

**MEGILLAT RUTH**  
**By Dr. Yael Ziegler**

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Dedicated in memory of Joseph Y. Nadler, z'l, Yosef ben Yechezkel Tzvi.

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**Shiur #29: A Matter of Law: Elimelekh's Field**

*Megillat Ruth* is known for its unusual attention to halakhic matters. *Mitzvot* related to gleaning in the field, inheritance, and marriage to a widow of a childless man are pivotal topics in the narrative. Moreover, rabbinic texts extrapolate various ancillary halakhic rulings from the text. Laws of conversion, permission to greet one's fellow using God's name, and the need for a ten man prayer quorum for wedding blessings are all derived from the book of *Ruth*.

Since this narrative is remarkably attentive to legal matters, it is surprising to find a midrash that suggests otherwise:

R. Zeira said: This *Megilla* does not contain [laws of] impurity or purity, or prohibitions or permits, so why was it written? To teach you how good is the reward for those who do kindness. (*Ruth Rabba* 2:14)

This passage should not, of course, be understood literally. It is hard to imagine that R. Zeira is unaware of the myriad of halakhic issues packed into this brief book. Rather, it seems that R. Zeira endeavors to deflect our attention from the centrality of these matters in the *Megilla*. This implies that the real message of *Megillat Ruth* lies not in the law, but in the manner of fulfilling the law – not in whether you agree to become a redeemer, but whether it stems from kindness and good character. We will return to this point during the course of the coming *shiurim*.

Despite this midrashic caveat, we will now turn our full attention to the legal matters which do indeed appear, quite prominently in fact, in chapter four of *Megillat Ruth*.

**Boaz Convenes a Formal Ceremony**

And Boaz went up to the gate and he sat there. And behold, the *go'el* about whom Boaz has spoken is passing! And he said, "Turn aside; sit here, Ploni Almoni." And he turned aside and he sat. And he took ten men from the elders of the city and he said, "Sit here." And they sat. (*Ruth* 4:1-2)

The city gate was the primary public space of the biblical town, a place where people congregated, as well as the only entrance and exit to the city.<sup>[1]</sup> Indeed, many public activities took place at the city gate, including commerce,<sup>[2]</sup> prophetic exhortations,<sup>[3]</sup> public punishments,<sup>[4]</sup> idolatrous cultic practices,<sup>[5]</sup> and the public reading of the Torah.<sup>[6]</sup> The city gate complex also served as the gathering place for judicial courts which enacted legal transactions and administered justice.<sup>[7]</sup> The city gate's public role was indicated earlier in Boaz's assertion that "all of my people in the gate know that you are a woman of valor" (*Ruth* 3:11).

After arriving at the city gate, Boaz gathers ten of the city's elders. The "elders" of the city are its leaders, the ones responsible for the city,<sup>[8]</sup> and those whose opinions are respected.<sup>[9]</sup> Their role here seems to be as venerable witnesses, rather than formal judges.<sup>[10]</sup> After all, there is no court case being heard. No one has brought litigation and no formal decision is issued from this body of ten men. Nevertheless, some rabbinic sources suggest that this is in fact the formal convening of a court of law, whose pronouncements are binding and legal.<sup>[11]</sup> It is noteworthy for our purposes that elderly men of the congregation appear in the narrative of the civil war (*Shofteim* 21:16). There, their primary concern is with marriage and continuity. More significantly, "elders at the city gate" feature in the *yibbum/chalitzah* ceremony,<sup>[12]</sup> suggesting an echo of that halakhic concept here in *Megillat Ruth*.<sup>[13]</sup>

Finally, it is worth mentioning that all parties involved – Boaz, the *go'el*, and the elders – are explicitly described sitting down one after another, at Boaz's explicit command.<sup>[14]</sup> Sitting suggests a formal judicial process, although it is generally only the judge who sits to pronounce judgment.<sup>[15]</sup> In any case, all of the evidence points to the fact that Boaz goes to the gate to convene a formal, official ceremony, and to make its decision publically known. The evidence further suggests that Boaz has gathered these elders at the gate with the intention of addressing the issue of Ruth's marriage, as he had assured her in *Ruth* 3:13.

