JESUS' ANSWER TO THE SADDUCEES ABOUT THE RESURRECTION

The Scriptures record for us many joys that will be the believer's inheritance in the age to come. But amidst these joys one issue remains troublesome for many believers. MacArthur writes,

> "The question I'm most often asked about heaven is, 'Will I be married to the same spouse in heaven?' Most are saying, 'I don't want to lose my relationship with my wife; I can't imagine going to heaven and not being married to her.' (Others, however, may be secretly hoping for a different answer. I'm not certain why so many ask this one!)."[1]

The most complete answer to this question is found in trio of synoptic periscopes concerning Jesus' answer to the Sadducees concerning the wife of seven brothers (Matt 22:23-31; Mark 12:18-27; Luke 20:27-34). The primary point of Jesus' answer was in proving the resurrection itself, but that is not the concern of MacArthur's inquiring believer.[2] Instead he wants to know what Jesus' answer means for those like himself who already hope in the resurrection to eternal life.

Background of Jesus' Answer

To understand Jesus' answer, first one must understand the Sadducees' question to Jesus. How do their beliefs influence the intention of their question? What is levirate marriage, and why do they use it in the scenario they pose to Jesus? What kind of moral dilemma are they

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[1] John MacArthur, *The Glory of Heaven: The Truth about Heaven, Angels, and Eternal Life* (Wheaton, Ill.: Crossway Books, 1996), 135–38.

[2] For more on Jesus' hermeneutics on proving the existence of the resurrection from these passages seeJ. Gerald Janzen, "Resurrection and Hermeneutics: On Exodus 3:6 in Mark 12:26," *JSNT*, no. 23 (1985): 43–58; Darrell L. Bock, *Luke 9:51-24:53*, Baker Exegetical Commentary on the New Testament 3b (Grand Rapids, Mich.: Baker Books, 1994), 1624–25; W. D. Davies and Dale C. Allison, *A Critical and Exegetical Commentary on the Gospel according to Saint Matthew*, vol. 3, International Critical Commentary (Edinburgh: T&T Clark, 1997), 230–33; Dan Cohn-Sherbok, "Jesus' Defense of the Resurrection of the Dead," *JSNT*, no. 11 (1981): 64–73; F. Gerald Downing, "The Resurrection of the Dead: Jesus and Philo," *JSNT*, no. 15 (1982): 42–50.

attempting to foist on Jesus? The answer to these questions will permit us to draw the proper conclusion from Jesus' answer.

Resurrection and the Sadducees

First-century Judaism was by no means unified on the subject of the resurrection.[3] Paul was able to use disagreement over the resurrection to divide the council which was composed of Pharisees and Sadducees (Acts 23:6-8). Josephus also paints a clear distinction between the two Jewish sects regarding the afterlife. He informs us that while the Pharisees believe that the righteous "pass into other bodies," the Sadducees teach that "souls die with the bodies," because they reject "the immortal duration of the soul."[4] Though much about the Sadducees' identity and beliefs is contested, there is no debate that they did not believe in the resurrection.[5] Their denial of the resurrection is also the clear witness of the New Testament (Luke 20:27; Matt 22:23; Mark 12:18; Acts 23:8).[6]

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[3] For detailed studies of the resurrection in intertestamental Judaism see George W. E. Nickelsburg, *Resurrection, Immortality, and Eternal Life in Intertestamental Judaism*, Harvard Theological Studies 26 (Cambridge: Harvard University Press, 1972); Murray J. Harris, "Immortality and Resurrection In Intertestamental Judaism," in *From Grave to Glory: Resurrection in the New Testament: Including a Response to Norman L. Geisler*, ed. Murray J. Harris (Grand Rapids, Mich.: Academie Books, 1990), 69–80; Thomas L Leclerc, "Resurrection: Biblical Considerations," *Liturgical Ministry* 18 (2009): 97–106.

[4] Josephus, *War* 2.163-4; *Ant.* 18.16. The Babylonian Talmud makes it clear that rabbinic Judaism agreed with the Pharisees in believing in the resurrection. It defends the resurrection from Scripture passages such as Exod 6:4; 15:1; Num 15:31; 18:28; Deut 31:16, and argues regarding ceremonial cleaning due to resurrection. B.Nid. 70b; b. Sanh. 90b-92a.

[5] Collins remarks that the scope of belief in the resurrection in the first century is widely disputed, but she too does not dispute that the Sadducees did not believe in the resurrection. See Saldarini for an in-depth treatment of the many debated issues regarding the Pharisees and Sadducees. Aron Pinker, "Sheol," *JBQ* 23 (1995): 176; Gary G. Porton, "Sadducees," in *The Anchor Bible Dictionary*, vol. 5 (New York: Doubleday, 1992), 892–95; Jacob Neusner, *Judaism, the Evidence of the Mishnah* (Chicago: University of Chicago Press, 1981), 230–56; Anthony J. Saldarini, *Pharisees, Scribes and Sadducees in Palestinian Society* (Grand Rapids, Mich.: Eerdmans, 2001), 107–33, 144–237; Adela Yarbro Collins, *Mark*, Hermenia (Minneapolis: Fortress Press, 2007), 559–61.

[6] Most scholars also believe that the Sadducees did not believe in angels either on the basis of Acts 23:6-8. Thiessen, Viviano and Davies argue that the Acts passage teaches rather that the Sadducees did not believe in an afterlife of any kind whether of life after death or of resurrection. Benedict Viviano, "Sadducees, Angels, and Resurrection (Acts 23:8-9)," *JBL* 111 (1992): 496–98; Matthew Thiessen, "A Buried Pentateuchal Allusion to the Resurrection in Mark 12:25," *CBQ* 76 (2014): 276–77; Bock, *Luke 9:51-24:53*, 1623; Frederick W. Danker, *Jesus and the New Age:*

Levirate Marriage

Levirate marriage was the legal basis of the Sadducees' scenario (Matt 22:24; Mark 12:19; Luke 20:28). This practice was fairly obscure even in Jesus' day, so it must be explained before Jesus' answer can be understood.[7] Primary sources of information for levirate marriage are few. The Old Testament Scriptural basis for this practice is found in just three passages. One legal text (Deut 25:5-10) is the primary legislative information. Two narrative passages provide historical applications of this principle. In Genesis 38 Onan was ordered to raise up seed for his brother and is killed by the Lord because he would not do this. When Judah fails to live up to his responsibility and give his third son to Tamar, she tricks him into becoming the levir himself.[8] In Ruth 4 Boaz acquires the right to marry Ruth and redeem her dead husband's family estate from an unnamed kinsman through the legal formality of a shaming ceremony. The unnamed kinsman was a closer relative and therefore was understood to be first in line to redeem the property and maintain the name of Elimelech with it.

Josephus provides the only helpful extrabiblical information.[9] He states that in the custom of levirate marriage, the child born of that union will be called by the name of the deceased and

A Commentary on St. Luke's Gospel (Philadelphia: Fortress Press, 1988), 323; John B. Polhill, *Acts*, New American Commentary 35 (Nashville, Tenn.: Broadman Press, 1992), 470; Luke Timothy Johnson, *The Acts of the Apostles*, Sacra Pagina 5 (Collegeville, Minn.: Liturgical Press, 1992), 398.

