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"My Soul Desires the Torah; Let the World be Preserved by Others:" Celibacy and Purity in Third- and Fourth-Century Palestine and Syria

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CONTENTS

Digest

This thesis examines conceptions of celibacy and purity in third- and fourth-century Syria and Palestine. Using three rabbinic texts--the Mekhilta, the Mishnah and the Tosefta--and one text produced by a community of gentile and Jewish disciples of Jesus--the Didascalia Apostolorum, the thesis explores both the hermeneutics and larger cultural context of the two communities. Chapter One describes how three immediate historical precursors to these documents represent celibacy and purity: the community at Qumran, Philo and Paul. Chapter Two explores the hermeneutics of the Mekhilta and the Didascalia relative to the Sinaitic theophany, while also considering how the position of the Torah in the two communities affects their statements about purity and celibacy. Chapter Three attempts to historicize rabbinic ascetic behavior and also explores the social context for the Didascalia's rejection of ascetic practice. Finally, some preliminary remarks address the similarities and differences between the two sets of documents and the two communities.

Introduction

The quotation in the title of this thesis comes from a statement attributed to Ben Azzai in Tosefta Yevamot 8:7. At first glance, this is a surprising statement for a Rabbi of Late Antiquity--even moreso when we realize that preservation includes procreation. In contemporary Jewish religious circles, the platitude that Judaism produces a "healthy" attitude towards sex and Christianity produces an "unhealthy" attitude about sex still holds the day. While it must be acknowledged that Ben Azzai's opinion runs counter to the general tendency in rabbinic texts to promote procreation ,[1] nonetheless, I will explore the possibility that this statement preserves the position of a pietistic minority within rabbinic circles. At the same time, the Didascalia, which is usually called a Christian text, preserves a polemic against the practice of celibacy.[2] Apparently, religious documents of Late Antiquity preserve a more complex discursive space than popular conceptions.

It was during a seminar at the University of Judaism that I first encountered both ascetic Jewish texts and the works of early Christianity in translation. Devouring these tales of Rabbis who removed fat from their bodies[3] and Christian sages who sat on top of poles,[4] I realized that I wanted explore the relationship between these two textual groupings: rabbinic literature and Semitic Christian literature. I found the world of these holy men both foreign and fascinating. Why would people want to do these things? What cultural and historical environment would encourage such behavior? Why are there so many apparent similarities between the Jewish and Christian representations? Why are there also so many differences? I soon realized that these questions could not be answered

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[1]Tosefta Yevamot 8:4.
[2]Arthur Vööbus, The Didascalia Apostolorum in Syriac, 4 vols. (Louvain: CSCO, 1979) 213.
[3]BT Bava Metzia 83b.
[4]P. Bedjan, "Life of Simeon the Stylite," AMS 4: 507-605 and S.E. Assemani, "Life of Simeon the Stylite," ASM II: 227-412.

quickly; rather they required a lengthy scholarly endeavor. This thesis is a preliminary attempt to address these issues.

In an effort to contain a rapidly growing project, I have limited the discussion to a specific geographical and temporal range. I will analyze texts that underwent their literary development during the third and the fourth centuries in Syria and Palestine. The thesis will only use three rabbinic texts--the Mishnah, the Tosefta and the Mekhilta--and one text developed in a community of gentile and Jewish disciples of Jesus--the Didascalia Apostolorum--as its primary sources. Accordingly, any conclusions are limited to a specific intertextual nexus among these four documents. Any broad statements about Judaism and Christianity in this time period are contingent upon this nexus and should be considered provisional. Additionally, I will limit the discussion to three main topics: celibacy, purity and sexual ethics.

Chapter One of the thesis provides a historical backdrop for the subsequent analysis. Looking mostly at secondary material, with reference to primary material in translation, I outline and analyze three Jewish precursors to the Rabbis and disciples of Jesus: the community at Qumran, Philo and Paul.[5] The choice of these three is by no means exhaustive. My intention is to give a sample of the varieties of Judaism practiced in the first and second centuries, which could be used as a reference point for the later discussion. Chapter Two analyzes rabbinic representations in the Mekhilta of situational marital celibacy at Mount Sinai. Under the headings of purity and sanctity, as well as separation and modesty, the chapter explores how and why these discourses generate a command for situational marital celibacy at the theophany. The chapter also describes the Didascalia Apos-

[5]The issue of Paul's Jewishness remains a contested matter in scholarship. John Gager, Reinventing Paul (Oxford: Oxford UP, 2000) outlines the various positions.

tolorum's stance on celibacy, ritual purity and shame. Chapter Three attempts to historicize the literary analysis of the previous chapter. Using the observations of Steven Fraade as a starting point,[6] I suggest a possible connection between the ascetic practices represesented in the Mishnah and the Tosefta and the historical/cultural setting of the time period represented in the documents. The position of the Didascalia Apostolorum is then analyzed in a similar manner. Finally, paying attention to similarities and differences, I attempt to make a few preliminary suggestions about the relationship between rabbinic Jewish texts and the writings of the disciples of Jesus in the third and fourth centuries.

