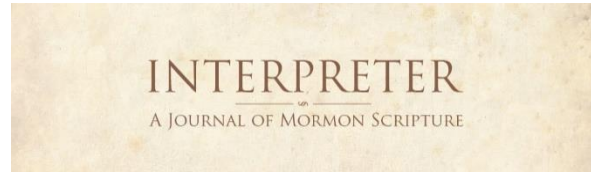




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Understanding Jacob's Teachings about Plural Marriage from a Law of Moses Context

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UNDERSTANDING JACOB'S TEACHINGS ABOUT PLURAL MARRIAGE FROM A LAW OF MOSES CONTEXT

Brian J. Baird

Abstract: This paper reviews the Book of Mormon prophet Jacob's proscription against plural marriage, arguing that the verses in Jacob 24–30 should be interpreted in a Law of Moses context regarding levirate marriage, by which a man was responsible for marrying his dead brother's wife if that brother died before having an heir. I also review how these verses have been used in arguments for and against plural marriage, and how levirate marriage practices worked in Mosaic tradition.

In the Book of Jacob in the Book of Mormon, Jacob preaches to the people following the death of his brother Nephi. He is “weighed down” (Jacob 2:3) on this occasion because of the serious topics he has to address. He then preaches about the seeking of riches (Jacob 2:12–19) and marrying multiple wives (Jacob 2:23–35).

Throughout the history of the LDS Church, the verses in Jacob 2:24–30 have received much attention relating to the topic of plural marriage. These verses have been cited by both critics and apologists of the Church's nineteenth-century plural marriage practices.¹ Part of this reason is that these verses both strongly condemn plural marriage and at the same time clearly open the door for the practice:

24 Behold, David and Solomon truly *had many wives and concubines, which thing was abominable before me*, saith the Lord.

1. A good general overview of arguments made by both sides on LDS plural marriage practices can be found in the Fair Mormon website article “Mormonism and Polygamy,” http://en.fairmormon.org/Mormonism_and_polygamy.

25 Wherefore, thus saith the Lord, I have led this people forth out of the land of Jerusalem, by the power of mine arm, that I might raise up unto me a righteous branch from the fruit of the loins of Joseph.

26 Wherefore, I the Lord God will not suffer that this people shall do like unto them of old.

27 Wherefore, my brethren, hear me, and hearken to the word of the Lord: ***For there shall not any man among you have save it be one wife;*** and concubines he shall have none;

28 For I, the Lord God, delight in the chastity of women. And whoredoms are an abomination before me; thus saith the Lord of Hosts.

29 Wherefore, this people shall keep my commandments, saith the Lord of Hosts, or cursed be the land for their sakes.

30 ***For if I will, saith the Lord of Hosts, raise up seed unto me, I will command my people;*** otherwise they shall hearken unto these things. (Jacob 2:24–30)

Critics cite verses 24–27 along with D&C 132:38 as evidence that Joseph Smith taught against plural marriage and then changed his mind. They point out that at first he condemned David and Solomon’s plural marriages and then condoned them. By contrast, apologists cite verse 30 in conjunction with D&C 132, arguing that the Lord *did* command his people to begin practicing plural marriage.

So much attention has been focused on these verses regarding the LDS practices of plural marriage that Jacob’s real intentions may have been missed. This paper examines Jacob’s teachings on plural marriage in the context of the Law of Moses rather than how they may apply to nineteenth-century Mormon doctrine.

Jacob’s Impact on the Modern Plural-Marriage Discussion

My intent is not an exhaustive investigation on how Jacob 2 has been used to argue for or against plural marriage in The Church of Jesus Christ of Latter-day Saints, but since that has been such a major use of these verses, a quick look at the arguments is necessary. The Church officially announced publicly its practice of plural marriage on 29 August 1852 in an address delivered by Orson Pratt.² In this first address, Elder Pratt

2. Orson Pratt, “Celestial Marriage,” *Journal of Discourses*, 1:53–66. The *Journal of Discourses* can be found multiple places online; one representative site

laid out many arguments for the practice of plural marriage and gave the reason God had revealed this practice by citing the Lord's words:

I have here in reserve noble spirits, that have been waiting for thousands of years, to come forth in the fullness of times, and which I designed should come forth through these my faithful and chosen servants, for I knew they will do my will, and they will teach their children after them to do it.³

This argument — that the Lord is using plural marriage as a tool to bring forth his noble spirits into homes where they could be taught the gospel — has often been used by apologists to the present day. An article on the Church's official website, entitled "Plural Marriage in the Church of Jesus Christ of Latter-day Saints,"⁴ quotes Jacob 2:30 directly: "The Book of Mormon identifies one reason for God to command it: to increase the number of children born in the gospel covenant in order to "raise up seed unto [the Lord]."