The legal topics that will arise during the description of this process involve the two separate issues of inheritance of land and the remarriage of the widow of a childless man. The narrative treatment of these topics is confusing for several reasons. First of all, the verb "*ga'al*," "redeem," seems to conflate these two separate topics. At the very least, the word appears to be used to describe both of these legal obligations, often without elaborating on which specific meaning is intended. Moreover, Boaz himself, seemingly with no legal basis, links these two topics. Finally, it is not clear who has an obligation to marry the widow of a childless man if the brother of deceased is no longer alive.<sup>[16]</sup> What is the source of this obligation and what, if any, relationship does this have with the *mitzva* of *yibbum*? Our next *shiurim* will deal with these issues of law and attempt to untangle these thorny subjects.

## A Public Transaction

And he said to the *go'el*, "The portion of the field which belonged to our brother, to Elimelekh, has been sold<sup>[17]</sup> by Naomi who has returned from

the fields of Moav. And I hereby say, I will reveal to you saying, 'Buy before those who are seated and before the elders of my people. If you shall redeem, then redeem.' And if he will not redeem, inform me and I will know, for there is none besides you to redeem, and I am after you." And he said, "I will redeem." (*Ruth* 4:3-4)

To our great surprise, Boaz's initial speech does not focus on Ruth's marriage. Despite our expectations, Boaz addresses a topic that was never yet explicitly alluded to in the *Megilla*: Elimelekh's field. However, Boaz's objective is stated plainly, and the transaction appears to progress in a smooth and uncomplicated manner.

The *goel*'s response to Boaz's proposal is swift and forthright: "I will redeem." It would appear that the *go'el* has much to gain from this transaction. He can enhance his own reputation by carrying out his familial responsibility. More significantly, this transaction is a financial coup. By doubling his ancestral property, the *go'el* has achieved a considerable economic windfall. There is little risk that he will even have to return the field at the Jubilee year because Elimelekh has no heir.

Similar to Boaz's public pronouncement of Ruth's extraordinary kindness when he meets her in his fields (*Ruth* 2:11-12), Boaz's words here are again poetic and are designed to impress themselves upon his audience.<sup>[18]</sup> He opens with the independent pronoun, "*ani*." This precedes the verb, which also includes the hidden first person pronoun. This repetition focuses our attention upon Boaz and his assumption of personal responsibility for the matter at hand. The perfect "*amarti*" may have the sense of "I hereby say," rather than "I have said."

Boaz's formal language indicates the legal context of his pronouncement as well as its public setting. The idiom "*egleh oznekha*," "I shall uncover your ear," is striking and memorable. While it actually means, "I will inform you," the word "*egleh*," to reveal, recalls the use of this word in a seductive context in the previous chapter (*Ruth* 3:4, 7). Its use here in a public, transparent setting further indicates the contrast between the two chapters. Moreover, this phrase usually implies something secret.<sup>[19]</sup> Used in this public setting, this phrase may have the effect of making transparent that which had been previously dealt with in a furtive manner. The preposition "*neged*" is a word for something conspicuous, in sight or opposite. This also indicates the public, open nature of this ceremony. Moreover, the parallel, twofold use of the word nearly always indicates a formal setting.<sup>[20]</sup>

Following its formal opening, Boaz's speech becomes somewhat garbled. He switches person midstream, first speaking directly to the *go'el* and then speaking about him in third person before switching back to the second person address. Once again, it seems that the text wishes to direct our attention outward, toward the audience. Boaz is not only speaking to the *go'el*; he is addressing himself to the elders<sup>[21]</sup> (and bystanders) who have gathered at the gate to witness and ratify the ongoing transactions.

## Naomi's Field

The initial transaction may in fact proceed smoothly, but the circumstance of the sale leaves several questions in its wake. The most difficult question in this speech involves the matter of Naomi's field. When did Naomi sell the field belonging to Elimelekh?<sup>[22]</sup> Why have we not yet heard of this field until this moment? If Naomi has property in Bethlehem, then why is she at the mercy of others' generosity during the course of the narrative?