Acknowledgements

I would like to take this opportunity to thank all of the people who have helped, supported and pushed my academic growth over the past five years at Hebrew Union College. My advisor, Dr. Richard Sarason, guided the process and structure of this paper from its inception. His thorough knowledge of tannaitic literature and critical eye were a strong help. The process was a joy. Dr. Isaac Jerusalmi and Dr. Steven Kaufman have gone out of their way to help me gain a facility with Hebrew, Aramaic and Syriac. Additionally, Dr. Jerry Lund, Dr. Annalisa Azzioni and Eldon Clem participated in a weekly reading group specifically formed to improve my skills with Syriac texts. A special thank you goes to John Brolley. He remains a Syriac tutor, fellow fan of free jazz and a friend. Dr. Susan Einbinder has done a great deal to guide my intellectual development during my stay at Hebrew Union College. She has offered a listening ear and a guiding hand in my personal and academic growth. My first encounter with ascetic literature was under the tutelage of Dr. Charlotte Fonrobert. Without her encouragement to learn Syriac, I do not know

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[6]Steven Fraade, "Ascetical Aspects of Ancient Judaism," Jewish Spirituality: From the Bible through the Middle Ages, ed. Arthur Green (New York: Crossroad, 1986) 253-288.

whether this thesis would have been possible. Finally, thank you to Kate, who thrives with the company of a single-minded partner and occasionally drags him out into the light of day.

Chapter One
Historical Background
Qumran, Philo and Paul: Celibacy and Purity in the First Two Centuries of the Common Era

Purity, Holiness and the Possibility of Celibacy at Qumran

In a pioneering article on Jewish asceticism, Steven Fraade notes that the ascetic practice of the group at Qumran must be understood in relation to three main conceptions of the community: their rigorous conception of purity, their dualism and their eschatological tendencies.[7] This section of the thesis will focus on the first point, since purity plays an integral role in later rabbinic abstention and many scholars have attempted to connect it to later Syriac Christian asceticism.[8] Since the Qumran community appears to have originated in a split from the Temple in Jerusalem, it should not be surprising that they are extremely concerned with the matters of purity which were part of the daily lives of the priestly class.[9] Here, I will examine two texts, one from the Damascus Document and one from the Temple Scroll, which describe laws of ritual purity for one who has sex with his wife. First, I will analyze the documents, both in terms of the laws of ritual purity in the Bible and relative to the group at Qumran. Second, I will outline the range of opinions on whether this constitutes a call to celibacy.

The Damascus Document was first found by Soloman Schechter in the Cairo Geniza during the nineteenth century. Two manuscripts of the document, both from the medieval period, were found, and since then fragments of the text have been found in the caves of

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[7]Fraade, "Ascetical Aspects" 266-7.
[8]Robert Murray, "The Exhortation to Candidates for Ascetical Vows at Baptism in the Ancient Syriac Church," New Testament Studies 21:1 (1974): 77, suggests this possibility, while Sebastian Brock, "Early Syrian Asceticism," Numen 20 (1973): 7-8, rejects it as "worthless."
[9]Fraade, "Ascetical Aspects" 267, also see Albert Baumgarten, "The Zadokite Priests at Qumran: A Reconsideration," Dead Sea Discoveries 4 (1997): 137-156.

Qumran. After an opening exhortation, the text continues with a series of legal rulings arranged by subject matter, which are mostly sectarian interpretations of biblical law. There also are laws which exclusively prescribe the behavior of the community that reads the text. Scholars have noted that the opening exhortation resembles the introduction of the Testament of the Twelve Patriarchs and further suggest that the legal section possesses similarities to later rabbinic texts, such as the Mishnah.[10] A scholarly consensus places this document within the group at Qumran. The following is the ruling on purity and sex in the Damascus Document:

> Let no man lie with a woman in the City of the Sanctuary so as to convey impurity to the City of the Sanctuary with their impurity[11]

The Temple Scroll is a lengthy document which presents itself as a rewritten Torah. Scholars have disagreed about whether the Scroll was considered to be revelation or interpretation by the writers/redactors of the text.[12] A further disagreement centers around whether the document is from the Qumran community or merely a document from an earlier outside group held in its library.[13] Addressing either of these issues is beyond my abilities and the scope of this thesis. The Temple Scroll begins with the renewal of the covenant in Exodus 34 and continues with the building of the Temple in Exodus 35. The text then continues in the order of the canonical Pentateuch, gathering other legal material