Likewise, critics have long made use of Jacob 2 to argue *against* the practice of plural marriage, claiming the Church changed its beliefs about the practice. The critics make two main arguments: first, that the Church was *against* plural marriage as proscribed by Jacob 2, and second, that the Church then was *for* plural marriage, as explained in D&C 132. Most members of the Church believe the Book of Mormon is a translated record of the Nephites that testifies of their faith in Christ.⁵ Yet it was never intended as a handbook of how the modern Church should operate any more than the Bible does. That is why most apologists quote the Jacob verses in a context of Nephite practices.⁶

Critics also point out how Jacob strongly condemned David and Solomon for having multiple wives: "Behold, David and Solomon truly had many wives and concubines, which thing was abominable before

for this discourse is found at http://en.fairmormon.org/Journal_of_Discourses/1/9.

3. Ibid., 1:63.

4. <https://www.lds.org/topics/plural-marriage-in-the-church-of-jesus-christ-of-latter-day-saints?lang=eng>.

5. For this reason in 1982 the Church added a subtitle (*Another Testament of Jesus Christ*) to the Book of Mormon.

6. For example, Henry W. Naisbitt taught in 1885, "The Book of Mormon expressly declares that it was necessary in the first colonization of this country that marriage should be monogamic, because the sexes were equal, and the people realized that marriage was an indispensable thing to both man and woman; but there is also indication that necessity would give final enlargement to this practical question." Henry W. Naisbitt, *Journal of Discourses*, 26:122, http://en.fairmormon.org/Journal_of_Discourses/26/13.

me, saith the Lord” (Jacob 2:24). There is no ambivalence here: it is a strong condemnation of their practice, and it was a practice that Moses warned the Israelites about before they crossed the Jordan River into the Promised Land. He said that when they established themselves, they would want a king, and he warned them to choose a righteous king. Also “Neither shall he multiply wives to himself, that his heart turn not away: neither shall he greatly multiply to himself silver and gold” (Deuteronomy 17:17). Moses’s warning was not meant to condemn all plural marriage and all wealth; he warned against excess. It was a warning to the people that their kings should not have an excessive number of wives, particularly marriages made to foreign women as a way to strengthen alliances with other kingdoms.⁷

Jacob, in his sermon to his people, warned the Nephites against both of these same risks of corruption caused by excess and cited David and Solomon as examples. While Moses was vague about what *multiply* meant in his address to the Israelites, Jacob was very specific in proscribing the general practice of plural marriage among his people.

The Doctrine and Covenants clarifies that having plural wives, when done in accordance with the Lord’s principles, is not the problem. When those principles are not followed, the problems occur, and as with Jacob, the Lord also uses David and Solomon as examples:

David also received many wives and concubines, and also Solomon and Moses my servants, as also many others of my servants, from the beginning of creation until this time; and in nothing did they sin save in those things which they received not of me. David’s wives and concubines were given unto him of me, by the hand of Nathan, my servant, and others of the prophets who had the keys of this power; and in none of these things did he sin against me save in the case of Uriah and his wife; and, therefore he hath fallen from his exaltation, and received his portion; and he shall not inherit them out of the world, for I gave them unto another, saith the Lord. (D&C 132:38–39)

Again, the conflict between the Book of Mormon and the Doctrine and Covenants advanced by the critics does not hold up to careful scrutiny. Over the years, both critics and apologists have spoken and

7. Solomon is a perfect example of what Moses meant in his warning when the Lord condemned the number of his marriages — particularly those to foreign women. See 1 Kings 11.

written in great detail about plural marriage, citing these verses from Jacob, and generally that is where the discussion of Jacob 2 ends. Critics continue to point out what they perceive to be inconsistency/hypocrisy, and apologists continue to clarify this misunderstanding.

The interpretations presented by most apologists and Church members for Jacob 2 are valid, but we probably miss what Jacob is really writing about when he says of plural marriage, “For if I will, saith the Lord of Hosts, raise up seed unto me, I will command my people” (Jacob 2:30). Let us consider that Jacob does not address simply a population issue, but more importantly an inheritance issue.

