as purpose;<sup>171</sup> the reigns of Hezekiah and Josiah have been suggested since both kings showed an interest to incorporate the Northern tribes into their kingdoms; the outward/homeward journey fits well into the experience of the exile; the theology of prayers and the fulfilment thereof (concerning infertility and eventual procreation);<sup>172</sup> the metaphorical fulfilment

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<sup>169</sup> Loader (1994a:14) alleges that the book only tells us the beautiful story of human faithfulness, a view which seems obviously quite meagre.

<sup>170</sup> Von Rad (1965:400). Von Rad also refers to the psalms of lamentation in which this attitude was strongly followed by the man in prayer to God. Von Rad says of Psalm 22: "David descends with his complaints to a depth that lies beyond the depths of his suffering."

<sup>171</sup> Nielsen (1997:99). The author is convinced that "Ruth tells us more than the other texts about David when it places before us the foreign woman whom God elects and blesses."

<sup>172</sup> To this principal list the verdict of the author of Jeremiah in Jeremiah 1:10 namely the "inversion of the irreversible" – *ובש בותש* – can be added. The pericope deals with the complete change in the landowner situation in Israel, after the exile – a condition which can even be reversed once more. God's promise to his people (the barren woman) finds substance in Isaiah 62:4-5: "No longer will they call you Deserted or your name Desolate." Ruth can become symbolic of God's covenant to his people. Van Wolde (1993:20) notices the parallel usage of Ruth symbolising "to go" (*הלך*) and Naomi symbolising "to return" (*שוב*). Used together they represent "love" (*חסד*). I am not convinced by the latter conclusion. *שוב* appears 11 times in Chapter I only (see also Abma 1981:11).

of the pact by God to take care of and provide for his people in exchange for certain favours;<sup>173</sup> the contradiction of disempowerment of women by God Almighty (as represented by a man/male) in Old Testament terms thus giving voice to the voiceless (women);<sup>174</sup> the acceptance of the “foreigner” into the Jewish community, as represented by Ruth the Moabite in Bethlehem (Ruth’s inclusivity). Although feministic views cannot be denied a place in modern commentary, it should be kept in mind that the book was written in a time when the patriarchal system was dominant (Fentress-Williams 2012:23), and that believers had the outline of God as father or husband in their minds because of their perception of the entity which provided and protected on the same terms as a human husband.

It is clear that Nielsen contributed a few extended insights to the traditional views. As a discussion of all the above-mentioned ideologies will be too extensive for purposes of this study (which concerns itself mainly with grammatical and legal aspects of the text), I shall concentrate on only the last aspect, namely accepting Ruth in a *prima facie* hostile community, the function thereof and the legal outcome, and how this outcome can possibly parallel some of the traditional views. Attention will also be given to similarities between God Almighty (his function in ancient Israel) and the ancient Israelite male figure: the husband. The words which serve as “link” to these important aspects in the ideology of the narrative would be: Providence and Survival. Seeing that the widow was regarded as inferior in ancient Israelite culture, this theme corresponds with the view that God identifies with the poor, the weak and the helpless.<sup>175</sup>

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<sup>173</sup> In Christian circles it became easy to draw the similarity between the function of the *go’el* and the redemption message of the Son of God (see Schilder 1982:57-61).

<sup>174</sup> Nielsen (1997:32): “Naomi does not accept in silence what the Almighty has done to her, but gives voice to her anguish and forms it as a charge.”

<sup>175</sup> Derby (1990:15) gives a summary of the consequences which the childless (widow) would suffer in Ancient Israelite culture: she had no standing (status) in community; she was regarded with contempt and ridiculed by her peer group.

In the words of Kennedy (1970:465): “The story is concerned ultimately with the guiding hand of God in the affairs of an inconspicuous migrant family<sup>176</sup> among the covenant people. Beyond the ingenious human plans was the inscrutable divine Providence.” It is widely accepted amongst theologians that although God is barely visible during the events (Naomi, like Tamar in Genesis 38 had to make their own plans in order to survive [Venter 1993:43]) and never talks to Naomi in the way he talked to Abraham or Isaac for instance, he was the one who stayed present throughout the narrative, providing a solution to Naomi’s problem.

Initially the importance and prominence of the book was characterised by the “gap” which was filled by linking the house of David to the Moabites (1 Samuel 22:3)<sup>177</sup> and thus it was regarded as a “subtle polemic” against Ezra and Nehemiah, when they attempted to purge foreign marriages from the Jewish community (Kennedy 1970:465). As Nielsen (1997: 29) puts it: “The discovery that Ruth was originally written to champion the right of David’s family to the throne, does not of course exhaust the significance of the book.” Kennedy (1970:465) points out two weak aspects in this traditional argumentation which can easily be overlooked: Ruth’s commitment to the Lord confirms Ezra’s position rather than opposes it and the gentle tone in the writing style of the book can hardly be

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<sup>176</sup> Schilder (1982:49) notes that the narrative does not deal with the suggested judgment of the God of Israel over the family who had left Israel and subsequently also his grace, but this does not mean that indicators towards the wrath of God is absent from the events. Abma (1981:11) suggests instead that the theme of survival is represented by the migration: a head of family can seek means of survival for his family in any country as part of his responsibility, realizing that God can also be worshipped on foreign ground. Eichrodt, (1957:141) to the contrary, is of the opinion that a person was obliged to worship the foreign god of the country in which he dwelt ... back in Israel, it would be a choice between worshipping the God of Israel or not. See in this regard also the actions of Abraham and Isaac during a situation of famine (Genesis 20:1; 26:1-6).

<sup>177</sup> Gerleman, (1965:7) however, is of the opinion that the addition of the genealogy in Ruth 4:18-22 does not contribute to the verification of the Davidic dynasty. David was anointed as king independent of any family ancestry. Linking David to a Moabite origin is a tradition which is derived from 1 Samuel 22:3 where it is reported that David hid his parents in Moab.

interpreted as propaganda. Venter (1993:49) confirms that the genealogy found in Ruth 4:18-22 did not originally form part of the story. It comes after the solution for Naomi's problems. The function is to give stature to the son Obed, who was given to Naomi as heir. Whether Obed was regarded as a son for Naomi or for Ruth or for Boaz is still disputed.<sup>178</sup> For purposes of this study, it will be important however, to prove that Ruth's acceptance by the family of Elimelech, by the community as well as by the religious principles of Judaism, contributes to the still remaining question:

Why did Naomi and Ruth hesitate to claim their rights in respect of the land which they allegedly inherited or owned or had a share or right in?<sup>179</sup>

#### **b. POSSIBLE ADDITIONAL IDEOLOGY**

Instead of attempting once more to elaborate on how the narrative of Ruth serves the traditional ideology of "inclusivity" (the "foreign woman" being accepted by the God and people of Israel), I would take the ideology a step further and approach the problem from the slightly different angle of providence and survival – in itself not a new ideology, but by introducing a new approach to the interpretation of this ideology. The approach would involve the application of a legal survival tool which was probably overlooked until now.

For this purpose, the composition of the ancient Israelite family will also have to be re-investigated. Ruth being accepted in the eyes of "the God of Israel" as well as in that of the believing community<sup>180</sup>

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<sup>178</sup> Van Wolde (1993:7) notes that the community as well as the narrator makes "one mother and one widow" out of Naomi and Ruth, both owning the same land, without explaining how they could own the same land. Venter (1993:46 and 48) explains the way in which adoption functioned, following the procedures as set out in (inter alia) Genesis 30:3-6; Genesis 48:5, 12; and Ruth 4:16: Taking the child onto one's lap would constitute "adoption."

<sup>179</sup> Kennedy (1970:477) poses the question once more: "How did Naomi come to possess property? Her economic plight upon her arrival in Bethlehem-Judah would indicate that the property provided no relief."



alludes to this theme. How did she become entitled to the survival tool which is at stake? If we can render her as belonging to a certain “family” and community she also becomes entitled to support, maintenance and inheritance rights. De Villiers (2012:2) states that in the ancient patriarchal system, for a woman a marriage would mean a place of social safeguarding, protection and provision.<sup>181</sup> De Villiers sees a problem when she observes that in Hebrew there is no verb meaning “to marry” or “to wed.”<sup>182</sup> The author of the book of Ruth uses a subtle stylistic tool in order to overcome this barrier. In Ruth 2:12 Boaz uses the metaphoric expression “wings” to illustrate how Ruth did acquire God’s protection, and in Ruth 3:9 Ruth uses the same Hebrew word כנף (“wing”) to refer to Boaz’s shawl which could provide the necessary protection to her in an analogical way. This apparent “incidental” repetitive rendering will prove to be an important merger in the context of both “to be accepted” and “to be cared for” in the book of Ruth.

For purposes of this study, the possible sexual connotations of this word<sup>183</sup> will be left out in the discussion, although it is commonplace that sexual relations would form an integral part of married life and producing heirs in order to secure the continued existence of the family. In this regard, the formulation of Koosed (2011:18) should suffice: “Agricultural fertility is linked chiasmically (sic) with

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<sup>180</sup> According to Kennedy (1970:478) the witnesses at the city gate represented the “conscience of the community.” As soon as they rejoiced in the reverse circumstances of Naomi and Ruth and the prospect of the continuation of the family line of Elimelech (Ruth 4:11-12), they also voiced the approval of the God of Israel.