[7] Exactly how extensively levirate marriage was practiced cannot be determined, and scholars debate its extent. The testimony of Josephus cited above indicates that the practice was not obsolete, but it seems likely that the original motivation of the practice was already fading as a rationale for its performance. The loss of the original purpose of levirate marriage only continued after the NT era. See Dvora E. Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 2009, 61; Samuel Belkin, "Levirate and Agnate Marriage in Rabbinic and Cognate Literature," *JQR* 60 (1970): 328–29; Dale W. Manor, "A Brief History of Levirate Marriage as It Relates to the Bible," *ResQ* 27 (1984): 129–42. For the argument that it was not practiced see Tal Ilan, *Jewish Women in Greco-Roman Palestine* (Peabody, Mass.: Hendrickson Publishers, 1996), 155.

[8] Emerton suggests that the reason that Tamar did not marry Judah is that she was already betrothed to Shelah. This may be the case, but a stronger reason Judah did not marry Tamar is that his relationship with Tamar was considered incestuous. John A. Emerton, "Some Problems in Genesis 38," *VT* 25 (1975): 357–60.

[9] There are a few passages in the *Testament of the Twelve Patriarch* and in Philo, but they add little to the discussion. The passages in the Twelve only mention levirate marriage to defend Zebulon in his role in selling

be his heir. He claims three advantages of this arrangement: it is good for the public welfare; the inheritance remains within the family; and the woman herself benefits. He states that the shaming ceremony in Deuteronomy is intended as a reproach against the refusing brother because he has injured the memory of the deceased.[10]

The present explanation of levirate marriage will be limited to the major definitions and primary moral thrust of the commandment. Rabbinic scholars debated the significance of many interesting scenarios, but for the most part these scenarios are of little help in understanding Jesus' answer to the Sadducees.[11] Four conditions make up the definition of levirate marriage. Since Jesus' unique method of interpreting the law focused on its moral intent, neutral description of levirate marriage as a historical phenomenon will not be adequate. Instead, the purpose and moral intent of levirate marriage is also critically important.

The first condition of levirate marriage is that the relative of the childless man must be his brother (Deut 25:5)[12]. Yet in both narrative accounts the levir is someone other than the dead man's brother. Judah was Er's father, which the Pentateuch considers a morally aberrant fulfillment of the duty of levirate marriage (Gen 38:26; Lev 20:12).[13] Both Boaz and the unnamed kinsman were cousins of Mahlon. This difference suggests to some scholars that Ruth

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Joseph. Philo's reference to levirate marriage is only a comment Numbers 27:8-11 (*Testament of Zebulon* 3:4-5; *Testament of Judah* 8:3; 10:1-6; 12:8; Philo, *Spec. Laws* 2:124). For a discussion on the relation of Philo to levirate marriage see Belkin, "Levirate and Agnate Marriage in Rabbinic and Cognate Literature," 294–98.

[10] Josephus, *Ant.,* 4.254-256. Raymond Westbrook, *Property and the Family in Biblical Law*, Journal for the Study of the Old Testament Supplement Series 113 (Sheffield, Eng: JSOT Pr, 1991), 64.

[11] Weisberg, *Levirate Marriage and the Family in Ancient Judaism*.

[12] While אַחִים can refer generically to all Israelites, if this were meant then the term is emptied of meaning as non-Israelites were not likely potential mates anyway. The Septuagint understands the term to refer to a child of either gender, as it translates בֵּן with σπέρμα and הַכַּבוֹר with τὸ παιδίον (Deut 25:5 LXX).

[13] Gordon J. Wenham, *Genesis 16-50*, Word Biblical Commentaries 2 (Waco, Texas: Word Books, 1994), 368.

is not an example of levirate marriage, but they are not correct.[14] Ancient Near Eastern Laws were established by precedent much as common law today, so were flexible enough to be modified according to principle as the situation warranted.[15] The village witnesses to Boaz's acquisition of Ruth and the inheritance were correct in comparing Ruth and Tamar (Ruth 4:11-12). Both were different from the textbook case, but both were instances of levirate marriage nonetheless.

The second condition of levirate marriage is that the brothers must dwell together (יֵשְׁבוּ אַחִים יַחְדָּו).[16] While the phrase can refer to literal proximity (Gen 13:6; 36:6-8),[17] it is difficult to see the reason for a limitation on physical locale in this case.[18] A better solution views the phrase

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[14] Weisberg believes that this is an example of the widow being inherited along with the property, because a word of purchase is used to contract the relationship (קָנָה Ruth 4:5). It is more likely that this word is present because of the context of buying property rather than describing widow inheritance. Leggett proposes that this is an example of Go'el or redeemer marriage, but if so it is the only example or description of it in the Bible. Belkin believes this is agnate or family marriage, but this assumes that legal principles were as inflexible in application as modern law. Davies correctly observes that this is a case of levirate marriage. Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 57; Donald A. Leggett, *The Levirate and Goel Institutions in the Old Testament: With Special Attention to the Book of Ruth* (Cherry Hill, N.J.: Mack Pub. Co., 1974), 289–91; Belkin, "Levirate and Agnate Marriage in Rabbinic and Cognate Literature," 288; Eryl W. Davies, "Inheritance Rights and the Hebrew Levirate Marriage," *VT* 31 (1981): 140.

[15] Westbrook, *Property and the Family in Biblical Law*, 64; Timothy R. Ashley, *The Book of Numbers*, New International Commentary on the Old Testament (Grand Rapids, Mich.: Eerdmans, 1993), 542.

[16] The Rabbis believed that it meant that the brothers must be contemporaneous. But this is overly complex. Naomi anticipates this interpretation when she remarks that it would be impractical for her daughter-in-laws to wait even if she would be able to have sons (Ruth 1:11). It is unlikely that the law intends the widow to wait in such a situation, but it theoretically does meet the requirements. b. Yebam. 17b. See also Belkin, "Levirate and Agnate Marriage in Rabbinic and Cognate Literature," 281–82; Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 70; Eryl W. Davies, "Inheritance Rights and the Hebrew Levirate Marriage," *VT* 31 (1981): 264.

[17] Contra Christopher J. H. Wright, *Deuteronomy*, New International Biblical Commentary, Old Testament Series 4 (Peabody, Mass.: Hendrickson, 1996), 268–69. Both narrative examples of this phrase have the parties maintaining separate possessions (Abraham/Lot Gen 13:2, 5, 7; Jacob/Esau Gen 36:7), so it is clear that pure communal living is not meant. The only other instance of the phrase most likely refers to psychological unity rather than literal proximity (Ps 133:1). Thijs Booij, "Psalm 133: 'Behold, How Good and How Pleasant,'" *Bib* 83 (2002): 259–66.

[18] As do Frederick E. Greenspahn, *When Brothers Dwell Together: The Preeminence of Younger Siblings in the Hebrew Bible* (New York: Oxford University Press, 1994), 52–54; Davies, "Inheritance Rights and the Hebrew Levirate Marriage," 264–66. In the book of Tobit, Tobias travels from Nineveh to Ecbatana to perform a levirate marriage to Sarah (Tobit 1:10; 7:1, 10).

as a technical term for an undivided inheritance.[19] In the absence of levirate marriage, to die

childless prior to the division of the family estate would be as if one did not exist in the first

place. Children can always inherit their parents share, even if the estate is yet to be divided. After

the division of the estate then a close relative may serve as the legitimate heir. Ruth, Tamar, and

the daughters of Zelophehad were all women who were the center of undivided estates (Ruth 4;

Gen 38; Num 27:1-12).[20]

The third condition is that the man who dies must have no son (בֵּן). The rabbis concluded

that this included daughters, as they could inherit in exceptional cases.[21] While בֵּן normally

refers to a male heir, it can be used to describe descendants of either gender. But Deuteronomy

more likely specifies male heirs.[22] The case of the daughters of the Zelophehad is the clearest

narrative example of daughter inheritance (Num 27:8-11).[23] There is no mention of levirate

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[19] Westbrook, *Property and the Family in Biblical Law*, 77–80; Thomas Thompson and Dorothy Thompson, "Some Legal Problems in the Book of Ruth," *VT* 18 (1968): 90. The phrase is used as a technical term in several ancient sources from Mosaic times through the first century AD. See also MAL A 25; CE 38; CH 165.