Levirate Marriage

The term *levirate* comes from the Latin *levir*, meaning “husband’s brother,” and describes a common practice in the Middle East where strong clan relations require a way for widows to be cared for and family lines to be continued.⁸ The practice is detailed in the Law of Moses as follows:

If brethren dwell together, and one of them die, and have no child, the wife of the dead shall not marry without unto a stranger: her husband’s brother shall go in unto her, and take her to him to wife, and perform the duty of an husband’s brother unto her. And it shall be, *that* the firstborn which she beareth shall succeed in the name of his brother *which is* dead, that his name be not put out of Israel. (Deuteronomy 25:5–6)

This is the way the law worked: if a man died without having a male heir (the KJV translates it as “child,” but in Hebrew it is “son”), then his brother must marry the widow and take care of her. Also, the first son that she bears will be considered the son of the dead brother and heir to his estate. The law provides security for both the widow and the continuation of the family line and property rights of the dead man.

This practice predates the Law of Moses and was practiced by the sons of Jacob, as is recorded in Genesis 38. We read that Judah had three sons. The first son died because he was wicked and the Lord “slew him” (Genesis 38:7). Judah instructed his second son, Onan, to “go in unto thy brother’s wife, and marry her, and raise up seed to thy brother” (Genesis 38:8). Thus we see that levirate marriage was a custom among

8. Numerous scholarly articles and monographs have been written on this subject. Dvora E. Weisberg presents a good overview of this practice in her book *Levirate Marriage and the Family in Ancient Judaism*. Hanover, US: Brandeis, 2009.

the House of Israel before the Israelites went into Egypt. Onan seemed more than willing to have sexual relations with Tamar, his brother's wife but was unwilling, for reasons unexplained, to impregnate her, so the Lord "slew him also" (Genesis 38:9–10). The third son, Shelah, was too young to fulfill the levirate obligation, so Judah instructed Tamar to go live with her own family until "my son be grown" (Genesis 38:11).

At this point, Judah was worried that Shelah, too, might die if he married Tamar, so he did not honor the tradition, and Tamar used subterfuge to get herself an heir (twins in this case) and to shame Judah for failing to honor this important custom. When the news broke that Tamar was pregnant and that Judah was the father, Judah admitted, "She hath been more righteous than I; because that I gave her not to Shelah my son" (Genesis 38:26). Tamar had deceived her father-in-law, pretended to be a harlot to seduce Judah (Genesis 38:15) and thus became pregnant out of wedlock, but the tradition of levirate marriage was so strong and important to the culture that it was Judah who must admit his wrong and acknowledge that Tamar's actions were justified by his own neglect of tradition.

Tradition and Mosaic Law allowed for a man to extricate himself legally from a levirate arrangement by the following steps:

And if the man like not to take his brother's wife, then let his brother's wife go up to the gate unto the elders, and say, My husband's brother refuseth to raise up unto his brother a name in Israel, he will not perform the duty of my husband's brother. Then the elders of his city shall call him, and speak unto him: and *if* he stand *to it*, and say, I like not to take her; then shall his brother's wife come unto him in the presence of the elders, and loose his shoe from off his foot, and spit in his face, and shall answer and say, So shall it be done unto that man that will not build up his brother's house. And his name shall be called in Israel, The house of him that hath his shoe loosed. (Deuteronomy 25:7–10)

The law provided a way for a man not to fulfill his levirate obligation, but the social stigma was severe, including public shaming and a mark on the family name for generations.

Levirate marriage continued to be practiced in the Old Testament. We see it play out in the story of Ruth, the great-grandmother to King David. Ruth, a Moabite woman, married an Israelite man named Mahlon, who had moved to Moab with his parents, Elimelech and Naomi, and his brother Chilion to escape a drought in Israel. Elimelech,

Chilion, and Mahlon all died, leaving no male heir to marry Ruth or her sister-in-law Orpah. Naomi, devastated, prepared to return home to Israel. Having nothing left, she pointed out this sad fact when she told her daughters-in-law, “Why will ye go with me? are there yet any more sons in my womb, that they may be your husbands?” (Ruth 1:11). Ruth refused to leave Naomi and traveled with her mother-in-law back to Israel to live life as a stranger. She was doomed to a life of poverty, scavenging grain in the fields that was left by the harvesters. Naomi promised Ruth, “My daughter, shall I not seek rest for thee, that it may be well with thee? And now is not Boaz of our kindred?” (Ruth 3:1–2).