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[10]Geza Vermes, An Introduction to the Complete Dead Sea Scrolls (Minneapolis: Fortress, 1999) 35-7, and Lawrence Schiffman, Reclaiming the Dead Sea Scrolls (Philadelphia: JPS, 1994) 90-93.
[11]Damascus Document 12:1-2. Translation in Sara Japhet, "The Prohibition of the Habitation of Women," Journal of Ancient Near Eastern Studies 22 (1993): 70.
[12]See Philip R. Davies, "The Temple Scroll and the Damascus Document," Temple Scroll Studies, ed. George J. Brooke (Sheffield: JSOT, 1989) 201-210, who argues for pure interpretation and Schiffman, Reclaiming 255, who suggests that the rewriting was considered revelation by the writer(s).
[13]Jacob Milgrom, "The Scriptural Foundations and Derivations in the Laws of Purity of the Temple Scroll," Archaeology and History in the Dead Sea Scrolls, ed. Lawrence H. Schiffman (Sheffield: JSOT, 1990) 83-99, argues for Qumranic origin while Schiffman, Reclaiming 252-255, argues for Sadducean provenance.

topically related to the Bible, descriptions of the Temple and even quasi-midrashic materials. The following text comes from the Temple Scroll:

> And if a ma(n) has a nocturnal emission he may not enter the entire Sanctuary until he (com)pletes three days. And he shall launder his clothes and wash on the first day, and on the third day he shall launder his clothes and wash. Then after the sun has set, he may enter the Sanctuary. They may not enter my Sanctuary in their time of impurity so as to render it impure. And when a man has sexual relations with his wife he may not enter the entire City of the Sanctuary wherein I cause my name to dwell for three days.[14]

A scholarly consensus has emerged that these two laws refer to the same legal issue, which can be split into two aspects: the prohibition of sex in the City of the Sanctuary and the prohibition of entrance into the City of the Sanctuary for three days following sex.[15] On the other hand, there is a disagreement about whether these related laws are a reworking of an earlier law[16] or a quotation of an earlier law.[17] In either case, there is also the question of what constitutes the City of the Sanctuary. Early scholarship on the Temple Scroll suggested that this term refers to all of Jerusalem.[18] More recently, the term has been taken as a more precise designation, describing a particular region of the Temple compound.[19] Additionally, scholars disagree about whether the Temple and the City of the Sanctuary are the same or different regions.[20] As the situation stands, these questions remain unresolved.

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[14]Temple Scroll 45:7-12 in Lawrence Schiffman, "Exclusion from the Sanctuary in the Temple Scroll," Hebrew Annual Review 9 (1985): 306-307.
[15]Japhet 70.
[16]Milgrom, "Scriptural" 83-99.
[17]Jonas C. Greenfield, "The Words of Levi son of Jacob in Damascus Document IV, 15-19," Religion Quarterly 13 (1988): 91.
[18]Yigael Yadin, The Temple Scroll (New York: Random House, 1985) 170-3.
[19]Japhet 86.
[20]Baruch Levine, "The Temple Scroll: Aspects of its Historical Provenence and Literary Character," Bulletin of the American Society for Oriental Research 232 (1978): 13, argues that they are the same, while Jacob Milgrom, "Sabbath and Temple City in the Temple Scroll," Bulletin of the American Society for Oriental Research 232 (1978): 27, argues that they represent two different perspectives.

The main biblical precursor to the laws of sexual impurity in both of these documents is Leviticus 15:16-18, which reads, "When a man has an emission of semen, he shall bathe his whole body in water and remain unclean until evening. All cloth or leather on which semen falls shall be washed in water and remain unclean until evening. And if a man has carnal relations with a woman, they shall bathe in water and remain unclean until evening."[21] As we see, this biblical text can be split up into three rulings: nocturnal emission requires a single immersion and waiting until nightfall, clothing on which semen falls also requires a single immersion and waiting until nightfall and male/female sexual intercourse requires a single immersion for both partners and waiting until evening. The text describes what causes impurity and what removes impurity in each of these three cases.

We are able to identify both similarities and differences between the Bible and the Dead Sea Scrolls. Both texts agree on the sources of impurity: nocturnal emissions and sexual intercourse. Both texts agree that immersion removes the impurity of these two sources. Yet, there also are a number of differences, which appear to derive from a different perspective on the severity of the impurity imparted by nocturnal emissions and sex.[22] The duration of the impurity and the process of purification both differ in severity in the Temple Scroll. In the Bible, the impurity only lasts one day. In the Temple Scroll, the impurity lasts three days. In the Bible, one immersion removes impurity. In the Temple Scroll, two immersions remove impurity. Thus, one could argue, we have a difference in the perceived severity of sexual impurity in the two texts. This difference enacts the more rigorous rulings of the Temple Scroll.

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[21]Unless noted, all translations of the Bible are from The Tanakh (Philadelphia: JPS, 1985).
[22]Japhet 75.

