

Ohel Moshe

book 121

enigmas

regarding

marriages of

Avrohom Ovinu

with Sara

Jacob with Leah

and Rachel

amram

marrying

Yocheved his  
aunt

Solomon

marrying

daughter of

Pharoah

Ruth getting  
YIVUM FROM  
Boaz

MOSHE SISESENDER

AVROHOM OVINU OBSERVED ALL THE TORAH BEFORE IT WAS GIVEN JACOB OBSERVED ALL THE TORAH BEFORE IT WSA GIVEN. TALMUD AVODAH ZORAH.

HOW THEN COULD AVROHOM OVINU MARRY SARAH WHO WAS HIS PATERNAL SISTER. TRUE THEY HAD DIFFERENT MOTHERS; BUT, NEVERTHELESS, SHARED THE SAME FATHER ?ACCORDING TO TORAH LAW DID THIS IS FORBIDDEN.

Jacob married two sisters Leah and Rachel. According to Torah Law did is forbidden.

Solomon married THE DAUGHTER OF Pharoah . According to TORAH LAW THIS IS FORBIDDEN EVEN IF SHE CONVERTS. THREE

GENERATIONS HAVE TO LAPSE BEFORE ONE CAN MARRY AN Egyptian man or woman. How could he have done this?

Ruth whom Boaz was meyvavim took her as a wife since she was the wife of a close relative who died with out children. The difficulty is the following. Yivom only is done with the wife of a brother who is JEWISH. Ruth was not Jewish and also was not the wife of the brother of Boaz.

### Answers

Let us first explain the case of Jacob marrying Leah and Rachel.

The prohibition of marrying two sisters when they are both alive only applies if there exists a Halachic marriage. If no

Halachic marriage exists there exits no prohibition according to Rambam laws isurei bioh chapter 15.

When Jacob married Leah and Rachel there existed no kosher witnesses. Therefore there was no halachic marriage. The relationship was one of pilegash- mistress. Therefore, Jacob was permitted to marry Leah and Rachel while both were alive.

The same is true when Amram married Yocheved his aunt the parents of Moses Aron and Mirriam . There was no halachic marriage only pilegash . Therefore the prohibition of marrying one's aunt did not apply.

The same explanation holds for Solomon marrying Pharaoh's daughter. Solomon married her as a Pilegish, not in a halachic marriage.

On the other hand Abraham Avrohom Ovinu can not use the explanation of Pilegish. A brother and sister sharing the same father but not the same mother are forbidden according to Torah law halacha to have a pilegish relationship to live together. We therefore have to innovate that Abraham and Sarah were only step brother and sister. Each had a different father and mother. Both of their birth parents died. Terech the birth father of Avrohom married the birth mother of Sarah. Both children grew up in the same



house and later married. Or else Abraham observed all the Torah except the laws that a brother who has a different mother but shares the same father is permitted to marry his step sister according to Torah laws applicable for non Jews . Abraham in this respect fell under the category of a non Jew . He observed Torah Laws applicable for a non Jew. The same explanation can be used for Jacob marrying Leah and Rachel two sisters and Amram marrying Yocheved his aunt.

Ruth getting yivum from Boaz .

Ruth was Jewish. She converted when the family was in Moav. The law in Yoerh Dayo part 2 laws of Gairim Converts clearly states that if a non Jew observes all the

Jewish laws and dips in the ocean or a river he automatically becomes a Jew. A non Jewish male must also undergo circumcision.

This is done without the benefit of a Rabbinical court. The other question that Boaz was not her first husband's brother can be answered. True Boaz was the nephew of Elimelech Naomi's husband Ruth's father in law. He was not a brother of Ruth's husband. Therefore there existed no requirement of YIVUM.

However, the custom persisted that a close relative married the childless widow. This marriage was similar to all Jewish Halachic marriages. Malbim in his commentary to Ruth 4: 13 underlines emphasizes that Boaz

married Ruth in accordance with Halachic law kesheph giving her an object that has monetary value possibly a ring. The giving of the ring or other object of monetary value was done in the presence of the group of elders that Boaz had assembled. Thus there existed two kosher witnesses whom Boaz appointed in accordance with Halacha.

Since the marriage was done to substitute for a situation where the brother of the deceased husband existed and was meyavom the widow the word yivum is employed in other parts of the book of Ruth. THIS WAS NOT REALLY YIVUM.

That is the reason in Ruth 4:12 the elders assembled wished Boaz that God should bless him and Ruth with children the same as God blessed Yehuda when he married Tamar his daughter in law. Yehudah married Tamar following the death of both of his sons who previously were married to Tamar.

Obviously, there does not exist Yivum of a father in law ; only a brother who shared the same father as the deceased.

What Yehudah did when he married Tamar was a semblance of Yivum. The same that Boaz did with Ruth.

Yehudah was permitted to marry Tamar even though she was his daughter in law because there did not exist a Halachic

marriage. The same answer that I previously explained the marriage of Jacob marrying two sisters Leah and Rachel and the marriage of King Solomon to the daughter of Pharaoh. All of them had a Pilegish mistress relationship. Such a relationship exists only by consent of both parties. Any one of the parties is free to contract an other relationship Pilegish or Halachic marriage marriage. Nether partner can live simultaneously with an other partner while they are living with their first sex partner.

Rambam rules that Pilegish relationships are forbidden to all Jews other than kings. Ramban disputes this prohibition. relationship at one time. There must come

an end to the first before a second relationship is formed.

Now let us return to the beginning of the Book of Ruth.

It relates that Machlon and Kilyon married two Moavite women. How did they marry non Jews . We suggested that both women converted by virtue of practicing Judaism . They did not require a Rabbinical Court. Both couples had a Pilegesh relationship since there were no kosher witnesses.

If both women were Jewish why did Naomi try to convince both to return to Moav and return to their religion ?

Answer.

She did not advise them to return to their religion. Or else they could return and abandon Judaism because their conversion was a mistake. They never would have adopted Judaism and gotten married would they have known that their husbands would die. A non Jew can abandon Judaism once converted if there was a definite error at the time of his or her acceptance of Judaism

RUTH ON THE OTHER HAND REFUSED TO ABANDON HER JUDISM . TO HER THERE WAS NO ERROR.

Moshe Siselsender Monday May 22,2018  
day after Shavuot.