Ruth presented an interesting case. How far does the levirate obligation stretch? Ruth was a foreigner. Did the Law of Moses apply to her? Boaz was a kinsman but not a brother to Ruth's dead husband. What obligation did Boaz have to the widowed wife of a kinsman? As we read the story of Ruth, we admire her dedication to Naomi — as well we should. But ancient Jews who read this story admired Boaz for his commitment to his clan and the support he was willing to give to extended family.⁹ Some rabbis even praise his prophetic powers to recognize that through his marriage to Ruth, King David would be born.¹⁰

Boaz's family connection was far enough removed that Naomi and Ruth did not seem to realize there was a family member more closely related than Boaz. Ruth declared to Boaz that he had a levirate responsibility to her. She put him in a situation in which he had the choice to treat her with honor, or he could ignore her claim privately, since she had approached him at night when there were no witnesses. Boaz told Ruth, “My daughter, fear not; I will do to thee all that thou requirest: for all the city of my people doth know that thou art a virtuous woman. And now it is true that I am thy near kinsman: howbeit there is a kinsman nearer than I” (Ruth 3:11–12).

The next day Boaz, following the law as outlined in Deuteronomy 25, gave the near kinsman a chance to fulfill the levirate obligation to Ruth. The responsibility included marrying Ruth and providing an heir for her dead husband but also to redeem the dead husband's property. This meant the kinsman had to buy back land once belonging to the family of Ruth's husband. He had to marry and support Ruth, and when she had a son, the redeemed land became that son's property. The levirate

9. See *Ruth Rabbah*, trans. Jacob Neusner (Atlanta, GA: Scholars Press, 1989) and *Targum Ruth*, trans. C. M. M. Brady. <http://targuman.org/targum-ruth/targum-ruth-in-english/>.

10. See Targuman Ruth 2:11.

obligation was quite strong here; it required great sacrifice with very little reward. The near kinsman rejected the obligation:

And the kinsman said, I cannot redeem it for myself, lest I mar mine own inheritance: redeem thou my right to thyself; for I cannot redeem it. Now this was the manner in former time in Israel concerning redeeming and concerning changing, for to confirm all things; a man plucked off his shoe, and gave it to his neighbour: and this was a testimony in Israel. Therefore the kinsman said unto Boaz, Buy it for thee. So he drew off his shoe. (Ruth 4:6–8)

Finally, we see that levirate law was still culturally significant to the Jews at the time of Christ, 600 years after Lehi left Jerusalem, when the Sadducees questioned Jesus, trying to trap him in a circular argument about the resurrection: “Moses said, If a man die, having no children, his brother shall marry his wife, and raise up seed unto his brother” (Matthew 22:24).

These examples demonstrate that levirate marriage was a strong legal and cultural practice among the Israelites, of which Lehi would have been fully aware. These practices would have served a strong, practical, and obvious solution to Lehi and his sons in caring for widows among a small group of people isolated from others, as Lehi’s posterity were in the new world.¹¹ This is the context we should consider when we read Jacob’s words: “Hearken to the word of the Lord: For there shall not any man among you have save it be one wife. . . . For if I will, saith the Lord of

11. In recent years, some scholars have made strong arguments that Lehi’s descendants did not inherit an empty continent and that they probably had interaction with other cultures soon after arriving in the Promised Land. However, the Book of Mormon prophets stressed the importance of adhering to the Law of Moses (see citations later in this article) and did maintain at least some cultural separation from others — even the Lamanites. For example, Nephi explains that the curse of darkness that came upon the Lamanites was to ensure “that they might not be enticing unto my people” (2 Nephi 5:21). Furthermore, there was a strong tradition of isolation among the Israelite people when they reached the land of their inheritance. The Lord warned them, “I am the Lord your God, which have separated you from other people. And ye shall be holy unto me: for I the Lord am holy, and have severed you from other people, that ye should be mine” (Leviticus 20:24, 26). See also Joshua’s warnings to the children of Israel about how mingling with the native people would lead them away from God (Joshua 23). This isolationist tradition would have been strongly set in the minds of Lehi’s initial descendants and would have affected their interactions in the new world — especially in Jacob’s day.

Hosts, raise up seed unto me, I will command my people; otherwise they shall hearken unto these things” (Jacob 2:27–30).

Jacob presented a revelation that he, as the priest to the people, had received from the Lord,¹² telling them that plural marriage was not to be practiced among the descendants of Lehi. But he also made allowances for its practice if the Lord wishes to “raise up seed” (Jacob 2:30). One of the primary purposes of levirate marriage is to “raise up seed” to a man who has died without an heir. Given the context in which Jacob was speaking to a people who lived the Law of Moses, a levirate-marriage interpretation explains the meaning behind Jacob’s statement of exemption for his hard proscription against plural marriage.