Another biblical text, Exodus 19, could also explain one of the differences between the Bible and the Temple Scroll. "He [Moses] said to the people: be ready on the third day; do not go near a woman."[23] Here, Moses commands the people not to have sexual relations three days prior to the theophany. The writer(s) of the Temple Scroll appears to interpret Leviticus 15:16-18 through the lens of Exodus 19:10-15.[24] In doing so, the duration of impurity is extended from one to three days within the confines of the City of the Sanctuary.

Exodus 19 also supplies a possible answer to why someone who is sexually impure must not enter the Sanctuary or the City of the Sanctuary. If we accept Exodus 19 as an intertext with the Temple Scroll, then there is a comparison between behavior in the City of the Sanctuary and Mount Sinai in terms of proper behavior at holy places. Just as a man who has had sexual relations with his wife cannot be at the holy site of Mount Sinai, so too a man who has had sexual relations cannot enter the City of the Sanctuary. In Exodus 19:10-11, the Bible specifically speaks of holiness and a three-day period. "Then Adonai said to Moses: Go to the people and sanctify them today and tomorow and they should launder their clothes. Let them be ready for the third day; for on the third day God will go down before the eyes of all the people on Mount Sinai."[25] One could suggest that the writer of the Temple Scroll inferred the connection between the holiness of Mount Sinai and the holiness of the City of the Sanctuary. Then, he applied the three-day period to the City of the Sanctuary as well. Impurity cannot be co-present with sanctity.

Finally, we are able to approach the subject of celibacy. Early in the study of the Temple Scroll, Yadin asserted that since "all males residing in the Temple city must ab-

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[23]Exodus 19:15.
[24]Yadin 174 and Schiffman, "Exclusion" 308.
[25]Exodus 19:10-11. My translation.

stain from sexual intercourse therein, it seems to me that this ban is tantamount to a direct ordinance for complete celibacy."[26] Yadin bolsters his argument by mentioning that Josephus[27] refers to the Essenes as celibates and concludes that the Temple Scroll is "the distinct source for the development of Essene celibacy, and eventually Christian monasticism."[28] There are a number of problems with this argument. It relies upon a definition of the City of the Sanctuary that refers to all of Jerusalem. We have already seen that this is a contested matter in the scholarship. Additionally, it too easily conflates the Qumran community with the Essenes. More caution should be taken in such an equation.[29] The connection between the Dead Sea Scrolls and Christian monasticism is also a contested matter, with a consensus emerging that such comparisons are somewhere between difficult and dubious.[30]

On the other end of the spectrum, it has been asserted that while there may have been celibates in the period of the Qumran community, the Qumran materials do not attest to this fact.[31] In fact, the Qumran documents offer compelling literary evidence for marriage in the community.[32] The main evidence against this thesis is the remains in the cemetery at Qumran. In the main cemetery, there are 1,100 graves: 1,097 men and three women.[33] In the extensions of the cemetery a few women and children were found. Fifteen kilometers south of Qumran another cemetery contains twelve men and six women.[34] The

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[26]Yadin 173.
[27]Josephus, Jewish War 2:120-1 and 160-1.
[28]Yadin 174.
[29]Lawrence Schiffman, "Jewish Sectarianism in Second Temple Times," Great Schisms in Jewish History, ed. R. Jospe and S. Wagner (New York: Ktav, 1981) 1-46.
[30]The work of Robert Eisenman and Robert Murray asserts these connections, while Lawrence Schiffman and Sebastian Brock question the parallels.
[31]Lawrence Schiffman, Sectarian Law in the Dead Sea Scrolls (Chico, CA: Scholars Press, 1983) 214-21.
[32]Schiffman, Reclaiming 127-136.
[33]Roland De Vaux, Archaeology and the Dead Sea Scrolls (Oxford: Oxford University Press, 1973) 45-7.
[34]Pessach Bar Adon, "Another Settlement of the Judaen Dessert Sect at *En el-Ghuweir* on the Shores of the Dead Sea," Bulletin of the American Society of Oriental Research 227 (1977): 1-25.

absence of children and the paucity of women in the main cemetery adds credence to the assertion of a celibate community. The anti-celibacy faction of the scholarly community retorts that the existence of some women in the graves combined with the literary evidence argues for marriage in the community. They further explain the preponderance of male corpses by identifying Qumran as a study center, which is generally a male activity.[35]

Pending further investigation, I would like to suggest a middle position. Given the attention to ritual purity in the Temple and the exegetical connection between Leviticus 15:16-18 and Exodus 19:10-15, it is plausible to suggest that the Temple Scroll represents[36] some elements of the priestly class engaged in situational marital celibacy while performing their priestly duties. There is no need to extend this to the general community. Thus, an elite element of the community, as envisioned by the Temple Scroll, would practice celibacy as a part of their job description, while this was not a lifetime practice or a concern for the general community. Thus, the literary evidence allows for situational marital celibacy by an elite group. The archeological evidence in no way contradicts this assertion. In fact, it suggests that activities performed by men requiring situational sexual purity/celibacy were practiced by most males at the Qumran settlement.

