

The Levirate Marriage Custom

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These studies are designed for believers in Jesus Christ only. If you have exercised faith in Christ, then you are in the right place. If you have not, then you need to heed the words of our Lord, Who said, “For God so loved the world that He gave His only-begotten [or, uniquely-born] Son, so that every [one] believing [or, trusting] in Him shall not perish, but shall be have eternal life! For God did not send His Son into the world so that He should judge the world, but so that the world shall be saved through Him. The one believing [or, trusting] in Him is not judged, but the one not believing has already been judged, because he has not believed in the Name of the only-begotten [or, uniquely-born] Son of God.” (John 3:16–18). “I am the Way and the Truth and the Life! No one comes to the Father except through [or, by means of] Me!” (John 14:6).

Every study of the Word of God ought to be preceded by a naming of your sins to God. This restores you to fellowship with God (1John 1:8–10). If we acknowledge our sins, He is faithful and just to forgive us our sins and to cleanse us from all unrighteousness (1John 1:9). If there are people around, you would name these sins silently. If there is no one around, then it does not matter if you name them silently or whether you speak aloud.

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Judah and Tamar from Gen. 38	Surprising facts about the levirate marriage	The Levirate Marriage from the woman’s perspective
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Levirate And Sororate Marriages (Including a graphic)	Passages Which Mention the Levirate Marriage Custom	Ruth in the Field of Boaz (a graphic)
The People of the First Recorded Levirate Marriage		Robert Dean and Jack Ballinger on the Levirate Marriage

Preface: There was an ancient world custom, found in many cultures, that when a husband died, not fathering a child, the wife could marry his brother, and their first son would be raised as the son of the deceased husband. For us today, it is a very peculiar custom.

There are many misconceptions and distortions of the levirate marriage custom of the ancient world. In fact, this custom has been used in the political propoganda of gay marriage advocates. Ideally speaking, this short doctrine will clear up any confusion.

The ESV; capitalized will be used throughout, unless otherwise noted.

Levirate And Sororate Marriages

Under this method, marriage is observed less like an union associated with two people and more being an alliance among families that have to continue even with the dying of a partner. It stresses the legal rights and responsibilities between family member groups. Inside a levirate relationship, a man marries the widow of their deceased sibling. In some cases, kids born from the union are seen as the sons from the first spouse. They stay part of their descent team and they are therefore avoided from becoming separated using their mother. Levirate marriages are usually practiced within tribal areas in the Americas, Africa, Indian, and Sydney.

In a sororate marriage, used among indigenous tribes within North America plus India, the deceased moms kin team offers a sibling as a spouse to the widower. Some ethnicities arrange sororate marriages when the first spouse proves to become barren. The kids born from the second spouse are considered in order to belong to the very first. In circumstances when an appropriate brother or even sister is just not available for relationship, other suitable kin relationships may be provided instead.



Picture and text is taken from [Unorthodox Types of Marriages](#); accessed June 6, 2016.

There are only 3 passages which discuss a levirate marriage in Scripture: Gen. 38, a portion of Deut. 29, and the book of Ruth.

Passages Which Mention the Levirate Marriage Custom

Scripture

Gen 38:1–5b It happened at that time that Judah went down from his brothers and turned aside to a certain Adullamite, whose name was Hirah. There Judah saw the daughter of a certain Canaanite whose name was Shua. He took her and went in to her, and she conceived and bore a son, and he called his name Er. She conceived again and bore a son, and she called his name Onan. Yet again she bore a son, and she called his name Shelah. Judah was in Chezib when she bore him.

Text/Commentary

This gives us the names of most of the people pertinent to this historical narrative on this subject.

There are several hints in Gen. 38 that this Canaanite gal was not a great marriage. The fact that she is giving birth to a 3rd son and he is not there is one of those hints.