<sup>181</sup> The importance of the patriarchal system for purposes of this study cannot be under-estimated. See Fentress-Williams (2012:23): “the cultures that provide a foundation for the Old Testament are patriarchal ones.” The analogy of ancient marriage to this system underlies the whole discussion in this chapter. In the same way as Naomi’s apparently helpless outcry in Ruth 1:21 that her empty state was a result of the decision of God Almighty, her dependency on the care of a man can leave her equally vulnerable and subject to his arbitrariness.

<sup>182</sup> Although אהו, נשא and לקח can serve that function. Abma (1981:58) asks the question: “Where does a marriage become consecrated? In heaven, in the city gate, in church or in bed?” (my translation from the Dutch).

<sup>183</sup> See Köhlmoos (2010:62).

human reproductive fertility and agricultural work is likened to sexual congress.”<sup>184</sup> Add to this the original meaning of the word “husband” which is derived from the activity of “farming: “husbandry.”<sup>185</sup>

**c. THE ROLE OF ANCIENT ISRAELITE MARRIAGE IN THE IDEOLOGICAL CONTEXT OF THE BOOK OF RUTH**

The metaphorical role which marriage played throughout the Old Testament literature is well known, and it will not be necessary to elaborate much on the instances where marriage served as metaphor or enacted metaphor for the relationship between the God of Israel and his people. The book of Hosea offers the most explicit example, but the whole idea of God as husband and the nation as his wife or bride, underlies Scripture. Little is known, however, about marriage rites which had to take place before a marriage would be regarded “legal.” We have little evidence of paperwork which was necessary in order to constitute a legal marriage. The parents usually came to an agreement where after celebrations took place for several days. As soon as the couple had spent a night alone in a tent or room, the marriage was considered to be consummated and “legal.”<sup>186</sup> Matthews (1991:133) adds to

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<sup>184</sup> Bush (1996:268) mentions “Yahweh’s gracious provision of fruitfulness for field and womb” only as a secondary theme in the book of Ruth.

<sup>185</sup> The South African Concise Oxford Dictionary defines the word “husbandry” as: 1. the care, cultivation, and breeding of crops and animals; 2. management and conservation of resources. From Old English: HUSBAND in the obsolete sense “farmer”; whereas HUSBAND (as noun) in its turn, is defined as a married man, considered in relation to his wife. As a verb HUSBAND would mean: use (resources) economically. Apart from being derived from the Old English, it was originally derived from the Old Norse word *húsbóndi* ‘master of a house’ from *hús* ‘house’ + *bóndi* ‘occupier or tiller of the soil.’

<sup>186</sup> See de Vaux (1962:73). Traces for the existence of paperwork (which would render the marriage as a “contract”) are scarce. According to De Vaux such documents which could be found, stem from early Mesopotamia (The Codex Hammurabi) and the Elephantine writings. References to Marriage Contracts are absent from Old Testament scriptures (De Vaux 1962:60).

this: “the father contracts the marriage and once a girl has been betrothed she is technically the wife of another man.”

In order for an outsider woman to be regarded as “family,” marriage was a pre-requisite. In the book of Ruth, marriage plays an indispensable role. The function of this role is primarily to provide for a gap in the survival of a certain family. Through the ages, the marriage in the narrative of Ruth was regarded as a levirate one.<sup>187</sup> In the article of De Villiers (2012), we find yet another attempt to extend the duties of the redeemer to that of the *levir*, thus trying to enforce the duty of marrying the impoverished widow onto the person who buys the land. The author points out that both Frevel (1992:108) and Fischer (1999:38) admit that the conditions in the book of Ruth do not correspond with the requirements of the traditional levirate marriage, but still continues to assert that the book of Ruth cannot be separated from this law completely (2012:4). De Villiers refers to Ruth 1:11-13 where Naomi has to admit to herself and to her daughters-in-law that a levirate marriage will not work in her case, but calls it a “direct pointer” towards the levirate marriage which will take place later in Ruth 4:5. Naomi’s explanation in fact serves as confirmation to her daughters-in-law that the occurrence of a levirate marriage will be impossible.<sup>188</sup> This does not mean that an ordinary traditional marriage would be excluded.<sup>189</sup> An ordinary marriage would not deny them their inheritance and/or maintenance rights. No subsequent marriage could take away their status as ex-wives of the sons (heirs) of the deceased. If Boaz preferred to contract the duties similar to that of a *levir* onto himself, it does not mean that the marriage that takes

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<sup>187</sup> Jacobson (2013:7) sees the dilemma which Naomi faces when trying to regard Orpah and Ruth as her family: “Naomi makes reference to the only – though clearly impossible – legal solution to their problem if they were her family: the system of levirate marriage...”

<sup>188</sup> West (1987:11) also notes that Naomi’s words in 1:11-13 may hint at the levirate institution, but it is “more than likely that Naomi is portraying the hopelessness of her situation as well as that of her daughters-in-law if they decide to go with her to Bethlehem.”

<sup>189</sup> Kennedy (1970:480) offers one of the rare commentaries which give support to this view by admitting that “there is at least the possibility that Boaz took Ruth to be his wife in the usual way of marriage, not by way of kinsman-redeemer only.”

place is a *levirate* one in the real sense of the word. Boaz's relationship to Ruth simply does not fit the definition. De Villiers further alleges that Boaz offers the duty to redeem and that of marriage to "Peloni Almoni" in the form of a package, "in order to maintain the name of the dead upon his inheritance ..." (2012:4). This statement proves to be to the contrary. In order to provide an heir for Mahlon, only a marriage to his widow is necessary, he does not need to buy the land also. Boaz makes it sound the other way round<sup>190</sup> for a reason: to discourage the actual next of kin to marry Ruth because he wants her for himself.<sup>191</sup> The author contradicts herself just in the following paragraph, when she admits that the redeemer in fact "has no responsibility in respect of Ruth."

At this point it can serve good purpose to investigate the difference between "taking responsibility" and "providing an heir." What is the main aim of the marriage which is to take place? The text supplies the "answer": To maintain the name of the dead unto his inheritance. But by offering to marry her, Boaz could also restore Ruth's honour and make her more acceptable in the eyes of the community, thus enabling her to claim her own inheritance rights openly.<sup>192</sup> Fentress-Williams (2012:70) even regards Boaz's way of addressing Ruth as "my daughter" already as early as in Chapter 2, as an attempt or stepping stone in order to "confirm a shift or elevation in status" for her.

The fringe benefit for Ruth to get married, would be that she will be looked after now. Boaz does not take responsibility for her in respect of any duties as *levir*, but in accordance with his responsibilities as

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<sup>190</sup> See also Loader (1994a:79), who contends that Boaz uses the question of the family property as an entrance to arrive at the case which is really at stake, namely the marriage to Ruth.

<sup>191</sup> Note that the right of the reader to interpret the real motive of Boaz in order to acquire Ruth for himself is questioned in a Bible study guide by Venter (1993:44), thus minimising the character's real intention whilst he pretends to help others.

<sup>192</sup> See Nielsen (1997:87): "Boaz lives in a society where care for the widow is a family duty, and where a man's honour depends on how well he lives up to it."

married man.<sup>193</sup> In the book of Ruth, the parallel can also be drawn that Boaz took care of her physically as well as of her emotional needs, in the same way as God had already done. This insight into the role of the marriage in the book of Ruth will conform to the ideological purpose of the book which is suggested here. At this point in time it might be appropriate to suggest a re-interpretation of Ruth 2:12. It could be said of unhappy and unfortunate women who turned to God: “May you be richly rewarded by the Lord, the God of Israel, under whose wings you have come to take refuge” (NIV). This is what Boaz says to Ruth. Interpreting the sentence to read: “May you be richly rewarded by the Lord, the God of Israel because you have come to take refuge under his wings,” does not need any change to the text or syntax of the verse, but brings out the implication of what Boaz is saying. The logical conclusion from his words is that Ruth can trust the God whom she has chosen to provide for her, precisely because she has made this choice.

In the marriage analogy (between the purpose of actions of man and God) the meaning becomes apparent.<sup>194</sup> Also at this point, the question of God being on the side of Ruth (the poor and wretched one) can be challenged. It had been pointed out that a man could also be very “unhappy” because of the fact that he did not have offspring who could continue his inheritance and good name (Derby 1990:15). In a patriarchal environment, would it not be more likely that God would side with the male protagonist than with the “foreign woman”? If read closely, it can be observed that it was Boaz who formulated the phrase: “because you seek protection under his wings,” thus formulating an ideology which seemingly supports a feministic view (or rather one that is open for feministic interpretation) whilst he was actually in the controlling position. It was not Ruth who reminded Boaz of her intention (Ruth 1:16) to “take refuge” under the wings of the God of Israel. He placed the words in her mouth. Ruth probably

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<sup>193</sup> In the case of Boaz, we can even dare to say that his intention is not only to care (provide) for her, but he is also willing to “care” for her as in “love” (אהב) and see discussion further on in 5.2 of this chapter. See also Nielsen (1997:31): the commentator regards the mutual love between God and human as an underlying theme in the book of Ruth.