The *kal* perfect verb, "*makhera*," generally indicates an action which has already been completed. In other words, Naomi has already sold the field.<sup>[23]</sup> But if this is so, when did she do that? And what is the nature of this legal proceeding? One possibility is that Naomi sold this field before the family left Bethlehem. Alternatively, she could have sold the property upon her return. In either case, this scenario would then involve the redemption of the familial inheritance by having the closest relative buy Elimelekh's field back from a third party.<sup>[24]</sup>

The problems with each of these readings abound. If the family sold the property before leaving town, then why does the verse describe *Naomi* as selling the field? And why do the verses in *Ruth* 4:5 and 9 explicitly note that the field is bought "from the hand of Naomi"? Would it not be more likely that Elimelekh would have sold his own field? Moreover, why would anyone buy property during a famine? If Naomi sold this property upon her return, then where are the proceeds from that sale? Why have we not heard of that momentous sale until this moment? Why has Naomi been dependent upon Ruth's gleanings for sustenance? And why does she proclaim herself "empty" (*Ruth* 1:21) when she returns? If there is a third party involved in this transaction, then where is he during the course of this narrative?

Given these difficulties, it is possible that the *kal* perfect form of the verb "*makhera*" is used in a formal, legal declaration to indicate a present tense.<sup>[25]</sup> An approximate translation may be, "Naomi is hereby selling the field." We may detect a similar usage in Ephron's words in *Bereishit* 23:11: "I have given the field to you." As he could not have given the field to Avraham prior to this very moment, it stands to reason that Ephron is announcing (employing what is usually the perfect past tense) that he is presently giving the field to Avraham.

It seems likely, then, that Naomi is presently selling the field.<sup>[26]</sup> Has this field lain fallow for over ten years? That would certainly explain why Naomi and Ruth are in such desperate straits despite the existence of this ancestral land. However, it is possible, and even likely, that this land was not abandoned and left uncultivated since Elimelekh's journey, but was instead appropriated by the townspeople of Bethlehem for the duration of Elimelekh's absence from the land.<sup>[27]</sup> In a small farming village, it seems unlikely that a piece of arable land would be allowed to lie fallow for such a long period. It is possible, in fact, that Elimelekh's abandonment of the property during the time of famine was considered legal grounds for the expropriation of the property by the townspeople.<sup>[28]</sup>

If Elimelekh's field has been expropriated because of their abandonment of the land, then this would give extra meaning to Boaz's description of Naomi as having returned from the *field* of Moav (*Ruth* 4:3). While she and her family were abroad, farming other fields, their field was fair game. However, now that Naomi has returned from her sojourn among the foreign fields, the town has an obligation to return to Naomi her fields or her rights to it.

## Ruth's Marriage

We are still left with the question of Boaz's diversion from the expected course of events. Why has Boaz digressed from the issue of Ruth's marriage and focused his attention suddenly on the purchase of Elimelekh's land?

Boaz appears to have a plan which requires him to build slowly toward the topic which genuinely concerns him. This scheme involves offering the field to the *go'el* and then making this offer dependent upon marriage to Ruth (*Ruth* 4:5). In this way, Boaz links together two separate legal topics, both of which relate to the duty of the kinsman.

Boaz's speech offering the field to the *go'el* for purchase (*Ruth* 4:4) already anticipates this linkage. As indicated in *Ruth* 3:9, 12-13, the word *go'el* (which connotes familial responsibility with regard to property and the land) may also allude to the *yibbum*-like custom that seeks to perpetuate the childless deceased.<sup>[29]</sup> While the *go'el* seems oblivious to the potential marital connotations that underlie Boaz's use of this word, Boaz most certainly is not.