Philo on Purity, Celibacy and Sexual Ethics

Whether or not Philo is a good representative of Hellenistic Judaism, he is an example of an ascetic strain in Judaism that immediately predates what has come to be known in retrospect as the rabbinic period. More than one scholar has noted that a proper under-

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[35]Schiffman, Reclaiming 51-3.

[36]I use the word "represent" because the Temple Scroll represents an ideal situation not an array of practices that were necessarily enacted.

standing of Philo's asceticism must be seen in the light of his philosophical background.[37] Philo's Platonism drives him to de-emphasize the importance of the physical body, yet he never loses a certain practical philosophical realism that acknowledges the needs of the body--both in terms of sustenance and procreation. The body constantly entices the sage to commit actions which are not in the best interest of philosophy, yet the body's functions, when operating within a morally respectable realm, are not to be ignored.[38] Philo's balanced approach to abstention creates a sage who is both of the world and striving to reach beyond it.

Like the Qumran group, and all the various sects of pre-70 C.E. Judaism, Philo inherited the priestly discourse of the levitical code and had to define a relationship to this discourse and to the Temple. Deciding the role of purity laws is only one part of this larger process. For Philo, the purity laws are reinterpreted allegorically, transforming the levitical code into an ethical treatise on proper sexual behavior.[39] Often, Jacob Neusner suggests, Philo's use of the purity laws is separated completely from the literal sense of biblical law. For "Philo ... the purity laws are wholly figurative."[40] For instance, one could argue, Philo interprets the command of Leviticus 15:16-18 to immerse in water after sexual relations, not in terms of ritual purity, rather in terms of ethical marital behavior:

> So careful is the law to provide against the introduction of violent changes in the institution of marriage that a husband and wife, who have intercourse in accordance with the legitimate uses of married life, are not allowed, when they leave their bed, to touch anything[41] until they have made their ablutions and

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[37]David Winston, "Philo's Ethical Theory," *Aufsteig und Niedergang der Romischen Welt* 21:1 (1984): 414, and Fraade, "Ascetical Aspects" 263-4.
[38]Winston, "Ethical Theory" 414.
[39]Jacob Neusner, The Idea of Purity in Ancient Judaism (Leiden: Brill, 1973) 45.
[40]Neusner, Idea of Purity 44.
[41]According to Mishnah Zavim 5:1, a married couple cannot touch food after sex. Philo's ruling is more stringent, extending the ban on touching to all things. Samuel Belkin, Philo and the Oral Law (Cambridge, MA: Harvard University Press, 1940) 223.

purged themselves with water. This ordinance extends by implication to[42] a prohibition of adultery, or anything which entails an accusation of adultery.[43]

In considering Neusner's analysis of Philo's interpretation of the purity laws, the question is whether stretching the implication of the biblical text necessarily cancels its literal application. In other words, just because Philo allegorizes ritual purity into an ethical message against adultery does not necessarily mean that he abandons the practice of immersions for the sake of purity. I would suggest the possibility that such a reading of Philo retrojects later use of Philonic ideas by the Church Fathers onto Philo himself. Neusner is, of course, correct to note the allegorization of the purity laws both as first-level and second-level metaphors for moral cleanliness, spiritual purity and virtue. We could also say that the allegorization "emphasizes the spiritual or philosophical virtue symbolized by purity."[44] Yet, in this particular analysis of the levitical code, it remains possible that Philo also retains the literal meaning of the biblical discourse.

Earlier, I suggested that we must understand Philo in terms of his philosophical background, not simply his relationship to the biblical text. One section of De Specialibus Legibus suggests that Philo understands these purity laws with reference to the distinction between body and soul that permeates Greco-Roman philosophical discourse, and relative to the demotion of the body to a "necessary evil."[45] This split between body and soul could clarify Philo's simultaneous allegorization of the purity laws and retention of the immersions as a literal fact. In this text, Philo begins with the comment that the soul needs

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[42]F.H. Colson, Philo, vol. 7 (Cambridge: Harvard University Press, 1941) 514, notes that the phrase literally means "forbidding from afar." Belkin 222-223, translates the term as "keeping them far from", suggesting a purely allegorical reading. Belkin notes, "According to Josephus, the ablutions were required because the legal marital relation was a defilement in itself. Philo thought they were required only in order to prevent any accusation of adultery and to keep the marriage ties sacred." Much depends on the translation of this Greek phrase.

[43]De Specialibus Legibus III, 63. All translations of Philo are by Colson.

[44]Neusner, Idea of Purity 45-46.