<sup>194</sup> See also Loader (1994a:64): “What she in fact says here (Ruth 3:18), is that the co-operation between man and God is once more presupposed” (my translation from the Afrikaans).

did not plan to attract Boaz's attention in this way. It could just as well be concluded that God sent Ruth to Boaz's rescue! This is a euphemistic way to convey the idea that God uses man (Boaz) as instrument to reach his objective (helping Ruth). But the situation can be turned around. Maybe Boaz is using God to fulfil his own needs (acquiring Ruth).

What do we really know about ancient marriages in order to be able to draw all these speculative conclusions seeking an answer for the actions that take place in Ruth 4:5? Morris (1968:284) notes that the author's apparent "incidental" or "casual" reference to a marriage in Ruth 4:5 gives us a lot of information about ancient marriage, lifestyle and customs. This should be amended to read: "can give us much information...." This verse in fact teaches us nothing about ancient customs or marriage and poses more questions than facts as has been pointed out. The content is too vague and further research on all the aspects is needed. The previous discussions should shed light upon some of the customs. The general assumption is that it had to be a levirate marriage which took place between Boaz and Ruth, apparently to legalize the fact that their offspring would belong to Elimelech's family. Given Jacobson's definition of the levirate marriage (2013:7), the only reason why a "brother" should marry the widow of the deceased, would be "to beget children." Certainly any man could fulfil this function. Appointing the brother of the deceased for this assignment, is an attempt to ensure that she indeed gets married, failing anyone else. Fentress-Williams (2012:65) even finds it necessary to explain why Boaz was the only one who could stand in for Elimelech in both functions, (by attempting to link both men's status in the community in such a way that they cannot be regarded as anything but "family") through linking Ruth 1:1-2 and Ruth 2:1 together. According to Fentress-Williams, these two verses contain actually one important "link" or similarity between the two men: being "rich." Although this conclusion can be drawn from the events, the comparison cannot be found in the text. The closest I could get to a similarity is by deducing from the circumstances that both men can be regarded as "a man of substance" by the community.<sup>195</sup>

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<sup>195</sup> According to Fentress-Williams (2012:64) "kinship is more than blood". She justifies this statement by explaining that Ruth's "faithfulness and not her ancestry becomes a determining factor in the shaping of her

The suggestion is to re-interpret the “law” surrounding the levirate marriage to read: “In the absence of any other proposal to the widow, the brother of the deceased will be obliged to fulfil the urgency of providing an heir.” Certainly more cases must have existed where the deceased did not leave a brother or where the widow married someone of her own choice. As Beattie (1974:262) observes: “If no connection in law existed between redemption and marriage ... then Boaz cannot just have invented one.” With this, Beattie of course also wants to establish a link between the two actions. The outcome of the statement is in fact that this marriage could not have been a levirate marriage. Nielsen (1997:85) reiterates this point by arguing that if it were valid in Ruth’s case, “she would have been able to turn to the(se) relative(s) right from the start and ask for levirate marriage.” This might be an argument towards rejection of the marriage being a levirate one, but also confirms that she could not stand up and claim any of her rights openly. To be able to do so, she should become acceptable first.<sup>196</sup> Siquans (2009:443) mentions “the acceptance of foreigners by Judahite society” as one of the two main topics in the book of Ruth. “In order to integrate a Moabite woman into Israel, the biblical author refers to the laws of the Torah to protect the poor – especially widows, orphans and aliens – as well as to levirate marriage”<sup>197</sup> (the latter allegation being in dispute). Furthermore, the possible intention of the author of

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identity.” This might be true in search for a possible ideology in the book of Ruth, but will not be applicable in other instances of kinship as described in the Old Testament.

<sup>196</sup> Nielsen’s justification that “in the author’s day there were other regulations governing levirate marriage than those we know from Deuteronomy 25:5-10” holds no water. She provides the answer to this dilemma by admitting that in the end the author of the book of Ruth’s “clear desire is to legitimise the connection between Ruth and Boaz and their son Obed’s right to Elimelech’s lands.”

<sup>197</sup> The text in the Targum which prohibits marriages with foreigners is in fact directly in opposition to that which is prescribed in the Torah: the duty of the community to care for the widow, the orphan and the poor. Despite clear prescription in the books of Leviticus and Deuteronomy on how the squatter and alien should be treated (Leviticus 19:33-34; 19:9-10; Deuteronomy 24:14-15 and 17-19), Loader (1994a:23) alleges that aliens had no rights in Israelite community.

the book of Ruth, within the ideological context of the book, should always be kept in mind. He might have had his own intentions, unknown to us.

Redemption takes place because Boaz is regarded as a close relative of Naomi and even of Ruth.<sup>198</sup> This office qualifies him only in his capacity as possible redeemer. It however, includes Ruth as being “family” already. But a marriage between him and Ruth follows. Consequently the much needed descendant follows, regardless of whether Boaz was part of the extended family or not, the only apparent provision being the approval of the community. Matthews (2004:239) supports Willis (2001:270), quoting the view that “... Ruth’s future becomes a consideration in the dealings only if the person who redeems Elimelech’s land is a redeemer.” This opinion is relevant, but for other reasons than those which Matthews and Willis have in mind. A redeemer can improve the circumstances of an impoverished landowner by purchasing his or her land and providing a purchase price, but in order to provide a legal heir for land, the groom does not need to be a purchaser or a member of the family.<sup>199</sup> The ancestry is dependent on the mother, who is a member of the family already, as pointed out. Schilder (1982:59) sums up the situation when he says that redemption and the levirate marriage can stand apart from each other, but that the reason why Boaz had “decided” to link the two actions is simply that redemption of the land alone would change nothing for the family. The family needed a man (heir) as subject around whom everything could centre!

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<sup>198</sup> Jacobson (2013:8): “It is noteworthy that Naomi also includes Ruth in this recognition, the operative word being ‘our’ (relative)” (Ruth 3:1-2).

<sup>199</sup> Schilder (1982:59) offers the clearest and to my finding the most logical differentiation between the two rights and explains in no ambiguous terms why this marriage cannot be a levirate one. Roughly translated, he says that the law in Deuteronomy 25 should be interpreted in its narrowest sense: “a case of two brothers, sons of one father, who live together over and above all ... and this does not apply to Machlon and Boaz. In the case of Boaz and Elimelech the degree of relatedness is even more remote.”



#### d. HOW MARRIAGE CAN REPRESENT ACCEPTANCE IN THE BOOK OF RUTH

De Villiers (2012:5) finds that the marriage between Ruth and Boaz is an appeal for exogamous marriages, which was always an attempt to support the suggested ideology of the book namely the acceptance and verification of foreigners (of which Ruth is a representative) into the “Israelite family” (God’s people). For Matthews (2004:241) too, the (positive) social commentary following the marriage is important in the legitimation of mixed marriages and to establish rights for converts to Judaism. This finding does indeed satisfy the ideological context of the book. But the events which take place (of which the marriage is only one) in the narrative and the ideological context of the book lie on different levels. The ideology is a factor that could have been reconstructed long after the writing of the novel, and is probably a redactional interpretation in any case.<sup>200</sup> But then he also concludes that along this way “[t]he legal basis for the story is ... satisfied.” This conclusion is somewhat out of place and non-specific. He does not explain how the gap between the two levels of interpretation can be bridged. The bridging between the ideological context (Ruth or the foreigner being accepted into the community or into Judaism) and the legal basis of the story can only take place if her rights had been properly defined and established and as soon as she could in fact claim and use them. In this chapter the attempt is to point out that Ruth already had rights, but she could not openly claim them before being accepted in the eyes of the community. Only because she is accepted in the community (Ruth 4:14-15, “The song of blessing”) can the extended conclusion be drawn that she would henceforth be accepted as Israelite. The positive commentary by the community only takes place after her marriage to Boaz and after bearing a child within wedlock (that is, within an Israelite family).<sup>201</sup>

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<sup>200</sup> Kennedy (1970:480): “The concluding genealogy ... was not written ... within many decades of the events described in the story of Ruth...,” which actually means that Kennedy focuses more on the ideology of the royal ancestry than on the foreigner issue.

<sup>201</sup> Abma (1981:47) offers the following striking summary of the matter: “The co-habitation derived meaning from the procreation” (my translation from the Dutch: “De cohabitatie ontleende de zin aan de procreatie”).

The narrative seeks to depict the “struggle”<sup>202</sup> which Ruth had to suffer as a foreigner, in order to be accepted into the community. Although she was supposedly already accepted by God (Ruth 2:12), the approval of the community (which proved to be absent in the light of Ruth 1:19) still stood in the way of her marriage.