It is hard not to hear the echoes of Boaz's previous speech in which he promises redemption to Ruth (*Ruth* 3:12-12) within this speech offering the field to the *go'el* (*Ruth* 4:4). The rapid four-fold use of the word *go'el* strongly recalls Boaz's six-fold use of this word in his previous speech. Boaz also draws from the "if" and "if not" terminology used in the previous speech. Finally, Boaz again avers his understanding that he is next in line and his willingness to assume responsibility if the *go'el* should refuse. It is hard not to sense that even if this conversation is ostensibly about Naomi's field, Boaz has in mind the matter of Ruth. This will become evident in the following verse, in which Boaz explicitly links the purchase of the field with marriage to Ruth.

I will conclude this *shiur* with the most puzzling question of all: Are these matters (purchasing the land and marrying Ruth) rightfully coupled together? It seems quite evident that they are not. The *go'el* clearly suspects nothing of the sort. Moreover, there is no indication that these two moral-legal obligations are in any way connected. Indeed, this connection appears to be baseless. In the next *shiur*, we will contend with Boaz's linkage of these separate topics.

*This series of shiurim is dedicated to the memory of my mother Naomi Ruth z"l bat Aharon Simcha, a woman defined by Naomi's unwavering commitment to family and continuity, and Ruth's selflessness and kindness.*

I welcome all comments and questions: yaelziegler@gmail.com

<sup>[1]</sup> Archeological evidence from ancient Israelite cities (such as Hazor, Gezer and Dan) reveals complex structures at the city gate. While the precise design varies among different cities, these structures include roofed chambers, guard rooms, alcoves lined with benches, a large, open plaza with surrounding benches, and even a bench with a canopy that appears to have been a throne for an honored guest (such as a king; see e.g. *II Shemuel* 19:9). For a fuller description of the archeological discoveries with regard to the gate complex of biblical cities, see W. G. Dever, et al., *The Biblical Archeologist* 34 (1971), pp. 112-120; A. Biran, *The Biblical Archeologist* 37 (1974), pp. 43-50.

<sup>[2]</sup> *II Melakhim* 7:1.

<sup>[3]</sup> *Yeshayahu* 29:21; *Yirmiyahu* 17:19-20; *Amos* 5:15.

<sup>[4]</sup> *Devarim* 16:5.

<sup>[5]</sup> *II Melakhim* 23:8.

<sup>[6]</sup> *Nechemia* 8:1, 3.

<sup>[7]</sup> *Devarim* 16:18. See also *Amos* 5:15 and Rashbam, *Bamidbar* 16:12. *Ruth Zuta* 4:1 comments that the gate refers to the *beit midrash*. In a similar vein, the Targum refers to this as “the gate of the *beit din* of the Sanhedrin.” Presumably, this midrash is pointing our attention to the fact that the gate functions here as the place of halakhic decisions.

<sup>[8]</sup> E.g. *Shofetim* 8:14; *I Shemuel* 11:3.

<sup>[9]</sup> *I Melakhim* 12:6-11; *Yirmiyahu* 26:17; *Yechezkel* 7:26. Rabbinic literature offers a homiletic understanding of the word “*zaken*,” “elder,” suggesting that it is an acronym for “*zeh shekana chokhma*,” one who has acquired wisdom. See e.g. *Kiddushin* 32b; *Sifra, Kedoshim* 3:7; *Seder Olam Rabba* 30; *Ruth Zuta* 4:2.

<sup>[10]</sup> For the elders in a similar role, see in *Devarim* 31:28.

<sup>[11]</sup> For the juridical role of the elders, see *Devarim* 19:12; 21:2-9, 18-21; 22:15-19. Indeed, *Sanhedrin* 17a states that only elders should be appointed as members of the Sanhedrin. See also *Sifrei, Devarim* 25:7. Some rabbinic sources suggest that the purpose of this legal gathering is to pronounce the halakhic ruling that the prohibition to marry an Ammonite or Moavite (*Devarim* 23:4-7) does not include women. See e.g. *Ruth Zuta* 4:2.

<sup>[12]</sup> *Devarim* 25:7.

<sup>[13]</sup> In a forthcoming *shiur*, we will examine the precise connection between the practice of *yibbum/chalitza* (levirate marriage) and the proposed marriage in *Megillat Ruth*.

<sup>[14]</sup> Boaz’s authority is evident throughout this episode. He commands and others obey without question.