Passages Which Mention the Levirate Marriage Custom

Scripture	Text/Commentary
<p>Gen 38:6–7 And Judah took a wife for Er his firstborn, and her name was Tamar. But Er, Judah's firstborn, was wicked in the sight of the LORD, and the LORD put him to death.</p>	<p>Although Judah chose his own wife, he goes out of his way to select a wife for Er, his firstborn. Judah does this when Er is quite young (he will marry around age 14 or 15). Er dies the sin unto death.</p>
<p>Gen 38:8–10 Then Judah said to Onan, "Go in to your brother's wife and perform the duty of a brother-in-law to her, and raise up offspring for your brother." But Onan knew that the offspring would not be his. So whenever he went in to his brother's wife he would waste the semen on the ground, so as not to give offspring to his brother. And what he did was wicked in the sight of the LORD, and he put him to death also.</p>	<p>Judah then speaks to his second son, who was to marry and <i>raise up seed</i> to his deceased brother. What this means is, his brother's name would be preserved in the firstborn child; and that child would have the privileges of being the firstborn [grand] son of Judah.</p>
<p>Gen 38:11 Then Judah said to Tamar his daughter-in-law, "Remain a widow in your father's house, till Shelah my son grows up"—for he feared that he would die, like his brothers. So Tamar went and remained in her father's house.</p>	<p>Up until this point, Judah had been acting within the expectations of his culture. But, sending Tamar back to her father is outside of the proper customs of that day. She married into Judah's family when she married Er. Furthermore, she was selected specifically by Judah.</p>
<p>The rest of the chapter is not really pertinent to this subject. Tamar tricks Judah into fathering a child by her, and thus performs the duties of a levirate husband.</p>	
<p>Deut. 25:5 "If brothers dwell together, and one of them dies and has no son, the wife of the dead man shall not be married outside the family to a stranger. Her husband's brother shall go in to her and take her as his wife and perform the duty of a husband's brother to her. And the first son whom she bears shall succeed to the name of his dead brother, that his name may not be blotted out of Israel.</p>	<p>The book of Deuteronomy are the judgments and the thoughts of Moses, at age 120, before he is about to die, and before the children of Israel enter the Land of Promise being led by Joshua.</p> <p>Moses speaks of the conditions necessary to require a levirate marriage.</p>
<p>Deut. 25:7 And if the man does not wish to take his brother's wife, then his brother's wife shall go up to the gate to the elders and say, 'My husband's brother refuses to perpetuate his brother's name in Israel; he will not perform the duty of a husband's brother to me.'</p>	<p>The brother has an out. He can refuse to take part in this sort of marriage.</p>

Passages Which Mention the Levirate Marriage Custom

Scripture

Text/Commentary

Deut. 25:8–9 Then the elders of his city shall call him and speak to him, and if he persists, saying, ‘I do not wish to take her,’ then his brother's wife shall go up to him in the presence of the elders and pull his sandal off his foot and spit in his face. And she shall answer and say, ‘So shall it be done to the man who does not build up his brother's house.’

There was some social stigma attached, but this clearly requires the woman to pursue the levirate marriage arrangement and for the brother to refuse it.

Deut. 25:10 And the name of his house shall be called in Israel, ‘The house of him who had his sandal pulled off.’

There was some societal disapprobation attached to refusing the levirate responsibility.

The Book of Ruth is about Ruth, who marries a son of Naomi; but that son dies. Ruth is determined to go with her mother-in-law into the Land of Promise. Ruth 1:16–18 **But Ruth said, “Do not urge me to leave you or to return from following you. For where you go I will go, and where you lodge I will lodge. Your people shall be my people, and your God my God. Where you die I will die, and there will I be buried. May the Lord do so to me and more also if anything but death parts me from you.”** And when Naomi saw that she was determined to go with her, she said no more.