Boaz was clearly just the person who was prepared to fulfil both functions (analogous to what God had already done) namely that of redeemer as well as that of bridegroom (providing a husband). Ruth was already an established member of Elimelech’s family and she could lawfully produce an heir. She inherited fixed (though limited)<sup>203</sup> rights, not from Elimelech but from Elimelech’s son. The right of inheritance flows through her and not through Boaz, but her acceptance within the community was still subject to marriage. What is said in this paragraph can be summarized in the words of Hamlin (1996:61): “Partners bring to marriage their ties to past generations. Ruth’s ties were to Mahlon, her late husband who died in Moab, far away from Bethlehem. Boaz’s obligation in marrying her was to maintain the dead man’s name on his inheritance” (by providing an heir). And with this, Hamlin concludes (1996:61), “Boaz gave a future to the family of her late husband” and Matthews (2004:243) with: “Naomi’s future happiness and Ruth’s social acceptance were based on the birth of an heir for their household.” De Villiers also yields (2012:4) that Elimelech’s family chain can only be continued through Ruth. Confusion as to the genealogy of Obed remains, though. Kennedy (1970:480) expresses his doubt by attempting to explain that “Ruth’s first son was the son of Mahlon by law and also the son of Boaz by paternity ... if so, Obed was heir to him as well as to Mahlon.” Boaz’s biological paternity, however, is nowhere disputed. Kennedy provides the reason for the mentioning of Boaz’s bloodline in just the following paragraph: “The genealogical note was intended evidently to give a larger emphasis on the Judean descent of David ...” This comment conforms to an ideology which was added long after

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<sup>202</sup> Matthews (2004:242) and De Villiers (2012:5).

<sup>203</sup> Abma (1981:59) still does not know what the exact content of this right is, but at least refers to it as a sort of limited right, calling it “een soort hypotheek” (a kind of bond). Money is released, but at least the mortgaged land stays in the family. Along this way Ruth’s marriage to Boaz and the maintenance of the family can be secured.

the book was written, missing the point that in the narrative itself, Ruth needed marriage and bearing a child in order to be looked after and to be accepted.

Although each and every aspect of ancient Israelite marriage is not clear to us, the purpose of the “marriage” (union) between Boaz and Ruth should become more understandable in the course of the following discussion.

## **5. IS THE METAPHOR OF GOD AS PROVIDER RELEVANT IN THE IDEOLOGICAL CONTEXT OF THE BOOK OF RUTH?**

Having established the important implementation of ancient marriage by the author, the application of God as provider should be tested against the text.

The well-established metaphor of God as Father and his people as his children<sup>204</sup> prevails in Old Testament narratology. Equally frequent and no less important, is the image of God as the caring and loving husband with his people as his bride. The book of Hosea entails the best extensive example, in the form of an enacted metaphor (Stienstra 1993:110) where the prophet represents God and the prostitute represents his people as bride: Hosea 2:18-20; see also Jeremiah 2:1-3.<sup>205</sup> Hamlin (1996:60) offers the example given in Psalm 74:2: “God’s purpose in ‘acquiring’ his people was to ‘redeem’ them” (two of the problematic words in Ruth 4:5 are used in parallel, at the same time depicting God’s relationship with his people on this level). For the Israelite, being under God’s protection and care resembled being under the auspices and care of the (male) head of the family. Köhlmoos (2010:62) points out that in Ruth 3:7-9, Ruth actually requests Boaz to fulfil the role of God in her life. “Yahweh’s role as the covenantal provider of land and children” is confirmed in the subsequent

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<sup>204</sup> Stienstra (1993). The entire work contains a discussion of this metaphor.

<sup>205</sup> See also the emphasis on the union between man and woman in narratives like that of Adam and Eve, Abraham and Sarah, Jacob and his two wives, Isaac and Rebecca, the Song of Songs, to mention only a few.

blessing uttered by the women of Bethlehem in Ruth 4:14-15 (Matthews 2004:241). References to God as “mother” will be left out for purposes of this study.

It is a well-known presupposition of ancient tradition that a woman always had to be subject to the auspices and care of a male member of her family. She usually moved from one house of protection/support (her father’s) to that of her husband (Hosea 1:2-4)<sup>206</sup> and supposedly to that of her brother-in-law (Leviticus 25:5-10, Genesis 38:6) or (hopefully) her son<sup>207</sup> following the death of her husband. No wonder that she would emotionally confuse the roles which these characters played in her life.

**a. HOW DID RUTH CONFUSE THE ROLE OF GOD IN HER LIFE WITH THAT OF HER HUSBAND?**

Köhler (1953:84) explains the Old Testament theology which promulgates that God reveals himself to humans through his works. He expands (1953:152) this belief by qualifying that this revelation could be different for each person, and that every believer could experience God in a different way. The character Ruth experienced God’s work as similar to that of a caring, providing, loving husband or father, in the absence of such family members (as set out in the foregoing discussion).<sup>208</sup> In this way the narrator could probably succeed in reflecting his own point of view. To her it was undisputed that she could claim these favours from God, but in order to claim them from a human being, she would have to be or become part of a family.

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<sup>206</sup> Breytenbach (1979:17). The author of Hosea finds it necessary to even name her father, although she was a prostitute. See also De Vaux (1962:58).

<sup>207</sup> Hubbard (1988:55) “widows without grown sons were entrusted with the property of their dead husbands. If the son grew to manhood, he resumed the responsibilities of his father.”

<sup>208</sup> By allocating these anthropomorphic qualities to God, God can appear more like man, but on the other hand, man can appear more god-like (see Stienstra 1993:107: “God is a special kind of husband...”).

Maintaining the family as a unit formed a very important ingredient of the core value of survival and preservation of the extended family<sup>209</sup> by the head of the family. Gerleman (1965:7) calls the story of Ruth a “family novel” with good reason. Having children and caring for them even after his death was a way of immortalising a man’s reputation and good name. “Family” should of course be interpreted in the broader sense of the word, to include adopted children, children-in-law, slaves as well as concubines and their offspring. It is an important objective of this chapter to point out why Ruth would also be regarded as “family,” thus the concept of “daughters-in-law” can be added to the list of “family members.” Jacobson (2013:10) alleges that with the birth of Obed, comes “the final public recognition of family,” although she has to admit further on that “Ruth is not made worthy by the birth of a son; she is already worthy” (through her first marriage but probably also by her behaviour). To Pilch and Malina (1989:107), “for a male to lose honor, is to be shamed.” For a woman, to the contrary, to lose her husband, is losing her honour and thus to be shamed.<sup>210</sup> She stood “naked” and vulnerable in the eyes of community, henceforth the well-known expression that a man would cover a woman’s nudity when he marries her, stemming from the metaphor used in Ezekiel 16:8 where God spreads his wings over Jerusalem in order to cover her nakedness (that is, to rescue her from shame), which is found back in Ruth 3:9. The metaphor is thus not unique to the book of Ruth, but has its roots in more parts of scripture in the Old Testament, which could have been applied to the book of Ruth by later interpreters.<sup>211</sup>

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<sup>209</sup> Pilch and Malina (1989:75) define “Family-Centeredness” as “an aspect of kinship and ... the main pillar of the culture reflected in the Bible ... Family-Centeredness is part of honor, the core value of Mediterranean culture.” The components honour/shame, tradition and land, are closely related. Job 14 illustrates the worldview of the ancient believer, who had no prospect of a life hereafter. By having offspring and keeping them, however, he could immortalise his good name and reputation on earth. Fentress-Williams explains (2012:25): “the danger of death was far more than the removal of one’s name and memory from the earth...”

<sup>210</sup> West (1987:84) asks: “What would ancient Israel do for these women in order to move them back into a proper social standing?” and provides the answer: “It is clear that Naomi perceives hope in familial fullness by male means.”

<sup>211</sup> This imagery is also used in Psalms 17:8; 57:2; and 63:9.

The presumption that God cared for the widow regardless of the absence of men in their lives is thus established as an ideological objective. Public recognition in the book of Ruth is equally important though, because the lack thereof was probably the reason why both widows did not claim their rights outright.<sup>212</sup> They were too ashamed, despite general recognition (visible in the narrative) that God still cared for them. They lost their “repute and worth” in the eyes of the community inasmuch as any male member of society (failing his duty) would experience. The author found it necessary to restore the status of the two widows in the narrative. To achieve this, the intervention of a male (head of a family) was needed. Nielsen (1997:93) concludes that this is what is taking place in the women of Bethlehem’s reaction to the birth of a son. She even alleges that the author allows the women (who gossiped in revolt against Naomi in Ruth 1:19) to address Naomi in recognition of her family line and Ruth because of her “loyalty to her (late) husband’s family.” Although this conclusion sounds plausible, nothing can be found in the text which can support an extended insight of this kind.

What is important here is that it becomes clear that the widow would ideologically look to her father or husband for protection and support in the same way as she would look to her God for this conduct towards her. This “loyalty,” trust and devotion could merge. Apart from serving both without questioning in return for favours, she would on account of her dependency also not rise up against

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<sup>212</sup> Jacobson (2013:8) quotes Boaz’s speech (Ruth 2:11-12) which parallels that of Naomi in Chapter I, “recognizing her relationship with her mother-in-law as taking precedence over her relationship with her own mother and father because of her act of devotion.” In Chapter III the possibility was discussed that Ruth was aware of her rights emanating out of her marriage to Mahlon, and that this knowledge persuaded her to rather stay with Naomi. Even the conspiracy between Boaz and Naomi could not have taken place without this mutual knowledge. Jacobson alleges (by way of gap-filling, 2013:9) that Boaz’s “own dose of scheming matches Naomi’s one for one.” I also accept that a conspiracy took place on account of Naomi’s words in Ruth 3:4, namely that Boaz will tell Ruth what to do (see discussion in Chapter III of this study).

him.<sup>213</sup> Having a child would be due to the conduct of a man but also by the grace of God.<sup>214</sup> This is part of the promise of the God of Israel to his people (Isaiah 62:4-5):

“No longer will they call you Deserted, or name your land Desolate ...  
And your land will be married ... as a young man marries a maiden ...  
As a bridegroom rejoices over his bride, so will your God rejoice over you.” (NIV)

The outcome of this discussion will allude to that which will be said in the next part: The ancient Israelite wife could rely on the love of her husband in the same way in which she could rely on the love of God. In the book of Ruth she could even rely on being “rescued” by both. This merger leaves but one remaining question: Will Ruth, an assertive woman, used to making her own decisions, be able to take part in the decision making of the family to whom she belongs after her marriage to Boaz (the latter who had also proved himself a man with exceptional leadership and personality)? Besides, it is nowhere stated that she can expect to be treated “well” constantly in the way we might understand it today. It is accepted that she would not rise up against God Almighty, and in a patriarchal system this possibility seems meagre. In ancient Israel it will definitely not be the case. A difference and another “gap” is left here, and research on this matter is maybe needed.