[20] In the case of Ruth the only means of providing an heir to inherit the entire family estate of Elimelech is through Ruth, since Orpah returned to the relative safety of her own family and culture. Therefore the son of Ruth and Boaz does not simply preserve the name of Ruth's former husband, but that of Elimelech as well. This is why it is said that a son is born to Naomi (Ruth 4:17). Contra Merrill who only sees an heir produced for Mahlon. Eugene H. Merrill, *Deuteronomy*, New American Commentary 4 (Nashville, Tenn.: Broadman & Holman, 1994), 327–28.

[21] Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 70. See also Sifre Deuteronomy 288; Josephus, *Ant*. 4.254.

[22] Baruch A. Levine, *Numbers 21-36: A New Translation with Introduction and Commentary*, Anchor Bible Commentaries 4A (New York: Doubleday, 2000), 358; Davies, "Inheritance Rights and the Hebrew Levirate Marriage."

[23] This fact of inheritance makes the daughters of Zelophehad a favorite of feminist writers. Yet the daughter's case can hardly be an instance of early feminism, for they are not concerned about their own rights, but that of their father and the transmission of his property. For feminist discussion see Emmanuel O. Nwaoru, "The Case of the Daughters of Zelophehad (Num 27:1-11) and African Inheritance Rights," *AJT* 16 (2002): 49–65; Zvi Ron, "The Daughters of Zelophehad," *JBQ* 26 (1998): 260–62; John D. Litke, "The Daughters of Zelophehad," *CurTM* 29 (2002): 207–18; Josiah Derby, "The Daughters of Zelophehad Revisited," *JBQ* 25 (1997): 169–71. For the contrary position see Levine, *Numbers 21-36: A New Translation with Introduction and Commentary*, 356–59. Snaith believes that this account is really a way to explain the Transjordan inheritance of the Tribe of Manasseh, but Ashley and Davies correctly note that this creates more problems than it solves. Norman Henry Snaith, "Daughters of Zelophehad," *VT* 16 (1966): 124–27; Ashley, *The Book of Numbers*, 543–45; Eryl W. Davies, *Numbers*, New Century Bible Commentary (Grand Rapids, Mich.: Eerdmans, 1995), 299.

marriage here, but this is probably because it was not an option. Due to the flexibility of ancient near eastern law, it was likely up to the family to decide whether or not to invoke levirate marriage if daughters were available to inherit.[24] The marginal nature of daughters would have detracted from the difficulty of the situation, so the Sadducees crafted an example where they were not present.

If all three of these conditions were met, then the brother of the deceased was required to marry the widow. This marriage was a real marriage,[25] not a temporary union to create children as in some cultures.[26] All three passage describe the proper relationship in marital terms (Gen 38:14; Deut 25:5; Ruth 4:10).[27] Since marriage in the ancient near east required no formalization by priest or king, if the woman is taken into her husband's house then she was considered married.[28] Historically sources both before and after the first century considered levirate

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[24] Dvora E. Weisberg, "The Widow of Our Discontent: Levirate Marriage in the Bible and Ancient Israel," *JSOT* 28 (2004): 428.

[25] Rowley argues that levirate marriage was not real marriage because it was given in a polygamous society where the woman was still considered the wife of the dead man, so that the brother-in-law had completed his duty when he had provided the dead with a single heir. Coats believes that levirate marriage is not real marriage because Tamar only secured a child, not a husband (Gen 38), and the word used about Ruth is קָנִיתִי, a word for getting security (Ruth 4:10 c.f. Deut 28:65; Lam 1:3; Isa 34:14). He admits that Deut 25:5-10 includes marriage, but believes that marriage and children are separate provisions. Since he feels that Ruth could not have been in a position to ask for marriage (Ruth 3:9), she must have only been asking for sex. H. H. Rowley, "The Marriage of Ruth," in *The Servant of the Lord: And Other Essays on the Old Testament*, ed. H. H. Rowley (Oxford: B. Blackwell, 1965), 178; Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 55–56; Thompson and Thompson, "Some Legal Problems in the Book of Ruth," 95; Belkin, "Levirate and Agnate Marriage in Rabbinic and Cognate Literature," 277–80; George W Coats, "Widow's Rights: A Crux in the Structure of Genesis 38," *CBQ* 34 (1972): 461–66; Ben Witherington, *The Gospel of Mark: A Socio-Rhetorical Commentary* (Grand Rapids, Mich.: Eerdmans, 2001), 327.

[26] There are some cultures in which a levirate union does not equate to marriage, such as the Luo tribe of Africa. In such cases the union is taken solely for the purpose of creating a child, and ends when the child is born. Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 35.

[27] The term for marriage in Ruth 4:10 (קָנִיתִי לִי לְאִשָּׁה) is normally a purchase term and is used for marriage only here. While some see this as an example of women being treated as chattel, it is more likely that the term is used because it is included in the context of the purchase of land. Leggett, *The Levirate and Goel Institutions in the Old Testament: With Special Attention to the Book of Ruth*, 222–30; Frederic William Bush, *Ruth, Esther*, Word Biblical Commentary 9 (Waco, Tex.: Word Books, 1996), 217–21; David W. Weiss, "The Use of Qnh in Connection with Marriage," *HTR* 57 (1964): 244–48.

[28] Westbrook, *Property and the Family in Biblical Law*, 85–86.

marriage to be real marriage.[29] The Sadducees stated that all seven brothers had the woman as their wife (Matt 22:23; Mark 12:23; Luke 20:27), and if the last six marriages were not full marriages then their moral dilemma evaporates completely.[30]

The Moral Dilemma Implied by Levirate Marriage

The purpose and moral intent of levirate marriage influences the nature of the clash between the Sadducees and Jesus. Without denying that levirate marriage did assist widows in its cultural context, yet this fact does not by itself explain the need for levirate marriage.[31] Even without levirate marriage widows could still be cared for by the family, by her father's family, or by gleaning in the fields if no family existed (Deut 24:17-21).[32] Rather, the purpose of levirate marriage is to perpetuate the name of the dead in his inheritance,[33] or in other words to produce

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[29] Josephus, *Ant.* 4.254; m. Yebam. 4:4; 6:1; Ruth 4:10, 13. See also Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 67–68.

[30] Mark and Luke have οἱ γὰρ ἑπτὰ ἔσχον αὐτὴν γυναῖκα, Matthew has πάντες γὰρ ἔσχον αὐτήν. The meaning is clearly the same in each case.