Life was not easy for single women who had husbands who died. Often they were able to eat only by going into harvested wheat fields and gathering up what had not been harvested. Ruth 2:1–3 **Now Naomi had a relative of her husband's, a worthy man of the clan of Elimelech, whose name was Boaz. And Ruth the Moabite said to Naomi, “Let me go to the field and glean among the ears of grain after him in whose sight I shall find favor.”** And she said to her, “Go, my daughter.” So she set out and went and gleaned in the field after the reapers, and she happened to come to the part of the field belonging to Boaz, who was of the clan of Elimelech. Boaz, a relative of Naomi, owned the field, and he married Ruth. Ruth 4:13 **So Boaz took Ruth, and she became his wife. And he went in to her, and the Lord gave her conception, and she bore a son.**



Ruth in the Field of Boaz; from [Duns Scotus Bible Centre](#); accessed June 6, 2016.

Interestingly enough, one of the children of Judah and Tamar was Perez, and he was the great, great, great, great grandfather of Boaz, who was the great grandfather of David (Ruth 4:18–22).

It ought to be clear from these passages that, God nowhere requires the custom of levirate marriage; but God does not disapprove of it either. Moses laid down some laws regarding this custom, which also gave the man a way out.

[Topics](#)

[Charts, Graphics and Short Doctrines](#)

We are studying **Gen. 38** and we have come upon the first mention of a levirate marriage in the Bible. A levirate marriage is when the husband of a wife dies, the wife is childless, and so his brother (or another close relative) steps up and marries the woman. In the Bible, this is always done with the expressed desire to raise up a son in the name of the deceased brother; but these kinds of marriages can come about even when a family has already been started.

The people involved in Gen. 38 are these:

The People of the First Recorded Levirate Marriage

Person	Description
Judah	Judah is the 4 th son of Jacob, the grandson of Abraham. Judah appears to be estranged from his family at this time. Judah will be the line of Messiah, although no one would have known this at this time.
Er	Er is the first son of Judah. Judah arranged a marriage between Tamar and Er; but Er will die the sin unto death before fathering a child by Tamar.
Tamar	Tamar is a woman of unknown origin. Judah finds her and arranges a marriage between her and Er. She and Er marry as a very young couple (Er could be as young as 14).
Onan	Onan is Judah's second son, who had the responsibility to marry Tamar and raise up a child by her. He married her, but went out of his way not to have children by her. The likely reason is, a child raised up as Er's child would have deprived Onan of a sizable inheritance.
Shelah	Shelah is the 3 rd son of Judah, who had been promised to Tamar; but Judah had no intention of delivering here, believing Tamar to be bad luck (<i>a black widow, if you will</i>).

This scorecard will make it easier to understand the names and actions of those mentioned below.

The overall time frame appears to be a around 20 years, during which time, Judah returns to his father, and then separates from his family. He marries a Canaanites and has 3 sons by her. These sons grow up old enough to be married (probably mid-teens), and Judah's wife dies. There are constraining factors of other portions of Genesis which confine this time period to 22 years or less.

Topics

Charts, Graphics and Short Doctrines

Judah, one of the sons of Jacob, married a Canaanite woman and had 3 sons by her. He found a wife (Tamar) for his first son (Er), but that first son died the sin unto death early on in the marriage. Therefore, Judah compelled his next son, Onan, to impregnate her and marry her (the first son would be brought up as a son of Er rather than the son of Onan). Onan appeared to go along with this idea, but *he spilled his seed on the ground* so that he would not impregnate Tamar (this happened on numerous occasions). Onan had probably figured out that, if he fathered a son in Er's name, that son would have reduced Onan's own inheritance considerably (because Er died, Onan would now get the double portion of his father's inheritance; however, if Onan has a son under Er's name, that son would get the double portion). Because he did not father a son as he had agreed to, God took him out by the sin unto death.

Judah promises Tamar his next son, Shelah; but he does not follow through on this promise, apparently blaming Tamar for the deaths of his other two sons. How this plays out is found in **Gen. 38** ([HTML](#)) ([PDF](#)) ([WPD](#)).

In any case, had Onan followed through and impregnated and married Tamar, this would have been a levirate marriage with a resultant son raised up as Er's son.