#### **b. THE PLACE OF LOVE (אהבה) IN THE IDEOLOGY OF THE BOOK OF RUTH**

According to Larkin (1996:56) it is the view of the rabbis that the purpose of Ruth is “to teach how great is the reward of those who do deeds of kindness” (Ruth 2:13). She continues to qualify this statement by suggesting that this could certainly be a key theme of the book (my emphasis). She regards the author’s failure to confine the book to a certain era as a tribute to the universal meaning of

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<sup>213</sup> Although Stienstra (1993:19) alleges that “[i]deally the role of the man was protective rather than tyrannical.”

<sup>214</sup> By the grace of God Naomi becomes one of the Matriarchs of the Old Testament together with Sarah and Hannah. They become symbols for the fulfilment of God’s promises despite irreversible barrenness.

this ideology. This is only one interpretation of the application of the word  $\text{אהבה}$  to the ideology of the book of Ruth but is nevertheless worthy of investigation in the light of this discussion. Is the meaning of the word also only confined to the  $\text{אהבה}$  of God, or can the more commonly used meaning of “love” or “being in love” be applied to the content of the text? If it could, this finding can contribute to the reason behind Boaz’s motive to marry Ruth, and in its turn, this finding can add an extra meaningful shade to the events and eventually to the ideology of the book.

We have established that in order to “maintain the inheritance of the deceased in marriage” did not require a brother-in-law.<sup>215</sup> The “expansion of notion of brotherhood” to include Boaz (as suggested by Jacobson (2013:10) on account of his kinship and co-operation in marriage) is perhaps taking matters too far. He did not marry Ruth to “act the part of the brother-in-law” but because he wanted to marry her and is scheming around the sale of land to give effect to the matter by clothing the events in a legal jacket. This fact obviously implies that he was in love with her.<sup>216</sup> Schilder (1982:24) acknowledges that we do indeed encounter love between man and woman (in the ordinary sense) in the book of Ruth, the reason being that they “find each other” in the end. He warns, though, that one should be careful in the application of this meaning when it comes to biblical interpretation. Jacobson (2013:11), hesitant of naming the motif around Boaz’s actions as “love,” plays it safe with: “family is defined by mutual relationships of affection and commitment.” De Villiers (2012:5) also reiterates the generally accepted

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<sup>215</sup> In order to reiterate this point, it would be interesting to quote a Hittite law (as translated and discussed by Neufeld 1951:55). Although this law also describes in principle the character of the levirate marriage, there is a sanction attached to it: What happens if those involved fail to abide thereby? The answer: “There will be no punishment!”

<sup>216</sup> Although in general Boaz is rather depicted as the “benevolent man” (“weldoener”) who only wanted to help Ruth and tried to keep the family affairs intact. See Venter (1993:43): “Dit gaan nie vir Boas oor sy eie belange nie, maar om die voordeel van Naomi sowel as Rut. Hy is bereid om selfs skade te lei om hulle belange te dien.” (Boaz is not concerned about his own interests but about the advantage (which his actions) implied for Naomi as well as for Ruth. He is even prepared to suffer damages in order to serve their interests – my translation from the Afrikaans).



notion that the book of Ruth is a book in which love and endearment are highlighted. In reality, “affection” is seldom mentioned in relation to the ancient definition of “family” and in this respect Jacobson’s attempt to redefine “family” in ancient terms is a little off-target. Even in the book of Ruth the terms “love” and “affection” are remarkably absent and could only be imagined to exist in the text.<sup>217</sup> The main aim of the family as an entity was providence and survival. This does not mean that affection never existed. In times of despair, family members were supposed to support each other emotionally as well as in a pragmatic way (Loader 1994a:68). The metaphor of God as Father or Husband, to the modern believer also implies “love.” One of the rare utterances of intense love by God towards his people can be found in Hosea 11:8. Regarding the book of Ruth within its ideological context, the question concerning “love” is not at all as linear as one would prefer it to be. It is important to observe that “YAHWEH will reward human faithfulness and goodness, *hesed*, by showing his own *hesed*” (Nielsen 1997:31). This quotation illustrates how in the book of Ruth the subject “love” lies on different levels, but that the levels have to merge into each other in order to contract (ideological) meaning. The word “חסד” in Hebrew has more semantic shades than “love” in the English language.<sup>218</sup> It does not imply erotic love and does not represent a temporary emotion which can change at any time. This applies to the love of God as well as to the “concern” of the husband for his wife and family in ancient religious terms.<sup>219</sup> The love of God was not arbitrary, neither was the love of a husband supposed to be so. Both could be relied upon to remain steadfast. Boaz’s love for Ruth cannot be limited to erotic love, although the latter is not absent from the narrative. His devotion can be

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<sup>217</sup> Loader (1994b:32) refers to the narrative of Ruth when he notes that “Although the storyteller never describes the inner emotions of the characters, we can infer such feelings from their words and actions.”

<sup>218</sup> The word is used three times in the book of Ruth: 1:8; 2:20 and 3:10. Abma (1981:40) compiles an almost inexhaustible list of meanings with which the Hebrew word can be translated, but decides that “solidarity” would be most fitting in the context of the book of Ruth. Larkin (1996:49) prefers “lovingkindness,” which will also include “steadfastness” and “loyalty.”

<sup>219</sup> Fentress-Williams (2012:53): “God’s acts of *hesed* towards Israel characterize God’s nature because God’s *hesed* is everlasting. It is the thing about God that Israel depends upon.” In Psalm 136:1-26, חסד is associated with “faithfulness.”

understood to have a much more extensive (higher) purpose against the backdrop of ancient Israelite marriage. This purpose could later have been interpreted as representing one or more ideologies.

By way of possible “gap filling” one can imagine that Boaz (having discovered his love for Ruth) would be zealous to restore her honour in the eyes of a hesitant and prejudiced community. Should she be sent off to return to Moab again she could be rendered “exclusive” once more although he himself had “accepted” her already completely on the threshing floor. By loving her unconditionally and sealing his love with marriage, he could restore not only her potential loss of honour on the threshing floor, but also her status in the community (as unmarried woman). It is thus apparent that more than one meaning of “love” could allude to the meaningful outcome of the narrative. By applying every shade of “*hesed*” to Ruth, Boaz could also give Ruth (and Naomi) the opportunity of public recognition of their rights in respect of the land which they could apparently dispose of.

It is this last statement which would be offered as additional to traditionally accepted ideologies to date. Although Boaz did what he did out of love for Ruth, he had fixed responsibilities attached to traditional views of being a husband, as well as those emanating from his standing as legal representative for the two widows.

In order to complete the discussion on  $\text{דָּוָה}$  it is worth mentioning one aspect which is remarkably absent from all the commentaries which were researched for purposes of this study: Ruth’s feelings for Boaz. It is unclear whether a discussion of this nature was overlooked or intentionally ignored in the light of the social standing of the women in ancient Israel. Maybe discussing a woman’s feelings for a man was to a great extent taboo and would leave the reader uncomfortable. In the book of Ruth the woman’s real feelings are maybe deliberately overshadowed by the theme of her desperate need for survival, and any man entering her life would be seen (by her as well as by the reader) as a lifebuoy rather than a lover. Descriptions of women’s inner feelings (love) are, however, not absent from

Scripture (compare Song of Songs 2:3-7 and 1 Samuel 18:20<sup>220</sup>). Whilst this gap is still open in the narrative, one can dare fill it by assuming that Ruth could also have been in love. On textual level it was she who had approached Boaz in the first instance, seemingly quite driven and fearless. On narratological level, the subdued love story would just not be satisfactory without this presumption. On ideological level this “invisible” presence can represent another “magical attachment” or “missing link” in order to contribute to the purpose of the book. The character Ruth might just be one of the rare blessed examples from Old Testament Scripture who was granted to love her husband in return. In such an instance it could have made it easier for a woman to love God as ultimate Husband, or the other way round (to love her husband because she loved God). This could not always have been the case in forced marriages like the levirate marriage. Ruth was spared the levirate marriage.

### c. FINAL REMARKS ON ANCIENT MARRIAGE

The God of the Old Testament, as he is introduced to us, is concerned about the well-being and maintenance of the nation with whom he had concluded a covenant in Genesis 15.<sup>221</sup> He promised also to protect, feed (and love) them provided they worship and obey only him (Ruth 2:12; but see also

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<sup>220</sup> It is remarkable that also in the narrative of the love story between David and Michal, Michal is eventually “punished” with barrenness (2 Samuel 6:23) because of her lack of showing affection. This outcome conforms to the presupposition that a woman’s happiness is dependent of her ability to bear children.