[31] The social status of widows could be classified depending on the family members who could provide them support. A widow without any support was the most pitiful kind. Better off was a widow with family, and better still those with children. All had provisions in the law to provide for them.Naomi A. Steinberg, "Romancing the Widow: The Economic Distinctions between the 'Almānâ, the 'Iššâ-'Almānâ and the 'Ēšet-Hammēt," in *God's Word for Our World*, ed. J. Harold Ellens and Simon J. De Vries (New York: T & T Clark, 2004), 327–46.

[32] It has been suggested that a widow would not be welcomed in her father's household again, as this is the case in some cultures. But Tamar and Orpah both returned to theirs, as could the widowed daughter of a priest (Gen 38:11; Ruth 1:8; Lev 22:13). Further, it is odd that Ruth would be commended for not returning to her father's house if she could not have done this anyway (Ruth 1:8-12; 3:10).Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 161; Naomi A. Steinberg, *Kinship and Marriage in Genesis: A Household Economics Perspective* (Minneapolis: Fortress Press, 1993), 5–34; Westbrook, *Property and the Family in Biblical Law*, 58–67.

[33] Cook believes that the reason the unnamed relative in Ruth did not want to perform the marriage is because it would threaten his own happiness in the afterlife (Ruth 4:6). Cook points out the great importance a family burial was (2 Sam 17:23; 19:37; 21:14; 1 Kgs 13:22), and not to have a proper burial was a great curse (2 Kgs 9:10; Jer 8:2; 16:4; 22:19; 25:33). In parallel with African ancestor-worship practices, he would understand Ruth 2:20 as a reference to the "living dead" or those who have died recently enough to still be remembered. But he admits his understanding of Sheol goes against mainstream scholarship. Blessing in the afterlife is not tied to memory but to righteousness. While ancestor worship did exist in Monarchial Israel, this should be seen as an aberrant form of worship (Deut 18:11). Ruth 2:20 is dual reference to the dead family of Elimelech and the living widows. Stephen L. Cook, "Death, Kinship, and Community: Afterlife and the חסד Ideal in Israel," in *The Family in Life and in Death: The Family in Ancient Israel: Sociological and Archaeological Perspectives*, ed. Patricia Dutcher-Walls (New York: T & T Clark, 2009), 110–116; Elizabeth Bloch-Smith, "The Cult of the Dead in Judah: Interpreting the Material

an heir (Gen 38:8; Ruth 4:10; Deut 25:5-7; Matt 22:24; Mark 12:18; Luke 20:28).[34] Yet in both

narrative examples the child born by levirate marriage was not reckoned as the son of the dead

man, but of the levir (Gen 46:12; 1 Chron 2:4; Ruth 4:12; Matt 1:3; Luke 3:33; Ruth 4:21).[35]

Thus producing an heir does not imply a legal fiction that considers the child of levirate marriage

to be the son of the dead man. Rather, it means that the child becomes the legitimate heir of that

portion that would have gone to the dead brother. This solves the problem of a childless man

who dies before he can inherit his portion of the family estate. It also means that the performance

of levirate marriage is an act of financial sacrifice in textbook cases.[36] Because without that

child, the remaining portions of the family estate are larger, plus the levir must spend his own

resources to raise a child who will not inherit his estate like the other children, thus further

reducing the size of his own estate which he may pass on to his other children.

The need for an heir was especially important because of a couple of factors. First of all,

the ancestral estate was the inheritance of blessing from Yahweh as the ultimate owner of the

land.[37] To lose the estate was to lose Yahweh's blessing. Second, there was no process of

adoption or similar legal fiction that could secure an heir if one was lacking. Children raised in

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Remains," *JBL* 111 (1992): 213–24; R. Laird Harris, "The Meaning of the Word Sheol as Shown by Parallels in Poetic Texts," *BETS* 4 (1961): 129–35; Robin L. Routledge, "Death and Afterlife in the Old Testament," *Journal of European Baptist Studies* 9 (2008): 22–39; Basil A. Rebera, "Yahweh or Boaz: Ruth 2:20 Reconsidered," *BT* 36 (1985): 317–27; C. John Collins, "Ambiguity and Theology in Ruth: Ruth 1:21 and 2:20," *Presb* 19 (1993): 97–102.

[34] The concern for a name is the concern for having an heir when found in the context of producing children שֵׁם is also used as a descriptor of a person's fame (1 Sam 18:30; 2 Sam 7:9; 1 Kings 5:11; 2 Chron 26:8; Isa 56:5), but in contexts relating to producing an heir the chief issue is one of property and progeny (Isa 65:15; Deut 9:14; 2 Kgs 14:27; Ps 9:6; Josh 7:9; Zeph 1:4; Zech 13:2; 1 Sam 24:22). This is illustrated by the concern of the daughters of Zelophehad, and by the supposed problem of the woman of Tekoa (Num 27:4, 7; 2 Sam 14:7). Fn 67-68

[35] Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 57.

[36] Rabbinic tradition dictated that the purpose of levirate marriage was to enable the man to fulfill the command to procreate. This actually had the effect of eliminating concern for the dead man's legacy as a primary motivation. Yet in all three texts concern for the legacy of the dead is directly stated as a primary concern (Gen 38:8; Deut 25:6-7; Ruth 4:10). See m. Yebam. 6:6; Ibid., 208–09; Blu Greenberg, "Marriage in the Jewish Tradition," *JES* 22 (1985): 7.

[37] Leggett, *The Levirate and Goel Institutions in the Old Testament: With Special Attention to the Book of Ruth*, 83–107.

another person's home remained the child of their biological parents (Gen 15:20; 1 Sam 2:32-36; 1 Kgs 2:27; Esther 2:7).[38] When a child was considered adopted, it was in all cases related to the adoptive parent (Judges 11:2, 7-8; Gen 48:5).[39] Levirate marriage was one of a cluster of laws designed to solve cases where there was no male heir or no property.[40] Daughter-inheritance, inheritance by a close relative, and redemption of property lost were other ways of reconnecting the heir with his rightful estate.

The method of producing an heir through levirate marriage might suggest incest to some. Indeed, a brother's wife was normally within the forbidden degrees of kinship (Lev 18:16; 20:21; c.f. Matt 14:3-4).[41] The Rabbinic solution was to limit the incest command to a widow with children, and to limit the levirate command to a widow without children. For them death did not end the prohibition against marrying a brother's wife.[42] Something like this must have underlaid the Sadducees' scenario, or their situation loses its moral dilemma. But since death does end

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[38] During Israel's monarchial age, as in any time, children were sometimes abandoned, then found and raised by others. But these children were never reckoned as the children of those who raised them, but rather were declared to be of uncertain parentage. In Rabbinic times to raise orphans as one's own children merited praise to the guardian "as if he had sired him," but were still not considered the children of the ones who raised them. b. Meg. 13a; b. Sanh. 19b. Ken M. Campbell, *Marriage and Family in the Biblical World* (Downers Grove, Ill.: InterVarsity Press, 2003), 16–21; Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 232.

[39] Feigin also cites Ezra 10:44 because of the use of שִׂים instead of the usual word for begetting. This is quite a slender piece of evidence, and most likely the children in Ezra's passage were actually the biological sons of the men listed. Psalm 2:7 resembles an adoption formula, but it is Yahweh speaking to the Messiah, and not adoption as is usually understood. For all these as well as the suggestion that Jephtha was adopted see Samuel I. Feigin, "Some Cases of Adoption in Israel," *JBL* 50 (1931): 186–200.