[45]Winston, "Ethical Theory" 408. See also Plato's Pheadrus 250C for a philosophical precursor.

to be pure of the passions which lead it to wrongful actions, while the body needs to be pure of defilement.[46] The purification for the passions of the soul is the sacrifices of the Temple cult, while the purification for the body is its immersion in water.[47] I would like to suggest the possibility that this split between the body and soul relative to purification allows for a simultaneous retention of the literal biblical discourse of purity and a subsequent allegorization of purity. According to this theory, Philo prescribes ablutions for the purity of the body, and thereby comments on Leviticus 15:16-18. Philo also finds it necessary to generate a further allegory about adultery, which addresses the purity of the soul relative to the passions. Yet, I would be remiss if I did not mention Philo's emphasis upon the soul, and subsequent de-emphasis of the literal biblical discourse at the expense of allegory. Philo is not wholly allegorical about the purity laws, but the allegorical elements do achieve a higher status.

Turning to the subject of celibacy, Philo represents two of the biblical characters as celibates--Moses and Noah. Both of these characterizations occur in texts which are intended for gentile audiences and which can be assumed to be apologetic in nature. The Life of Moses and the Questions and Answers on Genesis both represent the patriarchs of the biblical narratives in a manner with which the non-Jewish Greek reader would find sympathy and familiarity.[48] For Philo, two triads of biblical figures, and Moses standing above the triads, represent three paths that lead a person to spiritual perfection. Enosh, Enoch and Noah represent the beginning of the human quest for perfection. Abraham, Isaac and Jacob represent the culmination of human perfection. Moses stands above the other six, achieving the highest state of perfection, and his soul "has learned to gaze

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[46]De Specialibus Legibus I, 257.
[47]De Specialibus Legibus I, 258.
[48]E.R. Goodenough, By the Light: the Mystic Gospel of Hellenistic Judaism (New Haven: Yale, 1935) 121-128.

upward and frequent the heights, and as it ever haunts the upper atmosphere and closely examines the divine loveliness, it scoffs at earthly things, considering them to be mere child's play."[49] Thus, one could suggest that the representation of patriarchal celibacy either makes the biblical characters more familiar to a Greek audience, which would understand the connection between celibate praxis and communication with the gods,[50] or offers a model for proper sexual behavior for the sage.[51] First, we will turn to the representation of Noah as a celibate:

> Why, when they entered the ark, was the order (of words) "he and his sons" and then "and his sons' wives" (LXX of Genesis 7:7) but when they went out, was it changed? For (scripture) says, "Noah went out and his wife" and then "his sons and his sons' wives" ... He (Moses) said nothing by the way of vocal explanation to the effect that those who went in should abstain from intercourse with their wives, and that when they went out, they should sow seed in accordance with nature. This (he indicated) by the order (of words) but not by exclaiming and crying aloud, "After so great a destruction of all those who were on the earth, do not indulge in luxury, for this is not fitting or lawful. It is enough for you to receive the honor of life. But to go to bed with your wives is the part of those seeking and desiring sensual satisfaction." ... it would have been inept for them now, while the living were perishing, to beget those who were not (yet) in existence and to be snared and surfeited at an unseasonable hour with sensual pleasure.[52]

Philo engages in a close reading of the biblical text. Looking at Genesis 7:7, Philo notices that Noah's sons are directly connected to Noah, while their wives are connected with a conjunctive particle. According to Philo, this word order intimates a change in relationship between husband and wife upon entrance to the ark.[53] He does admit that the

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[49]Life of Moses I, 190. Winston, "Ethical Theory" 409-411.

[50]Apuleius, The Golden Ass, trans. Jack Lindsey (Bloomington: Indiana UP, 1960). In Chapter 11, the text speaks of celibacy as a precursor to oracular communication with Isis. As we shall see, Philo also connects celibacy to Moses' oracular ability at Mount Sinai.

[51]Winston, "Ethical Theory" 410.

[52]Questions and Answers on Genesis II, 49.

[53]Genesis Rabbah 34:7 repeats a similar idea. "You and your wife and your sons and the wives of your sons." (Genesis 8:16) Rabbi Yudan son of Rabbi Simon and Rabbi Yochanon in the name of Rabbi Shmuel son of Rabbi Yitzchak: Noah, from when he entered the ark, forbade himself *priah urviah*. As it is written, "And you will come into the ark, you and your sons" (Genesis 6:18)--by yourself.-- "and your wife and the wives of your sons" (Genesis 6:18)--by themselves. And when he went out, he released himself, as it is written, "Go out from the ark, you and your wife." To my knowledge, there is no such parallel in tannaitic traditions or texts.

Bible nowhere states this fact; rather it hints at it through the word order of the biblical text.

The reason Philo gives for Noah's celibate practice relates to sexual ethics. Given the amount of destruction occuring on the earth, it would be improper for Noah to have sex with his wife for the sake of sensual pleasure. For Philo, pleasure does play an important role in the life of any creature who possesses a soul, but it should not be elevated to a position where it motivates human action or becomes the intention of human action.[54] Thus, it is not surprising that pleasure should not be the motivation for sexual activity. Here, we have an example of situational marital celibacy, but the motivation is not the purity laws of the Bible, rather sexual ethics.