<sup>[15]</sup> *Shemot* 18:13; *Shofetim* 4:4-5. Note that in *Devarim* 25:8, the person who refuses to perform the mitzva of Levirate marriage stands up to declare his refusal. This implies that until his pronouncement, he had been sitting.

<sup>[16]</sup> The mitzva of *yibbum*, delineated in *Devarim* 25:5-10, is performed only among brothers who share a father. See e.g. *Yevamot* 17b.

<sup>[17]</sup> The form of this verb is unclear. We will soon examine its various possible meanings.

<sup>[18]</sup> See *shiur* #15.

<sup>[19]</sup> See *I Shemuel* 20:2, 12, 13; 22: 8, 17.

<sup>[20]</sup> E.g. *I Shemuel* 12:3; 15:30; *II Shemuel* 12:12. This word is stronger and used in a more formal manner than the word “*lifnei*,” which also means “before” or “in front of.”

<sup>[21]</sup> A midrash (*Ruth Rabba* 7:9) maintains that Boaz turned briefly to address the court (*beit din*).

<sup>[22]</sup> The question regarding the actual owner of the field is another problematic one. If this field actually belongs to Elimelekh (as is indicated in *Ruth* 4:3, 9), then how did Naomi have the right to sell it? According to the laws of inheritance (*Bamidbar* 27:8-11), the land should go first to her children and then to the nearest male relative, thereby ensuring that the land will remain within the tribe. One suggestion is that this land is actually Naomi’s, having been willed to her by her father. Nevertheless, we still have to account for the fact that this land is deemed property of Elimelekh. It is possible that Naomi is closely related to Elimelekh (see *Bava Batra* 91a; *Tanchuma Behar* 3:3), and therefore their properties have

merged and conflated. Nevertheless, this is somewhat of a leap and requires a fair bit of speculation. Another possibility is that Naomi sold the property for her sustenance, in accordance with the law (*Ketuvot* 11:2). Finally, it is possible that Naomi is mentioned as a stand-in for Elimelekh during this proceeding, and she represents his rights rather than her own. This may be supported by the likelihood that Naomi is not present during the course of this legal proceeding. She is a figurehead in this discussion, rather than an active participant who sold her lands or the rights to it.

<sup>[23]</sup> See e.g. *Tanchuma Buber, Behar* 8.

<sup>[24]</sup> See *Vayikra* 25:25. The idea which underlies this halakhic concept is that land ownership is vested not simply in an individual, but in the extended family and the tribe. See *Vayikra* 25. For another biblical example of the application of this obligation, see *Yirmiyahu* 32:6-10.

<sup>[25]</sup> For this translation, see M. Sekine, *ZAW* 58 (1940-41), p. 137; Campbell, *Ruth*, p. 144. See also the discussion in Bush, *Ruth/Esther*, p. 202. Bush suggests that this verb may also be understood as a “performative perfect,” in which the speech and the act are simultaneous and identical. This meaning is often implied in verbs of swearing, in which the declaration is also the execution of the action. See John Langshaw Austin, *Philosophical Papers* (1970); *How to do Things with Words* (1965), pp. 233-252; Yael Ziegler, *Promises to Keep: The Oath in Biblical Narrative* (2008), pp. 28-30.

<sup>[26]</sup> Malbim suggests that Naomi has already announced her intention to sell the field. Therefore, the past tense is used because it is as if it has already been sold.

<sup>[27]</sup> In a private communication, R. Yoel Bin-Nun suggested to me that the *go'el* himself may have been farming the land during the period when Elimelekh's family was absent from the village. If the *go'el* is Elimelekh's closest living relative, it is likely that his property adjoined that of Elimelekh's. R. Yoel Bin-Nun suggested that Boaz here has contrived a scheme designed to return the property to Naomi from the *go'el*, who has acquired some measure of “squatter's rights” to Elimelekh's land.

<sup>[28]</sup> Biblical evidence for this may be found in the story of the Shunammite woman in *II Melakhim* 8:1-3.

<sup>[29]</sup> See *shiur* #25.