[40] Women did not normally inherit property. Daughter-inheritance was more about passing on their inheritance to the daughter's male heirs. This is why daughters who inherited must marry within the clan (Num 36:6-7). Naomi was listed as the seller of her husband's property because she was the oldest member of the ancestral family, but she probably did not own it (Ruth 4:5). Ruth had to glean from the field of others to survive, and Elimelech would not have left his ancestral estate without exhausting all sources of income. The Shunnamite woman appeals for her property, but her husband was probably dead and her son the heir apparent still too young to appeal himself (2 Kgs 8:1-6). Herbert Chanan Brichto, "Kin, Cult, Land and Afterlife: A Biblical Complex," *HUCA* 44 (1973): 12–14; Mark Roncace, "Elisha and the Woman of Shunem: 2 Kings 4.8-37 and 8:1-6 Read in Conjunction," *JSOT*, no. 91 (2000): 121–25. Contra Millar Burrows, "The Marriage of Boaz and Ruth," *JBL* 59 (1940): 446–49; Thompson and Thompson, "Some Legal Problems in the Book of Ruth," 97.

[41] Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 89.

[42] b. Yebam. 55a.

marriage, there is no contradiction between the incest and levirate laws, so there is no need to artificially limit either command.[43]

Many feminists believe that levirate marriage is wrong, so they believe that Jesus must be criticizing levirate marriage itself. However, this overlooks the magnitude of the primary moral dilemma foisted upon Jesus. The Sadducees do not bring up a small question of paternity, or a way of enforcing a then undisputed male authority, but an apparent contradiction between Jesus' teaching and the Law of God. The Sadducees' case highlights the moral problem most acutely, but the moral problem is not resolved simply by ending levirate marriage. Also, a comparison of the law of levirate marriage with divorce suggests that the former is morally upright whereas the latter is a moral concession to hard hearts.[44] Divorce is carefully regulated, and there is no penalty for failing to do so (Deut 24:1-4). Levirate marriage is required, and there is a slight penalty for failing to perform it (Deut 25:7-10). Thus while Jesus did criticize divorce as a moral concession to hard hearts (Matt 19:8), to criticize levirate marriage would place his teaching at variance with the Old Testament.[45]

The Sadducees scenario was intended to create a maximally difficult moral dilemma that is intensely practical despite also being ridiculously improbable (Matt 22:25-28; Mark 12:20-23;

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[43] If death does not end marriage, then any widow who remarried would automatically become an adultress (Rom 7:3). Thiessen, "A Buried Pentateuchal Allusion to the Resurrection in Mark 12:25," 273–77; Bradley R. Trick, "Death, Covenants, and the Proof of Resurrection in Mark 12:18-27," *NovT* 49 (2007): 241–44.

[44] The Rabbis at some point became uncomfortable with the levir wishing to marry his dead brother's wife because of attraction. But levirate marriage encouraged family loyalty, and was a sacrificial act on behalf of the dead. See Weisberg for differences in Rabbinic perspective on levirate marriage. b. Yebam. 39b. Michael D. Matlock, "Obeying the First Part of the Tenth Commandment: Applications from the Levirate Marriage Law," *JSOT* 31 (2007): 295–310; Weisberg, *Levirate Marriage and the Family in Ancient Judaism*, 69–71.

[45] Elisabeth Schüssler Fiorenza, *In Memory of Her: A Feminist Theological Reconstruction of Christian Origins* (New York: Crossroad, 1994), 143–45; Ben Witherington, *Women in the Ministry of Jesus: A Study of Jesus' Attitudes to Women and Their Roles as Reflected in His Earthly Life*, Society for New Testament Studies Monograph Series 51 (Cambridge [Cambridgeshire]; New York: Cambridge University Press, 1984), 33–35; Witherington, *The Gospel of Mark: A Socio-Rhetorical Commentary*, 328; William E Phipps, "Jesus on Marriage and the Afterlife," *ChrCent* 102 (1985): 327–28.

Luke 20:29-33).[46] The most important assumption of this scenario was that existing marriages

continue in the resurrection. This assumption creates a moral conflict in all cases of legitimate

remarriage, as upon rising from the dead the remarried persons would be forced into a

polygamous, polyandrous, or group marital arrangement. This also prevents a narrow answer

purely on levirate marriage from being satisfactory, as solving the problem with levirate

marriage does not explain other instances of remarriage in the resurrection.

But while a moral dilemma would exist in the resurrection for any remarriage, the

greatest moral dilemma would be in levirate marriage.[47] Polygamy was considered morally

acceptable, though it was not commonly practiced.[48] Polygamy was regulated in the law (Exod

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[46] There are two suggestions for literary allusions to the Sadducees' question. 2 Maccabees 7 is the martyrdom of seven brothers in which their mother and the brothers themselves base their hope of justice on the resurrection. Tobit gives the fable of a woman who had eight husbands because she was afflicted by a demon who killed the first seven on their wedding nights before she was finally able to marry Tobias son of Tobit (Tobit 3:8-9; 6:13-15; 7:1). Neither of these accounts is precisely like the Sadducees' problem. Maccabees does not mention marriage, and in Tobit the first seven are unable to consummate the marriage while Tobias has seven sons with her (Tobit 14:3). Whether these ideas formed some basis of their hypothesis is impossible to determine, but a substantial allusion to either of these stories can be disregarded. Thus the Sadducees' scenario is purely hypothetical. For arguments that one of these passages forms the basis for the Sadducees' argument see Peter Bolt, "What Were the Sadducees Reading? An Enquiry into the Literary Background of Mark 12:18-23," *TynBul* 45 (1994): 369–94; Craig A. Evans, *Mark 8:27-16:20*, Word Biblical Commentary 34b (Nashville: Thomas Nelson Publishers, 2001), 251–52. For the argument that the Sadducees' scenario was purely hypothetical see Robert Horton Gundry, *Mark: A Commentary on His Apology for the Cross* (Grand Rapids Mich.: Eerdmans, 1994), 701; Hugh Anderson, *The Gospel of Mark*, New Century Bible Commentary (London: Oliphants, 1976), 276.

[47] R. T. France, *The Gospel of Matthew*, New International Commentary on the New Testament (Grand Rapids, Mich.: Eerdmans, 2007), 838.

[48] In Scripture the only recorded polygamous marriages among private citizens were Elkanah (1 Sam 1:2) and Lamech (Gen 4:19). From the early second century AD has surfaced the example of Babatha, a young widow who became the second wife of Judah Khthusion. Polygamy cannot become too widely practiced in any society without creating a chronic shortage of women. Polygamy is part of the religion in the fundamentalist splinter group of the Latter Day Saints. This creates a chronic shortage of women, so to ease this shortage young men are systematically excluded. Yet only moral scruples will create a blanket prohibition against polygamy. It is the obvious solution to childlessness and to the fact that in most societies women are slightly more numerous than men. In cases where there is an extreme shortage of men women may even consider polygamy preferable to inevitable celibacy (Isa 4:1). Brian Mackert, *Illegitimate: How a Loving God Rescued a Son of Polygamy* (Colorado Springs, CO: David C. Cook, 2008), 121–22; David Instone-Brewer, *Divorce and Remarriage in the Bible: The Social and Literary Context* (Grand Rapids, Mich.: Eerdmans, 2002), 136–41; Pamela S. Mann, "Toward a Biblical Understanding of Polygamy," *Missiology* 17 (1989): 11–26.