<sup>221</sup> See also Von Rad (1965:168): “The promise of possession of the land and the promise of innumerable prosperity .... are frequently set side by side.” Using Abraham as example, Von Rad explains that the Hebrew word “to have faith” means to “make oneself secure in Yahweh.” In many of the Old Testament stories (Abraham, Isaac, Jacob, Judah, Samuel, Ruth), the postponement of the promised gift of a son could make the recipient of the promise stand or fall (1965:171). Did Ruth also “fall” when she and Naomi made their own plans? In the narrative of Ruth no such accusation can be found. It rather seems as if the intentions of God and man “came together” (see also Loader 1994a:64): Naomi’s remark in Ruth 3:18 implies that cooperation between man and God is presupposed.

Psalm 111:5). It was the people who had difficulty keeping their side of the pact,<sup>222</sup> by “whoring” off to paganism in many instances.<sup>223</sup> Their behaviour concerned the God of Israel. They were effecting their own destruction and God could not tolerate this according to his promise. Along this way even the inherent characteristic of a possible “jealous” God or husband becomes more appropriate.<sup>224</sup> The devoted husband would do anything to keep his family intact, in the same way as would the God of Israel in order to keep his people. This goal could require stern conduct. Von Rad (1965:173) also has to yield that “the narrative material comprising the patriarchal stories is extremely diverse.” The striking example that Von Rad offers to illustrate God’s mercy (after having the ancestor of Israel purified through suffering), is exactly that of Joseph: “Because he is impressed by Yahweh’s saving guidance, Joseph forgives his brothers.”

In return for the three graces (protection, provision and love) the god or husband respectively would also expect favours from his people or wife.<sup>225</sup> In biblical terms: obedience and the duty to bear children for him<sup>226</sup> could be mentioned.

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<sup>222</sup> Nielsen (1997:30) also stresses this underlying metaphor in the book of Ruth: “The portrayal of God is marked by a clear expectation that YAHWEH, who has made a pact with the patriarchs to lead and protect them, will continue to live up to his commitment as the God of the Covenant.”

<sup>223</sup> Exodus 32; Numbers 36; Judges 2:11-14; Micha1:2-5; Nahum 3:4.

<sup>224</sup> The fact that a man could have more than one wife, but a woman could marry only one husband (Deuteronomy 22:23-29) is probably an indication of the possibility that more than one nation could be subject to God’s grace (Judges 2:21-22). A striking simile is used by the biblical authors in the Scriptures, applicable to the cases of Hosea, Jeremiah and Ezekiel, that idolatry equals adultery. This simile is stressed by Stienstra (1993:111).

<sup>225</sup> See also Pilch and Malina (1989:90): “Grace” will be applicable in returning someone’s patronage and *gratitude* to a benefactor in return for a gift. According to Pilch and Malina (1989:92), “gratitude” will, for the ordinary person, be a once-off gesture for a favour done to him. God would however expect this to be an “ongoing reciprocity.”

<sup>226</sup> Although Fischer (1999:32) mentions that in the case of Ruth, she (Ruth) gave birth to a child for another woman (Naomi), and not for her husband (Boaz) as patriarchal societies would have demanded. Rephrasing is

The disadvantage for the wife would be that in these circumstances, which leaves her completely dependent, she could fall subject to the power and dominance of the husband<sup>227</sup> and this could make her resent him in the same way as Naomi experienced when she accused God Almighty of being responsible for her misfortune in Ruth 1:21.

Man is a symbol as protector and keeper of marriage and that entitles him to stern action especially if the safety of his dependant(s) is at stake. It is part of his responsibility.<sup>228</sup>

If we should go looking for explicit examples of stern action by the “good (benevolent) man” Boaz in the book of Ruth, we would once more stand disappointed as the text provides nothing. It is, however, definitely not absent from the narrative. Boaz displays the first signs of concern for Ruth’s safety in Ruth 2:15. Boaz scares off potential molesters, a sign that he cares and is at the same time concerned about Ruth’s honour in the eyes of the community.<sup>229</sup> His underlying protective instinct is hinted at once more in Ruth 3:14 when it becomes apparent that he does not want anyone else to become aware of the fact that Ruth is actually “available” and “ready” for marriage. He partly conceals his real motif (desiring her for himself) by hiding behind his duty to protect her honour. Fentress-Williams (2012:100) also states that the reason why Boaz sends Ruth away before she can be identified, is out of concern for Ruth’s reputation. This might be apparent, but he is also concerned of her being attacked

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necessary here: The narrative is in search of an heir for Elimelech, not for Naomi. Both Boaz and Ruth only served as instruments in order to accomplish this objective because they are the only capable surviving “family” of Elimelech.

<sup>227</sup> Gow (1990:309): “In Hebrew the term hand (יָד) is used figuratively for economic possession or control.”

<sup>228</sup> Hosea 2:19, 20. But see *The Wisdom of Ben Sirach* 9:1, where husbands are warned against excessive jealousy towards their wives. There is even a sanction attached to his unfair behaviour: she will go out and speak badly of him!

<sup>229</sup> See Kennedy (1970:472): “He charged the young men at work in the harvest (probably crude in word and conduct, as is the usual case!).”

by outsiders. Fentress-Williams makes another observation on literary level, though: “He fills her cloak, the one she used to hide her identity, with barley. In so doing, Ruth reverses Naomi’s experience in Ruth 1:21.” Naomi went away full and returned empty, Ruth went empty and returned full: and that all happens through the hand of a male person’s conduct.

The clearest indication of his overly developed sense of protection towards Ruth shows of course in his speech to the next of kin. He rushes through the explanation of the procedure with remarkable speed and feverish anxiety, subtly misleading the other by firstly omitting one aspect thereof and then following up with inversion of the actions that he has in mind in order to obtain Ruth. Matthews (2004:239) says: “Boaz is shrewd enough to add this detail (that Ruth comes with the property) after waving the carrot of the land ...” This performance by Boaz has the desired effect: the next of kin backs off and Boaz steps out of the proceedings as the hero and conqueror. As discussed earlier in this chapter, if Boaz wanted to be husband to Ruth, he is taking responsibility for her on the grounds hereof. This responsibility should be complete ... including providing the utmost protection against the outside world. He uses not only his duties emanating from marriage, but also his instincts ascribed to that of a man in love, as well as from his serious office as legal representative.<sup>230</sup>

The decisive factor in the acceptance of Ruth within the community then turns out to be the fact that Boaz, such a respected man in the community, performing his duties and knowledge of contemporary law within the legal space provided by the time, and with the necessary power of attorney from his clients, was prepared to marry and protect her, despite her origin. He continues his actions by introducing the “right” which clings to the persons of Naomi and Ruth, to his audience. This “right” turns out to be an inheritance right.

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<sup>230</sup> Venter 1993:40: “Boas open die saak soos ’n bedrewe advokaat deur eers op ’n ander punt te begin as waar hy uiteindelik wil eindig.” (Boaz opens the case in the same way as an experienced advocate by starting his argument at a different point from the one he intends to conclude with – my translation from the Afrikaans).

## 6. INHERITANCE AS SURVIVAL TOOL WHICH WITHSTOOD THE TEST OF TIME: THE INTENTION OF DIE AND LET LIVE

A very important field where the principle of providence by the husband could be seen and still can be seen is in the field of the law of succession and inheritance. By leaving his assets to his dependants, a man could confirm his impeccable intention to let his family survive in order to let his good name live on after his death.<sup>231</sup> This mind-set still applies despite Christian expectations of a life hereafter, where earthly goods will allegedly be meaningless. As stressed repetitively in the course of this thesis, the only written reflection of the law of inheritance in the Old Testament can be found in Deuteronomy 21:17-19, but this text represents common law and not individual wishes.

This principle features also in the intestate law of inheritance in many countries, including South Africa.<sup>232</sup> Bridging prevalent cultural similarities between *different* nations over a time span of several millennia in order to reach a conclusion that a certain survival mechanism had withstood the test of time, is however, not easy. Chapter 4 of Stanton (2006) treated the problem intensively and a method was researched. The conclusion can be summarised as follows: should a certain mind-set prevail in many cultures over a long period of time, a general pattern appears. The explanation is to be found in the field of Anthropology and not in historic-cultural criticism as would be expected.<sup>233</sup>

The saying still goes around that some people try to rule their families even after their death. This is possible, depending on the wording of a will. This possibility will still place the deceased in the position of the victor, hero or boss. In Hosea 2:15-18, reference is made of the confusion which ancient

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<sup>231</sup> The “last will” was a known concept in ancient times (Genesis 49 and Job 42:15), though today it demands a written document. Thus the translation of “נחלה” by “his will” in Deuteronomy 21:15 as if a document was at stake here, is incorrect. References to early forms of written wills can be found in early cuneiform laws as discussed by Versteeg (2000:106).

<sup>232</sup> See Chapter IV, par. 7.2.3.