There are many things which might surprise you about the Levirate marriage: (1) there are only 3 Old Testament passages which speak of it and (2) this is a custom practiced all over the world (see Wikipedia on [Levirate Marriage](#)). (3) There is no indication that God instituted levirate marriage; but He seemingly condones it, as Moses made it a part of the Mosaic Law in Deut. 25. Once this study is complete, you will understand why. God's laws, as given to Moses, seemed to take into account some of the cultural norms and standards of that era.

The levirate marriage is made fun of by those in the gay marriage movement, who found a number of unusual marriages in the Bible and said, "If you are okay with these kinds of marriages in the Bible, then surely you cannot object to gay people marrying." (Or words to that effect.) The logic was, religious Christians were the main people who objected to gay marriage; so unusual marriages were found in the Bible (and gay marriage proponents put the worst possible spin placed on them). Furthermore, gay marriage proponents presented these marriages as God-approved marriages (some were, some were not; and some were distorted¹). The reasoning being, "God approves of these marriages, so you cannot object to gay marriage." This particular topic is covered in **Marriage Alternatives in the Bible** ([HTML](#)) ([PDF](#)) ([WPD](#)).

The problem is, God does not approve of all forms of marriage found in the Bible (God does not condone polygamy, but He tolerates it). Nor do all of these forms of marriage originate with God (the levirate marriage appears to be a very common custom of that era). Also, gay marriage proponents often portray some sets of marriages in the Bible inaccurately (you should not expect expert exegetical information from the gay community when it comes to the Bible and the few who put some stock in Scripture, twist it about in order to justify their own behavior).

The passage we are studying, Gen. 38, appears to be the oldest literature (that I am aware of) which speaks of such a marriage arrangement; but it is recorded in Genesis as an existing custom. Judah does not look the situation over and say, "Hey, I've got a great idea here!" God does not speak to Judah, saying, "Listen, son, this is what I want you to do..." What takes place in Gen. 38 simply falls within the cultural norms of that day, and given that day and time, this is not a bad cultural norm.

There are some things which are not clear about this custom (known to us today as a *levirate marriage*). Could Judah have divorced Tamar (his daughter-in-law) from the family? Could he have come and said, "Look, we will not be providing for you a kinsman to stand in for Er." Or was it his responsibility to see that Er's first child would be raised up through her? The latter seems to be the case. In fact, there appears to be a reasonable amount of social pressure for Judah, the father-in-law, to take care of this. Furthermore, near the end of Gen. 38, Judah will try to have Tamar executed for being pregnant; and that would make sense if she is married or promised in marriage; but it would make less sense if she is simply a widow.

¹ I should also point out that, some of these passages are mistranslated as well in some Bible translations.

Primarily, a Levirate marriage is described from the man's point of view in the Bible. The doctrine below considers both the men and the woman in the arrangement.

Robert Dean and Jack Ballinger on the Levirate Marriage

1. A levirate marriage (or levirate obligation) is the marriage of a childless widow to her husband's brother. This seems very odd to us. If a woman is married and her husband dies before they have children, then his brother has the responsibility to come in and to marry her for the purpose of raising up children in the dead man's name. The first son is considered the son of the deceased husband; not the brother's. The term Levirate derives from the Latin word for brother-in-law.
2. This custom preserved the name and inheritance of any son who died prematurely.
3. The custom, which may seem to be somewhat bizarre to the modern reader, was widely practiced among Israel's neighbors. The Assyrians and the Hittites, and Nuzi and Ugarit held to this custom.
4. The brother-in-law, in this case Onan, is supposed to come in, marry Tamar, and their first child that they have would not be considered his. They are considered hers and Er's, because he is the oldest. As a result, their first child would be the beneficiary of double the inheritance.
5. The Mosaic law incorporated Levirate marriage into the law in Deuteronomy 25:5-10. It is designed to protect widows in society who have lost their husband, who don't have a source of income. Such women do not have a male to protect them, and, because they are childless they don't have sons to grow up and take care of them. That is part of the reason for this custom. The book of Ruth is based on this practice, although in Ruth, it is a distant relative who marries Ruth.
6. The Sadducees also used this law in an attempt to trap Jesus (Luke 20:27-44).
7. The passage in Deuteronomy provides a way out for the brother of the deceased to avoid this obligation. There was some humiliation, but if he truly objected to this marriage, he could get out of it.
8. The principle provided for the widow who was left without a husband, without protection, and without a source of income. It was designed to take care of her.
9. The law was also designed to protect the family inheritance. There is a significant emphasis in Scripture on protecting inheritance and providing inheritance for the next generation.