21:10; Deut 17:17; 21:15; Lev 18:18),[49] so Jewish culture generally considered it morally

acceptable.[50] Polyandry, however was totally unknown in the ancient near East, and was clearly

forbidden in the Law (Lev 20:10).[51] Since all seven men were brothers, their scrupulous

faithfulness to the Law forced them into a state not just of polyandry, but of incest.[52] Because

they ended up in this quandary because of levirate marriage, their marriage was not a matter of

choice but of faithfulness to obey the law. The Talmud limits remarriage to the same woman to

two or three, so to progress all the way to seven would have been a remarkable demonstration of

piety to the most minute aspects of the law.[53] Thus on the Sadducees' thinking the very sort of

people most likely to enjoy the resurrection are also the most likely to have this kind of dilemma.

Therefore the Sadducees' question was specifically designed to force a contradiction

between Jesus' teaching on the resurrection and the demands of the Law. Since they did not

believe in a resurrection, their inquiry is clearly an insincere attempt to embarrass Jesus in front

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[49] The fact of the regulation of polygamy easily suggests that it was given by permission rather than being a morally prescribed social arrangement. However, to religious authorities capable of devising the moral dilemma now under discussion this fact alone would be unlikely to create a moral conflict. Some suggest that Leviticus 18:18 is a direct prohibition of polygamy, rather than a restriction from marrying sisters. John Murray, "Appendix B: Additional Note on Leviticus 18:16, 18," in *Principles of Conduct: Aspects of Biblical Ethics* (Grand Rapids, Mich.: Eerdmans, 1957), 250–56; Angelo Tosato, "The Law of Leviticus 18:18: A Reexamination," *CBQ* 46 (1984): 199–214; Gordon J. Wenham, *The Book of Leviticus*, New International Commentary on the Old Testament (Grand Rapids, Mich.: Eerdmans, 1979), 258.

[50] Among the Jews only the Qumran community considered polygamy to be forbidden. They reasoned that since sisters may not be included in a polygamous relationship (Lev 18:18) and all Israelite women are sisters, that therefore a man may not take multiple wives. They also observed that the animals were taken on to the Ark two by two, therefore making monogamy a part of the created order (Gen 7:9). See CD 4:19-5:5; Josephus *Ant.* 17.14; Justin Martyr, *Dial.* 134. See also Instone-Brewer, *Divorce and Remarriage in the Bible: The Social and Literary Context*, 136–46.

[51] For a description of real polyandry see Stuart Alfred Queen and Robert Wesley Habenstein, "The Polyandrous Toda Family," in *The Family in Various Cultures* (Philadelphia: Lippincott, 1967), 18–44. Real instances of polyandry are closer to a group marriage arrangement than the kind of ratio suggested by the Sadducees. In cultures where there are few women available, sharing those few women among multiple brothers becomes a way of solving the practical problem created by the lack of available women. Despite the amoral evolutionary stance of the authors, they note that if the male to female ratio were more equal in the Toda culture, even the Toda would most likely change to a monogamous family arrangement.

[52] Schüssler Fiorenza, *In Memory of Her: A Feminist Theological Reconstruction of Christian Origins*, 144.

[53] B. Yebam. 64b

of the crowds. Levirate marriage was the perfect device to accomplish this goal. It was less well known than other points of the law, so would be less likely for someone to have already thought about the answer. It was a clear moral requirement in the law, so it could not be sidestepped by criticizing the practice itself. Their scenario was the most morally difficult case of the larger problem of marriage in the resurrection, because it created an apparent problem of incest due to exceptional piety to obey the finest points of the law.

Conclusions on Marriage from Jesus' Answer

One does not need to know the rest of the story to have some idea of what happened next. Though the Sadducees' scenario was crafted by some of the most brilliant theological minds of their day, no device against the Son of God could possibly be successful. Yet we should not expect Jesus' answer to be a complete solution to the problem of marriage in the resurrection. Jesus was not trying to paint a clear picture of resurrected life to sincere inquirers; rather he was brushing aside their intellectual smokescreen to focus on the real problem, their lack of faith in the resurrection. Due to the cursory nature of Jesus' answer, his statement is mostly negative, a denial of what resurrected life is not instead of a description of what it is. More could have been said if he had been speaking to believers instead of unbelievers. Nevertheless, four conclusions about resurrected life can be developed from Jesus' answer.

The Institution of Marriage Ceases in the Resurrection

The most important conclusion has to do with fate of the institution of marriage. A number of suggestions have been made about what Jesus' answer means for marriage in the resurrection. One alternative is to limit the institution of marriage to existing ones, while no new marriages are formed. The wording of Jesus' answer does allow for this, since Jesus denies that

marriages are contracted in the resurrection, instead of stating that there is no marriage.[54] Since

resurrection necessarily involves the restoration of a body, marriage is not physically impossible

as it would be during the intermediate state.[55] Since resurrected believers do not die and marriage

is for life, any existing marriages would continue without end, therefore if resurrected believers

retained their existing marriages they would never remarry. As attractive as this alternative may

be it is contextually and theologically problematic. The Sadducees' scenario was not about

contracting new marriages, it was about seven existing ones. Jesus could not have silenced the

Sadducees without answering their question, so his answer must predict the end of the institution

of marriage itself. Furthermore, this alternative leaves the question of regular remarriage in the

resurrection unanswered.[56] Remarriage after the death of a spouse is fully permissible (Rom 7:1-

3), so unless the resurrection makes all marriages irrelevant, the Sadducees' dilemma becomes a

very practical question.[57]

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[54] Mark David Walton, "Relationships and Roles in the New Creation," *JBMW* 11 (2006): 7n14.

[55] Assuming that the believer does not possess some kind of temporary body during the intermediate state. Since death itself ends the marital relationship, no moral dilemma need be implied by the woman having seven husbands before she died. However, Jesus chooses to deny the process of marrying rather than declaring the end of existing marriages. Thus Jesus still answers the objection by declaring the end of marriage in the resurrection. Thiessen, Davies, and Allison believe that the assumption of no marriage in the resurrection is tied to a belief that people become like angels who are in turn like astral bodies (Dan 12:1-2). Thiessen's survey of intertestamental literature to this effect is quite extensive. When Daniel records that the righteous will shine like the stars, it is possible he is speaking more than simply in metaphor. However, this can only explain the end of marriage if the angelic transformation describes more than a glorious appearance but actually indicates literal or practical incorporality. This is much too close to a denial of the bodily resurrection to be a reasonable possibility. Thiessen, "A Buried Pentateuchal Allusion to the Resurrection in Mark 12:25," 282–90; Davies and Allison, *Matthew*, 3:229–30; Witherington, *Women in the Ministry of Jesus: A Study of Jesus' Attitudes to Women and Their Roles as Reflected in His Earthly Life*, 33–35; Witherington, *The Gospel of Mark: A Socio-Rhetorical Commentary*, 327–28.

[56] For scholars who believe that Jesus was criticizing the institution of levirate marriage as such, the moral dilemma is lessened. If levirate marriage is morally aberrant, then the six later brothers were not married to the woman anyway, thus leaving the first brother to resume his lawful marriage with his wife. However, this does not solve the question of regular remarriage, where both marriages are unquestionably lawful. Robert H. Stein, *Mark*, Baker Exegetical Commentary on the New Testament 2 (Grand Rapids, Mich.: Baker Academic, 2008), 554; Ulrich Luz, *Matthew 21-28*, trans. James E. Crouch, Hermenia (Philadelphia, Pa.: Fortress, 2005), 71n19.