<sup>233</sup> Douglas (1992); Bennet (1991) as quoted by Stanton (2006:49-50 ff.).

women experienced between the entities god/Baal/husband. Stienstra (1993:111) alleges that this confusion is understandable because Baal was the god of providence and fertility. In order to substantiate this allegation, Sutskovver (2010:284) can be of use. Sutskovver points out that different scholars have recognized the analogies in the book of Ruth between the fertile state of the land and of the women in the narrative. By explaining how the author succeeded in deploying the function of the central themes in the design of the plot, she concludes that there is a semantic and lexical link between the concepts “land,” “fertility” and “women” in the book of Ruth. This conclusion is even extended to the level of syntax, since they can in fact “replace” each other in the syntax and as such be regarded as syntagms (as in *hair/blond* and *tiller/land*).

This is a very important observation which again points to the prevalence of the need of women to be cared for after their husband’s death. The concepts surrounding this underlying principle are so intertwined that they can in no way be denied, ignored or separated. It speaks for itself that the principles of inheritance as a tool for survival would therefore not exclude women completely, despite the ruling as set out in Deuteronomy 21. It is possible that the author of the book of Ruth had a stylistic tool in mind when he implemented this merger, but more likely the presupposition of “let live” would already have been present and manifested in the mind-set of the ancient reader. The character of Boaz was used by the author to identify, recognise and introduce to the community the nature of this inheritance tool to which the two widows whom he had represented at the city gates, were entitled. But what proof do we have that he had interpreted this right correctly?

De Villiers (2012:5) concludes with the recommendation that there should be continuous efforts in order to re-interpret the laws of the Old Testament (and especially those which present themselves in Ruth 4:5). Although I do not agree that her efforts were successful, I regard the notion that the laws which appear in Ruth 4:5 should be re-interpreted in a way that would be to the benefit of the women in the book as important (although Old Testament laws were androcentric and did not necessarily have women in mind). This view is supported by Fischer (1999:37-40). In this respect, the suggestion that the inheritance right of widows could consist of a lesser right than bare dominium, namely the *usufruct*, was introduced.



The idea that reading this concept into the complex text of Ruth 4:3-5 might offer a solution, crossed my mind when studying the modern doctrine of “massing” – a concept which now also proves to have existed in ancient times and probably stems from there (see Chapter VI).

## 7. CONCLUSION

The ideology presented by the book of Ruth can be grasped in the following summary of Kennedy (1970:480) which overhauls the purpose of the book of Ruth and contains the essence of all the aspects addressed in this chapter: “His providence of wisdom and love rules, or else overrules even in seemingly unimportant people and their unimportant affairs.”

The ultimate conclusion which I would like to add to this study before the final translation option is offered, is the following: One of the very problematic words in Ruth 4:5 seems to be the last קנה. It was pointed out how translators had attempted to interchange the meanings “acquire,” “buy,” “marry,” or “receive” in application of this word. There seems to be no clear solution. Nevertheless, Boaz uses them all in one sentence. My suggestion was that the first person singular suffix be preserved to read: “In the same way as if I should acquire her ...” Allow me to suggest yet another “semantic shade” to this word, by interpreting it as “accept”: “In the same way as if I should accept (or have accepted) her ...,” because only if Ruth’s shame can be taken away albeit by marriage or purchase, can she become openly entitled to her rights.

In defence of the *Ketib* reading, I refer to Chisholm (2013:667n9) who translates: “and from Ruth the Moabitess, the wife of the deceased, I acquire.” However, he also quotes Leggett (1974:225). Leggett (following the Masoretic text) translates as follows: “The day you buy (acquire) the field from the hand of Naomi, you are also buying (acquiring) Ruth the Moabitess, the widow of the dead...” Chisholm himself simplifies the whole matter by emending ומאת (“and from”) to וגם את (“and also” [Ruth]). In search for an object for the last קנה, he quotes Gow (1990:302) who suggests re-vocalising of the verb to form a *qal* perfect second masculine singular form with a third feminine singular suffix: קניתה. (“you

purchase her”). Neither scholar considers the option where the land is actually bought from (the hand of) both widows. They do not observe that there is the second (invisible) קנה to be read into the sentence, and only after that issue has been dealt with, could the last (third) קנה in the sentence be considered, which actually has an object: Ruth. Chisholm interprets the *Ketib* as if Boaz is asserting that he will purchase Ruth at the same time that the close relative redeems the land (from Naomi only) and contends that the context of Ruth 3:11 and Ruth 4:9-10 indicates that the land and Ruth be sold together, and for this reason the *Qere* reading is favoured. I have no problem with the understanding that the two objects are destined to be sold together to the same person, be it Boaz or the redeemer. The rendering of the *Ketib* will not change this, as can be seen in the abovementioned suggested translation. To follow the *Ketib*, will only imply that either “you buy both” or “I buy both”<sup>234</sup> “from both the hand of Naomi and Ruth.”

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<sup>234</sup>One cannot help wondering whether the “modal *qatal*” or the “*weqatal*” forms (used to express habitual activity in the past as explained by Chisholm 2013:668) cannot be applied to Ruth 4:5 for interpretational purposes. Although the redeemer procedure is presented in direct speech, it is clear from the context that here an ancient custom is also at stake.

## CHAPTER VI: CONCLUSION

### 1. REASONS FOR VARIOUS TRANSLATIONS

In this chapter only a summary of the grammatical research presented in the study, will be offered. A large part of the study was devoted to finding an object for the second קנה (invisible) in the verse. A systematic revision of the approach which was followed can refresh the guidelines as set out during the study:

If it is accepted that the last part of the word מאת represents the object marker, three possible nouns could act as object:

- Ruth
- Hand
- The piece of land

#### a. “RUTH” AS OBJECT

Morris (1968:285) points out how the apparent “casual” or “incidental” reference to a marriage in Ruth 4:5 furnishes us with a huge amount of information on the everyday life of ancient people. The problem with this statement is twofold:

1. There is no explicit reference to a marriage in this verse.
2. The verse discloses no information concerning the ancient marriage.

If “Ruth” serves as the object, the phrase should be read together with the last verb in the verse, namely קנה, which can be translated by “acquire,” “buy” or “obtain.” Should “acquire” or “obtain” be meant, then Ruth can by all means act as object, and the subsequent conclusion that can be drawn, is that we

might possibly be dealing with a marriage. Another possible translation will be set out in 1.2 which can also imply a marriage. Gow (1990:3011) suggests that “her” be used for the third קנה instead, following the LXX version which had also influenced the vulgate reading *Ruth quoque*:

Then Boaz said: “On the day you acquire the field from the hand of Naomi and (buy it) from Ruth the Moabitess, the widow of the deceased, you acquire **her** in order to raise up the name of the deceased upon his inheritance”.

If the last קנה in the verse should however, be translated by “buy,” in accordance with and analogical to the first verb in the sentence, which is also קנה, the result would be: “...then you also *buy* Ruth...” From a technical point of view, there is no reason why this approach cannot be followed, but evidence that it had been examined, could not be found. Such a translation can bring about new interpretations and new (implied) cultural evidence.

In the 1933/53 Afrikaans translation, we find a good example of an instance where the first and last occurrences of קנה in the verse were translated by two different words: (i) buy (*koop*) and (ii) acquire (*verwerf*).

This would make sense, provided that the object marker has “Ruth” as direct object, and provided arguably, that a levirate marriage (according to Deuteronomy 25:5-10) is read into the verse.

#### **b. “HAND” AS OBJECT**

Suppose the object particle should have “hand” as direct object, once more two possibilities would emerge:

If “the hand of Ruth” (idiomatically) is meant, it would mean that a marriage with Ruth was to follow. Here also, the second קנה in the sentence will have to be translated by “acquire” or “obtain.”

If “from the hand of Ruth” (in this case Ruth will only serve as indirect object) is meant, according to many editions, קנה will have to be read as “buy,” and the verse would subsequently have nothing to do with a marriage. An example where this rendering was followed can be found in the King James Version. Here the “land” acts as direct object and not “hand.”

Some translations accept the ׀ (which precedes the object particle), as preposition. It is presumed that the ׀ would necessarily be a remnant of the preposition מן and that same had assimilated with the object particle, following the foregoing מן where the preposition “from” is implied and “the hand of Naomi” is the indirect object. In this case, תא will not be an object particle, but would rather have a deictic function (see Gesenius-Kautzsch-Cowley 1978:365, 117i). It should be noted that the NIV ignores any reference to “hand” in its translation.

In Chapter II, attention was also drawn to another possible explanation for the morpheme ׀. This explanation can be found in the text-critical apparatus of the *Biblia Hebraica Stuttgartensia*, which suggests that it can be a remnant of the word ׀ג, which means “also” or “as well as.”<sup>235</sup> Then the particle תא-which is affixed to it need not necessarily be an object particle, but can be a preposition. The most common meaning of the preposition תא would be “with,” but other possibilities had also been investigated. The text-critical apparatus of the *Biblia Hebraica Quinta* (2004:51) mentions suggestions considering the ׀ as being enclitic, but also considerations of simply deleting the ׀.<sup>236</sup>

The ׀ג-option was indeed applied in some translations, and can be recognized wherever “also” or “as well as” appears in the text. In this regard, explanatory notes by grammar authorities like Van der Merwe *et al.* (1997:257) were taken note of. The text-critical apparatus of the *Biblia Hebraica Quinta* also considers the ׀ as being an error for a ג, which will result in תא גם if corrected. Here also, a marriage is read into the compilation (“harmonizing” with what follows in Ruth 4:10 [2004:55]).