Even in the everyday sexual activity of married couples sensual pleasure should not be the intention of sexual contact. Rather procreation should motivate the married couple to engage in sexual relations.[55] According to Philo, Moses only had sex for the sake of procreation: "and as for the pleasures that have their seat below, save for the lawful begetting of children, they passed altogether even out of his memory."[56] For Moses, apparently during his entire life, the performance of sexual relations only was predicated upon the desire for procreation, not upon the desire for sensual pleasure. Thus, by biblical example, Philo constitutes the motivation for ethical sexual behavior solely as procreation, deriding sensuality.

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[54]Winston, "Ethical Theory" 408. Winston states that Philo follows the Stoics and Aristotle in this conception of pleasure.
[55]K.L. Gaca, "Philo's Principles of Sexual Conduct," Philonica VIII (1996): 22-23, suggests that the origin of this practice is not the biblical command to "be fertile and increase" in Genesis 1:28, rather Pythagorean philosophical discourse. Jeremy Cohen, "Be Fertile and Increase; Fill the Earth and Master It" (Ithaca, NY: Cornell University Press, 1989) 72-76, notes that Philo's interpretation of Genesis 1:28 emphasizes the section of the verse about dominion over the section of the verse about procreation, which supports Gaca's theory.
[56]Life of Moses I, 28.

Another passage in the Life of Moses speaks in more detail about the celibate practice of Moses. With this passage, it is possible to suggest that sexual ethics is not the only discourse in Philo's representation of Moses as a celibate. The text occurs in the description of Moses' role as a prophet. Looking at Exodus 34, which is the second giving of the law after the golden calf, Philo supplies this information about Moses' encounter with God:

> But first he had to be clean, as in soul so in body, to have no dealings with any passion, purifying himself from all the calls of mortal nature, food and drink and intercourse with women. This last he disdained for many a day, almost from the time when, possessed by the spirit, he entered on his work as a prophet, since he held it fitting to hold himself always in readiness to receive the oracular messages ...[57]

In this passage, Philo gives a reason for Moses' celibate practice: as the quintessential prophet, he must always be ready for communication with God.[58] I wish to suggest that Philo uses two different discourses for his interpretation. His interpretation of purity of the body uses the biblical text, while his interpretation of purity of the soul uses the philosophical tradition. As we have already seen, Philo believes that purity of the body is enacted by immersion in water, which is an idea taken from the levitical code of the Bible.[59] Thus, when Philo speaks about purity of body, I would suggest that he refers to the laws of purity in the Bible. His lack of discussion about the details of these laws may derive

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[57]Life of Moses II, 68.

[58]Curiously, later rabbinic interpretation--BT Yevamot 62a--represents a similar discourse: " 'He separated himself from his wife': what exposition did he make? He said: If to the Israelites, with whom the *Shekhinah* spoke only for a while and for whom a definite time was fixed, the Torah says nevertheless 'Come not near a woman,' (Exodus 19:15) how much moreso to me, who is liable to be spoken to at any moment and for whom no definite time has been fixed." The tradition also appears in ARN 2:3. Again, there is no such parallel in tannaitic literature, only the exe/eisegesis of Exodus 19 in the Mekhilta which will be discussed in Chapter Two of this thesis. Aphrahat also repeats this idea in his Eighteenth Demonstration. Naomi Koltun-Fromm, "Sexuality and Holiness: Semitic Christian and Jewish Conceptualizations of Sexual Behavior," *Vigilae Christianae* 54 (2000): 389, notes that Philo's interpretation does not depend on an extended exegesis of Exodus 19, thus, while Philo does establish the antiquity of this idea, the rabbinic and Eastern Christian interpretations have a life of their own.

[59]The Special Laws I, 261.

from the rhetorical context of the passage. After all, the intended audience of the passage is the educated Greek, who may not be interested in the ritual details of the biblical text.

On the other hand, when Philo writes about purity of the soul, he refers to the battle with the passions that every sage must fight on the path to perfection. At the first level of this battle, the sage must train himself to lay aside the passions in everyday life. Another higher stage occurs when the sage has already laid aside all of the passions and must test himself to see whether he slips back into his faults of the past.[60] I would suggest that this process is what Philo describes when he talks about purity of the soul. Moses engages in both processes--purity of the body and purity of the soul. Thereby, Philo engages simultaneously with the biblical and philosophical traditions.