From the Book of Mormon record, we learn that Jacob’s mandate was largely accepted by the people. The issue of plural marriage does not surface again until the record of Zeniff, where we learn that his son, King Noah, had “many wives and concubines. And he did cause his people to commit sin, and do that which was abominable in the sight of the Lord” (Mosiah 11:2). Later, when King Limhi, Noah’s son ruled, there was a large number of widows in the land because of the many men who had been killed while fighting losing battles against the Lamanites. But it seems that levirate marriage or other forms of plural marriage were not practiced by Limhi’s people, even though it would have made sense for them to do so. They were an isolated clan, and plural marriage had been practiced among them — at least by their leaders. Instead we learn,

Now there was a great number of women, more than there was of men; therefore king Limhi commanded that every man should impart to the support of the widows and their children, that they might not perish with hunger; and this they did because of the greatness of their number that had been slain. (Mosiah 21:17)

From this verse it appears that widows were cared for by the community as a whole rather than through levirate practices, an indication that the practice of levirate law may have disappeared completely from among the Nephites.

The only other hint that plural marriage might have been practiced in some form among the Nephites is Amulek’s words to his fellow

12. “I inquired of the Lord, thus came the word unto me, saying: Jacob, get thou up into the temple on the morrow, and declare the word which I shall give thee unto this people” (Jacob 2:11). Beginning in verse 23 with the words “For behold, thus saith the Lord,” the next ten verses are largely the Lord speaking in first person.

citizens of the City of Ammonihah, in which he proclaimed that the Lord “hath blessed mine house, he hath blessed me, and my *women*, and my children, and my father and my kinsfolk; yea, even all my kindred hath he blessed” (Alma 10:11). The question comes down to what Amulek meant by “women” (plural). It could mean all the women in his family, his wife, his daughters, his mother, etc. But given the context of women being named before children, and his father and kinsfolk being mentioned after women, the term could certainly be interpreted as plural wives.

Conclusion

The Book of Mormon makes it very clear that the Nephites lived the Law of Moses until the death of Christ. Nephi best sums up their feeling about the Law of Moses when he says, “And, notwithstanding we believe in Christ, we keep the law of Moses, and look forward with steadfastness unto Christ, until the law shall be fulfilled” (2 Nephi 25:24). The need for the Law of Moses is discussed repeatedly in the Book of Mormon, from Sherem accusing Jacob of not teaching the Law of Moses fully (Jacob 7) to the priests of King Noah telling Abinadi that salvation comes through the Law of Moses (Mosiah 13), to the Nephites debating whether the Law of Moses was fulfilled following the birth of Christ (3 Nephi 1). It was an ever-present factor in their lives. We do not see its cultural effects very often in the Book of Mormon, but that is to be expected, given that the Book of Mormon was written by Mormon, a prophet who lived over 300 years after the Law of Moses was fulfilled and was no longer practiced among his people. In a parallel way, American culture and laws have been significantly influenced by Great Britain, but only devoted students of American history ever contemplate that fact. How much would the Law of Moses have affected Mormon’s culture and thinking? Further, his record is an abridgement that was written, as he says, for the posterity of Lehi and Israel, and thus he charges them, “Know ye that ye must come to the knowledge of your fathers, and repent of all your sins and iniquities, and believe in Jesus Christ, that he is the Son of God” (Mormon 7:5). The intent of his record is to teach people about Christ and his gospel, not the culture, history, and legal practices of the Nephites.

Most stories and history in the Old and New Testaments as well as the vast majority of the writings of the prophets do not deal directly with the Law of Moses. They teach doctrines covered by the law, but rarely do they cite the law or preach it directly. It is somewhat like a TV drama whose plot is about the police or lawyers. From watching the

show, the viewer learns a little about how the law works in America, but the program is not meant to be an education in the law. So, too, with the scriptures. Understanding the Law of Moses enables a reader to see its presence throughout the scriptures, but it is rarely a primary topic. Thus, in the Book of Mormon, while the authors often acknowledge that they are living the Law of Moses, Mormon's abridgement contains few examples of the impact of living under this law in Nephite culture. But that does not mean the Nephites did not live it. Therefore, while Jacob 2 does not directly cite the practice of levirate marriage, Jacob did address this law when he proscribed plural marriage among his people. His explanation was logical when he proclaimed to the Nephites that plural marriage would not be allowed unless "I will, saith the Lord of Hosts, raise up seed unto me" (Jacob 2:30).

Brian Baird earned both his BS in psychology and his MLIS at BYU. He has spent his career as a preservation librarian and conservator at Princeton University and the University of Kansas and with companies providing library services. He has also taught preservation courses in several library schools and museum studies programs. He currently lives in Spanish Fork, Utah. Brian has been active in the Church, serving in several bishoprics and various teaching callings, and several times as Young Men's president.