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<sup>235</sup>See also Campbell (1975:146) who feels “attracted to the explanation of enclitic *mem...*”

<sup>236</sup>See also Chisholm (2013:667n) who considers the option that it is indeed an enclitic ׀ but that it had been misunderstood as a preposition.

Only one of the options (either “also” or “from”), can however, be used at a time. If not, inconsequent interpretations would result. If someone would insist on both “also” and “from” being read into the expression, it would mean that the *mem* of both מן and גם had assimilated with each other. In the process a complete new word was created, which had probably only existed in the native tongue. This is an option which was considered in the hypothesis for this study, although no substantial support could be found for it. The text critical apparatus of *the Biblia Hebraica Quinta* also regards both instances as “facilitating assimilations” (2004:55).

The possibility that מאת could be a *hapax legomenon* had to be considered. It is significant that it is not listed as such in the *Biblia Hebraica Stuttgartensia*, and does not appear as an independent word in the Hebrew dictionary (see Holladay, Köhler and Baumgartner 1988). It was pointed out that the compilation also appears in Psalm 42:5,<sup>237</sup> Genesis 25:10, and Genesis 17:27. Older translations had left out the reference to a marriage to Ruth (in the first part of the sentence) as a rule, and rather followed the suggestion that the phrase contains a deictic particle with “hand” as indirect object after the preposition מן. Such an interpretation will have to read:

וגם מאת יד רות

In the King James Version for example there is no reference to a marriage whatsoever: “thou must buy it<sup>238</sup> (the land) also of Ruth.” This instance can also serve as a good example where the final קנה was translated with “buy” and not “acquire.” It is precisely here that the inconsistency is visible: wives did not inherit from their husbands (Deuteronomy 21:15-17). If Naomi herself could not be the owner of

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<sup>237</sup> Which Botha (2009) translates as the preposition “from” in its entirety.

<sup>238</sup> See Gesenius-Kautzsch-Cowley (1978:363) footnote 4. Here הא can simply be a deictic pronoun which had lost its emphasis, while it replaces the subject or object in order to avoid repetition or piling up of the same subject or object. In this regard, the application of the deictic pronoun “it” in English or “dit” in Afrikaans can be compared.

the land which she is here apparently selling, how could Ruth possibly have a right, or the same right, in respect thereof? If it could at all be possible, then there is hidden information locked up in this verse; information which had to be discovered and investigated.

Important remarks were also made on the topic of the apparent incorrect first person perfect suffix of the last קנה. This phenomenon in the consonantal text is generally regarded as an apparent “mistake,” and the opinion prevails that it should obviously be replaced by the second person singular pronominal perfect suffix. In the vocalized Hebrew text, as well as in all translations, it is replaced by an imaginary second person singular perfect ending.

This problem was addressed in Chapter II which dealt with “other problems” in the text. After considering the options, an alternative translation was presented, which will render the “slight emendation” to the text, as suggested by Prinsloo (1982:85), unnecessary.

### c. THE LAND AS OBJECT

The following translation leads to an inconsistency: “If you would thus today buy the land from the hand of Naomi *as well as* from the hand of Ruth....”

How can the redeemer buy the land from the hand of Naomi as well as from the hand of Ruth? In terms of Deuteronomy 21:15-17, not even the widow of the deceased could obtain ownership by authority of the ancient laws of inheritance. It would seem unlikely, if not impossible, that the *peregrinus*-widow of the son of the deceased, could have inherited same.

The most acceptable explanation which is obviously widely implemented is the one where Naomi and Ruth both act as a kind of “executor” in the interest of the “late estates” of both their deceased husbands (see Chapter III). No confirmation for this assumption could, however, be found, and any proposition of this nature in my opinion, is reduced to speculation. The mere *locus standi in judicio* of ancient women in circumstances of this nature is under suspicion. If it can be accepted that the land can

actually be “sold,” for whose benefit would the proceeds accrue in the absence of a “legal” heir? Would it be possible to keep it “in trust” (a modern term which had probably not been known to ancient people) for an indefinite period of time, to the benefit of some unborn person in the mere *spes* that he would if fact someday make his appearance (in this case it would be Obed)?

There are indicators in the Old Testament which point to the possibility that women could have inherited from their children (Naomi could have inherited the land from Mahlon and/or Chilion), but the purpose/objective of this narrative is the assurance of an *heir* for Elimelech. This legal implication as well as a possible re-interpretation proposal had been treated in full in a previous study (see Stanton 2006).

In the NAV (New Afrikaans) translation, the phrase “from the hand of Ruth” is simply omitted, apparently because translators did not know what to do with the contradictory result. This is clearly an instance of a translation method which Rendsburg (1992:65 and 66) warns about, namely to emend a problematic text into a form which the translators “think” it should be, rather than to stay with the existing text, and offer an explanation emanating from some research. The same applies to חלקת in Ruth 4:3, which was translated as “the share in” or “the piece of” (the land of Elimelech).

The foregoing discussion leads us to the following two important translation possibilities:

1. Should you buy (קנה) today the land from (מן) the hand of Naomi, as well as (גם) (buy [קנה] it [את] from [מן]) that (את) (pointing to “hand”) of Ruth, then you will obtain (קנה) Ruth.
2. Should you buy (קנה) today the land from (מן) the hand of Naomi, then you will buy (קנה) it/same (את) (pointing to “land”) also (גם) from Ruth ... in the same way as if I would obtain (קנה) her.

The difference between the two translations is that the object for the second (invisible) קנה is “hand” in the first instance and “land” in the second. A marriage can be read into the last part of the sentence, but nothing points to the possibility of a levirate marriage.



It would be incorrect to read a levirate marriage into the narrative, because it simply does not appear in the text, neither can it be derived from the facts. The third translation possibility results in incomprehensibility, which was investigated. Only one reference to this possibility was found, namely in The Jerusalem Bible.<sup>239</sup> No further emphasis was placed on this possibility, because of the speculative nature of the outcome and also because it did not prove to change the outcome of the hypothesis in this study.

3. If you should buy today the land from the hand of Naomi, then you also buy Ruth.

## 2. OTHER ASPECTS IN THE VERSE WHICH MIGHT INFLUENCE THE TRANSLATION

Some of these aspects have already been mentioned incidentally.

They entail inter alia:

1. Dealing with the verb קנה in both instances where it features in the verse under discussion.
2. Coherent to this aspect, is dealing with the apparent inappropriate first person singular ending attached to the second קנה.
3. The possibility that אַח in Ruth 4:5 can be a preposition rather than an object particle. If so, the proposed preposition would be “with.” In all the instances where אַח was rendered as a preposition, “from” was used.
4. The word חלקת in Ruth 4:3 also appears to become problematic in the light of new translation proposals. Translating the word as “share” or “cut” “...out of despair...” (Rendsburg 1992:66)

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<sup>239</sup> Although Thompson and Thompson (1968:81) do quote a theory proposed by Burrows (1940:23ff) who reconstructs a Canaanite law which treated marriage as “a marriage by purchase” and the widow as a “piece of property inherited by the nearest relative,” in order to make it applicable to the book of Ruth, but eventually Burrows concludes: “In none of these cases (Genesis 31:14-16; Hosea 3:2; Ruth 4:10) can it fairly be claimed that marriage by purchase is demonstrated by the use of ‘buy’ or ‘sell’...” (see also Leggett [1974:226]).

does not clear up any legal inconsistency. Neither would omitting the word serve any purpose, as the context will still make no sense. In order to understand the translation possibilities as proposed in this study, it was necessary to investigate also the meaning of this word in the context. My previous research proved the implementation of this word as highly significant from a legal point of view, as it appears to be linked closely to the meaning of the mysterious “right” which was found to be at stake here. Leggett (1974:226) who together with Burrows (1940:23ff) sense that inheritance has something to do with Ruth 4:5 can probably have the last say in this respect: “a peculiar puzzling combination of marriage, inheritance and redemption is involved in the transaction ...”

### 3. PROPOSED TRANSLATION AND READING

“The day you acquire the (right in respect of)<sup>240</sup> the field from the hand of Naomi<sup>241</sup> and (*buy it*) from (the hand of)<sup>242</sup> Ruth, the Moabite woman, the wife of the deceased, you (also) acquire<sup>243</sup> (her) in order to maintain the name of the deceased over his inheritance.”

### 4. LEGAL TRANSLATION-INTERPRETATION

“A person who wants to buy this right, namely *the proceeds of* the land, from the hand of Naomi *as well as (buy it) from* that of Ruth (in your capacity as redeemer), *might as well* marry Ruth together with the right in the same way as if I would do so, *because she is the entitled person.*”

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<sup>240</sup> חלקת.

<sup>241</sup> מיד נעמי.

<sup>242</sup> ומאת.

<sup>243</sup> קניתה.

All that is put in italic text is implied according to the ancient custom of the usufruct, but none of this is stated explicitly in the text.

Let us conclude with Gow's (1990:309) insight: "If it had not been for the pressure to find an object for the second קנה<sup>244</sup> in the sentence, it is doubtful that anyone would ever have thought of emending ומאת רות."

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<sup>244</sup> Which turned out to be the second implied קנה because the object for the last קנה turned out to be Ruth.

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