[57] Walton observes that since remarriage is permissible and polygamy is not (2:14-15; Matt 19:4-5; Lev 18:18; 1 Tim 3:2, 12; Tit 1:6), there must not be marriage in heaven. He is correct that polygamy is not morally acceptable, however an even stronger case can be made by observing that polyandry is nowhere even permitted in Scripture and

Kilgallen limits Jesus' answer to levirate marriage specifically.[58] The context of levirate marriage does allow for such an understanding. He observes that Luke mentions that the woman died also (Luke 20:32), which is unnecessary to the primary issue unless the real issue was the production of an heir. If Kilgallen were correct then Jesus' answer to the Sadducees leaves the general question of marriage in the resurrection unanswered, potentially leaving room for new marriages in the resurrection. Those who had good marriages to one believing spouse could remarry them, while those in undesirable situations or who had multiple spouses could fix the difficulty. However the context argues against this interpretation. Kilgallen has chosen to focus specifically on Luke, who is quite clear that the institution of marriage ends (Luke 20:34-35). The parallel phrases comparing the practices of the sons of this age with those worthy of that age state as clearly as could be that the institution of marriage itself has ceased for resurrected persons. Secondly, the Sadducees' question itself argues against Kilgallen's interpretation. They do not ask about producing an heir but about marriage. Third, Kilgallen overlooks the deeper moral dilemma in favor of a comparatively minor one. Forcing Jesus to admit a contradiction between the Law and his own teachings would have served to discredit him much more than an academic discussion about who would produce an heir during a hypothetical resurrection that they do not think will happen anyway.

Therefore Jesus does predict the end of marriage as an institution in the resurrection.[59] He does not spend a great deal of time explaining why this state of affairs will exist and why it is

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is specifically condemned. Either way remarriage in general makes the institution of marriage morally impossible in the resurrection. Walton, "Relationships and Roles in the New Creation," 7n14.

[58] John J. Kilgallen, "The Sadducees and Resurrection from the Dead: Luke 20:27-40," *Bib* 67 (1986): 478–95.

[59] For theological conclusions on the end of marriage in the resurrection see Kevin L. Anderson, *"But God Raised Him from the Dead": The Theology of Jesus' Resurrection in Luke-Acts* (Waynesboro, GA: Paternoster, 2006), 132–36; Davies and Allison, *Matthew*, 3:230; John Grasmick, "Luke," in *The Bible Knowledge Commentary*, ed. John F. Walvoord and Roy B. Zuck (Wheaton, Ill.: Victor Books, 1983), 163; MacArthur, *The Glory of Heaven: The Truth*

good for humanity. As will be explained below, the elimination of death does provide part of the explanation, though this is not complete itself. But since God is good and only does good, this alone should be enough for us.

Sexual Differentiation Continues in the Resurrection

A second conclusion to draw from Jesus' answer is that sexual differentiation continues in the resurrection. Augustine rightly observes that Jesus denies marriage to resurrected persons in both the active and passive voices.[60] If gender ceases to exist it would have been the perfect time to say so (οὔτε ἄνθρωποι οὔτε γυναίκαι), but Jesus instead frames his answer in terms of the marriage customs of the day. This observation is confirmed theologically by the idea that sexuality is part of our identity and not just a convenient way to distinguish persons from each other, like height or hair color (Gen 1:27; 5:2).[61]

Resurrected Humans are like the Angels in being Immortal

The third conclusion derives from Jesus' observation that in the resurrection people will be "ὡς ἄγγελοι" (Matt 22:30; Mark 12:25) or "ἰσάγγελοι" (Luke 20:36). Since angels are spirit

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about Heaven, Angels, and Eternal Life, 135–38; Andreas J. Köstenberger and David W. Jones, *God, Marriage & Family: Rebuilding the Biblical Foundation*, 2nd ed. (Wheaton, Ill.: Crossway Books, 2010); Kenneth O. Gangel, "Toward a Biblical Theology of Marriage and Family," *Journal of Psychology & Theology* 5 (1977): 55–69, 150–62, 247–59, 318–31.

[60] Augustine, *City of God*, 22.17; Jerome, *Letter to Eustochium* 108.23. A few Western manuscripts of Luke add γεννῶνται καὶ γεννῶσιν to the description of the sons of this age. There is little doubt that this reading is not original, though it attests to an early interpreter's understanding that in the resurrection there is no procreation. Bruce Manning Metzger, *A Textual Commentary on the Greek New Testament* (Stuttgart; [S.l.]: Deutsche Bibelgesellschaft; United Bible Societies, 1994), 146; Luz, *Matthew 21-28*, 70–71; Witherington, *The Gospel of Mark: A Socio-Rhetorical Commentary*, 328.

[61] Paul King Jewett, *Man as Male and Female: A Study in Sexual Relationships from a Theological Point of View* (Grand Rapids: Eerdmans, 1975), 33–43. Contra Emil Brunner, *Dogmatics*, trans. Olive Wyon (Philadelphia: Westminster Press, 1952), 2:65.

beings, it would appear to logically follow that angels would be incapable of marriage.[62]

Therefore some suggest that this passage is teaching a spiritual resurrection.[63] Marriage would

become irrelevant for resurrected persons the same way it is irrelevant for angels. But a spiritual

resurrection is a contradiction in terms. A non-material rise from the dead is only the immortality

of the soul, not a resurrection. Since the bodily resurrection of the dead is a tenet of orthodoxy,

another point of comparison must be sought.[64]

A better comparison is that people are like angels in that they do not marry.[65] But this

leads to the question of why both angels and resurrected humans do not marry. The difference

between angelic and human nature implies that the comparison cannot be all-inclusive.[66] Though

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[62] Demons are calls spirits (Luke 8:2), and they are not flesh and blood (Eph 6:12). Angels are called ministering spirits (Heb 1:4). Millard J. Erickson, *Christian Theology* (Grand Rapids, Mich.: Baker Book House, 1983), 438–39; Rolland. McCune, *A Systematic Theology of Biblical Christianity*, vol. 1 (Allen Park, Mich.: Detroit Baptist Theological Seminary, 2009), 355.

[63] A defense of the bodily resurrection would unnecessarily lengthen the present work. See 2 Bar 51:10 "And they shall be made like angels, and be made equal to the stars." Collins believes that there were two conceptions of the resurrection in first-century Judaism. One was a bodily resurrection (2 Macc 7:11) and the other a spiritual or heavenly one (Daniel 12:1-3). The following authors believe that Jesus taught the latter. Davies and Allison have additional extra-biblical sources for a spiritual resurrection idea in the first century. Davies and Allison, *Matthew*, 3:229–30; Géza Vermès, *The Resurrection* (New York: Doubleday, 2008), 63–67; Joseph A. Fitzmyer, *The Gospel According to Luke*, Anchor Bible Commentary 28-28A (Garden City, N.Y.: Doubleday, 1981), 2:1305. In contrast see the careful analysis of Vermès in Mike Licona, *The Resurrection of Jesus: A New Historiographical Approach* (Downers Grove, Ill.: IVP Academic, 2010), 470–76.

[64] The literature on the bodily resurrection of Jesus is enormous. If the reader desires further study defending it see Anderson, *"But God Raised Him from the Dead": The Theology of Jesus' Resurrection in Luke-Acts*; Licona, *The Resurrection of Jesus: A New Historiographical Approach*; Grant R. Osborne, *The Resurrection Narratives: A Redactional Study* (Grand Rapids, Mich.: Baker Book House, 1984).