From <http://phrasearch.com/Trans/DBM/setup/Genesis/Gen145.htm> accessed April 26, 2016;
and from <http://www.versebyverse.org/classnotes/Genesis/Gen38.htm> accessed May 18, 2016 (both were edited).

Topics

Charts, Graphics and Short Doctrines

The Levirate Marriage from the woman's perspective: The Bible explains the levirate marriage primarily from a male viewpoint. A man and a woman are married; the husband dies, but before giving his wife a son. A member of the man's family is then brought in to impregnate the woman, to raise up a child in the name of her deceased husband. Logically, this son would continue the line of the deceased husband and this son would be entitled to his inheritance as well.

This custom is confusing and even troubling for many, but perhaps if I put a slightly different spin on the custom, you might better understand and appreciate it. Unlike today, when a woman might have many sexual encounters and several husbands, and yet still manage to get married once again, that was not the way things were done in the era of ancient Canaan (later Israel).

Marrying a virginal bride was so important in the ancient world that the bloodied bed sheets from the first night of their marriage bed were collected and delivered to the father of the bride, and he saved them as proof of his daughter's virginity (Deut. 22:13–17). This indicates that the father delivered a virginal bride to her new husband; and that the new husband is now responsible for this woman—the woman whose virginity he took.

Most of the time in the ancient world, once a woman has had sexual intercourse, even within the confines of marriage, that made her nearly ineligible for a second marriage, regardless of the circumstances of the first marriage. Furthermore, it was much more difficult in that era for a woman to make it on her own (hence the Bible often speaks of caring for the widows and orphans).

Therefore, a woman whose husband has died early, without giving her a son, has several strikes against her: (1) she is not as marriageable as she was as a virgin; (2) it is not very easy for such a woman to take care of herself; and (3) she has no son to care for her in her old age. Since these are not considerations for a woman in 21st century America, a levirate marriage would be inappropriate. On the other hand, in its cultural context, you might understand how a levirate marriage provided protection for the widow.

When this woman married into a family, she became a part of that family. If her husband died, then she was still a member of her new family, and it was up to them to look after her. This was done through a levirate marriage.

There are other factors at play as well. There is a natural yearning in most women to have and raise children. Even though there are obvious exceptions to this, it is normal for both men and women to desire children. Furthermore, even in today's deviant society, the family is still the essential building block of society.

A union with another member of the family (her kinsman-redeemer, as it were) offered this woman a family as well as the protection and provision of marriage. So, such a woman is not cast aside in society, but she embraced by the family that she originally married into; and provided for and protected by that family (usually by the brother of her deceased husband).

In summation, the name of the brother who dies prematurely is preserved; and the woman who married into his family continues as a part of that family, and she is protected and provided for.

By understanding all the ramifications of such a marriage, it helps us to better understand why it was important to ancient culture, in that it protected and provided for the weak. This also explains, from a human standpoint, why the Bible would allow and even support such a marriage.

In conclusion, it ought to be clear that the levirate marriage was not imposed upon a woman whose husband had just died, but provided for such a woman. In Deuteronomy, it is clear that the woman might initiate a levirate marriage and it is also clear that a surviving brother might decline as well.

At no time is God requiring that this sort of marriage take place; the laws of Moses simply allow for all parties to this custom to participate as a result of their own free will.

The Abbreviated Doctrine of

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