[65] Donald Alfred Hagner, *Matthew 14-28*, Word Biblical Commentary 33b (Dallas, Tex.: Word Books, 1995), 641; Murray J. Harris, "What Does the Phrase 'Like the Angels' Signify in Matthew 22:30; Mark 12:25; Luke 20:36?," in *From Grave to Glory: Resurrection in the New Testament: Including a Response to Norman L. Geisler*, ed. Murray J. Harris (Grand Rapids, Mich.: Academie Books, 1990), 395–97; Murray J. Harris, "The New Testament View of Life after Death," *Them* 11 (1986): 47–52.

[66] It would be presumptuous to conclude that angels are necessarily sexless beings. They are universally referred to in the masculine gender in Scripture. For example, the men of Sodom considered the angelic visitors so authentically male that they desired to rape them (Gen 19:1, 4-5). The only possible exception is Zechariah 5:9, where the prophet sees a vision involving women with wings. Given the ubiquity of describing angels as male, and the highly symbolic nature of Zechariah's vision, it is very unlikely that Zechariah's description is intended as a description of angels. For the perspective of intertestamental Judaism see Davies and Allison, *Matthew*, 3:229–30.

a tradition did exist that holy angels did not marry, the same cannot be said for all angels.[67] Until the mid-second century the universal opinion was that the "sons of God" in Genesis 6:1-4 were fallen angels who married human women.[68] Thus it was thought that the reason angels did not marry was not due to an incapacity for marriage, but that for some reason marriage was unnecessary or inappropriate for angels.

Part of the reason that marriage is unnecessary for both angels and resurrected humans is that they are both incapable of death. Levirate marriage was specifically instituted to solve the problem of dying childless, so is based on a fallen world where death is a reality.[69] Luke's language makes this especially clear (Luke 20:36).[70] He inserts the clause "οὐδὲ γὰρ ἀποθανεῖν ἔτι δύνανται" between the one that eliminates marriage in the resurrection and the one that compares resurrected humans with angels. The reason they cannot die is that they share an equal status with angels (ἰσάγγελοι).[71] Angels cannot die because they are spirit-beings for whom the separation of body and soul has no meaning. Resurrected humans cannot die because they will be so constituted by God as to enjoy eternal life.

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[67] 1 Enoch 15:7

[68] Fn 109, 110 See *1 Enoch* 6–19; 21; 86–88; 106:13–15, 17; *Jub.* 4:15, 22; 5:1; CD 2:17–19; 1QapGen 2:1; *Tg. Ps.-J. Gen.* 6:1–4; *T. Reub.* 5:6–7; *T. Napht.* 3:5; *2 Apoc. Bar.* 56:10–14. The correct interpretation of the Sons of God in Genesis 6 is irrelevant to this point. If most people assumed that angels are capable of marriage, then Jesus would not base his argument on assuming they could not. Richard J. Bauckham, *Jude, 2 Peter*, Word Biblical Commentary 50 (Waco, Tex.: Word Books, 1983), 51; Davies and Allison, *Matthew*, 3:229; Robert C. Newman, "The Ancient Exegesis of Genesis 6:2,4," *GTJ* 5 (1984): 13–36.

[69] Witherington, *The Gospel of Mark: A Socio-Rhetorical Commentary*, 328.

[70] I. Howard Marshall, *The Gospel of Luke: A Commentary on the Greek Text*, New International Greek Testament Commentary (Grand Rapids: Eerdmans, 1978), 741.

[71] In other respects the resurrected ones will enjoy greater status than the angels. Believers will judge the angels. But in terms of lifespan obviously the highest status possible for created beings is immortality. (1 Cor 6:3)

Mortal beings need an heir to replace their role on earth and provide a legacy after death. Eliminating death eliminates this purpose of marriage.[72] Since levirate marriage was then under discussion, deathlessness solves the very purpose most relevant to the topic at hand. Other purposes for marriage do exist, but deathlessness solves the most pressing issue raised by levirate marriage.

<div align="center">An Answer to the Sadducees' Dilemma Exists in the Old Testament</div>

A final conclusion from Jesus' answer is that the Sadducees' dilemma is answerable from the Old Testament.[73] Jesus condemned the Sadducees for not knowing the Scriptures (Mark 12:23: Matt 22:29). If he had based his answer solely on new revelation, then the Sadducees could not have had enough knowledge to be blamed for their ignorance. Clearly this is true for their denial of the resurrection, but it is also true for their scenario.[74] Both Matthew and Mark use γὰρ to connect Jesus condemnation with his assertion that resurrected humans do not marry, but present Jesus' defense of the resurrection as a new subject (περὶ δε τῶν νεκρῶν). This may only mean that the Sadducees should have figured out that death ends the marriage relationship and therefore there was no moral dilemma to begin with. Nevertheless, some answer to the Sadducees' question is found in the Old Testament.

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[72] Hagner and Wright recognize the incompleteness of arguing that the reason for the cessation of the institution of marriage is immortality. Wright believes he sees a contradiction between Genesis two and Jesus' answer to the Sadducees. Marriage was instituted before death, but Luke assumes that marriage is an institution given to solve the problem that people die. The contradiction evaporates if it is not assumed that deathlessness is the sole reason that marriage ends in the resurrection. Hagner, *Matthew 14-28*, 641; N. T. Wright, *The Resurrection of the Son of God* (Minneapolis, Minn.: Fortress, 2003), 423n79.

[73] Contra Joel Marcus, *Mark 8-16*, Anchor Bible Commentaries 27A (New Haven, Conn.: Yale Univ Pr, 2000), 828; Downing, "The Resurrection of the Dead: Jesus and Philo," 45; Hagner, *Matthew 14-28*, 641.

[74] Anderson, *The Gospel of Mark*, 278; Trick, "Death, Covenants, and the Proof of Resurrection in Mark 12:18-27"; Thiessen, "A Buried Pentateuchal Allusion to the Resurrection in Mark 12:25," 274–77.

Conclusion

The Sadducees' question was crafted for maximum moral dissonance. They were aiming to force a moral contradiction between Jesus' teaching and the law of God, thereby discrediting him before the people. They selected the resurrection because they believed it to be contrary to God's law. The broader issue of remarriage in the resurrection seemed to them to be morally incompatible with the Law. Their specific scenario was built to intensify this moral contradiction to the highest degree. Levirate marriage mandated that brothers marry their brother's wife. Seven brothers would create greater moral dissonance than two. Efforts to produce an heir fail so that each brother's claim on the woman would be equal. Since levirate marriage is a full marriage, each brother was just as lawfully married as the others. So many brothers each faithfully carrying out the duty of a levir would assume very pious brothers most likely to participate in the resurrection. In the resurrection all of the brothers would be forced unwillingly into incest brought on by their scrupulous faithfulness to obey the Law.

Jesus' answer is very terse, since a discussion about the nature of resurrected life is fruitless with those who do not believe in a resurrection anyway. Still, four conclusions are possible from his answer. First, the institution of marriage ceases in the resurrection. Second, sexual differentiation remains for resurrected men and women. Third, one reason for the cessation of marriage is that people become like the angels in being immortal. Fourth, some portion of the Sadducees' dilemma is answerable from the Old Testament.

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