It is also worth noting that celibacy is not the only ascetic practice mentioned in the Life of Moses. Fasting also plays a part in Moses' path to perfection. In another text, The Contemplative Life, Philo combines these two ascetic practices, but the rhetorical structure is quite different. Unlike The Life of Moses, which appears to be an apologetic work for a gentile audience, The Contemplative Life describes a group of ascetics who give up property and family to live in solitude.[61] Earlier construed by Eusebius as a proto-monastic Christian group, the community has been identified in recent scholarship as Jewish, if the group existed at all.[62] Early in the text, Philo mentions the separation from family ties involved with initiation into the group:

> So when they have divested themselves of their possessions and have no longer aught to ensnare them they flee without a backward glance and leave their brothers, their children, their wives, their parents, the

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[60]Winston, "Ethical Theory" 410.
[61]Colson, Philo vol. 9 105 and David Winston, Philo of Alexandria: The Contemplative Life, The Giants and Selections (New York: Paulist Press, 1981) 41.
[62]Winston, Philo 35, and Colson, Philo, vol. 9 106-108, outline the scholarly controversy over this issue.

wide circle of their kinsfolk, the group of friends around them, the fatherlands in which they were born and reared, since strong is the attraction of familiarity and very great its power to ensnare.[63]

Since, according to Philo, marital relations are the only permissible sexual activity, it has generally been assumed that separation from one's wife would entail embracing the celibate life. One can see how this practice could have appeared to be Christian to a fourth-century churchman like Eusibius, who would be familiar with and supportive of the Christian practice of post-marital celibacy.[64] Philo's reasoning for the practice is that familiarity would trap one into returning to practices abandoned when the person joined the group. Celibacy is not the only ascetic practice in The Contemplative Life. Abstention from food for three-day and even six-day periods, which would be superseded by the Sabbath, was a practice of the group.[65] Simple clothing and shelter was also a part of their life of piety.[66] A picture emerges of Philo idealizing the simple piety of a group of contemplative ascetics who practice celibacy. For Philo, the prophet's ongoing communication with God was not the only reason for celibacy. A pious life could also include the practice.

Paul, Purity, Celibacy and I Corinthians

Recently, a shift has begun in Pauline scholarship. The traditional view that Paul engaged in a constant polemic against the law and Israel and that he rejected Judaism and replaced it with Christianity has been challenged from a number of angles.[67] Some emphasize Paul's confusion as a way to open the question. Others argue that Paul never believed that Judaism was wrong, rather that Christianity was right.[68] Some emphasize

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[63]The Contemplative Life 18.
[64]Peter Brown, The Body and Society (New York: Columbia UP, 1988) 205-209.
[65]The Contemplative Life 34-35.
[66] The Contemplative Life 38-39.
[67]Gager 13-14.
[68]E.P. Sanders, Paul and Palestinian Judaism: A Comparison of Patterns of Religion (Minneapolis: For-

rhetorical, historical and social context as a way of assessing Paul.[69] Still others rejudaize Paul as a particular brand of Hellenistic Jew.[70] As I read Pauline scholarship, of the new and old variety, I am constantly struck by the question: why are people so interested in this particular issue? More often then not, spurred on by specific ideological, intellectual or theological concerns, scholars tend to reinvent Paul in their own image. I make no claims to be different. I am a rabbinic student with a fairly radical stance relative to traditional Judaism and this fact will no doubt inform my reading of a complicated and enigmatic man.

For the sake of limiting the scope of this survey, I will only read I Corinthians. In doing so, I realize that any conclusions will be limited to a highly specific area of Paul's diverse career: his mission in Corinth. After its destruction in 146 B.C.E., Corinth was refounded as a Roman colony in 44 B.C.E. The city had a reputation for vice and was a thriving commercial center located on the Isthmus. The presence of Jews is attested by an inscription reading "synagogue of Hebrews."[71] I will begin with an overview of Paul's view on purity, which will both compare it to the levitical strata of the Bible and seek areas where he modifies the discourse. Next, I will look at I Corinthians 7 in detail as a paradigmatic expression of Paul's views on marriage and celibacy.

Before we can begin to discuss the practical repercussions of ritual purity in Paul's letters, we need to contextualize the discussion. Every stream of emerging Judaism in the first century needed to clarify its position regarding the Temple in Jerusalem. Paul, whose entire career occured while the Temple was still standing,[72] should not be any different.

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tress Press, 1977) 552.
[69]Gager 16.
[70]Daniel Boyarin, A Radical Jew (Berkeley:University of California Press, 1994).
[71]Hans Conzelman, I Corinthians, trans. James W. Leitch (Philadelphia: Fortress, 1975) 11-12.
[72]Brown, Body 44-45.

Paul believed that God dwelled not in the Temple, rather among the disciples of Jesus. "Do you not know that you are God's temple[73] and that God's spirit dwells in you? If anyone destroys God's temple, God will destroy that person. For God's temple is holy, and you are that temple."[74] Just as the *shekhinah* dwelled in the Temple, so too the *shekhinah* dwells within the disciples of Jesus--as a community.[75] This radical response to the role of the Temple is better understood when we remember that Paul's mission is to the gentiles not to the Jews.[76] Paul the Jew appears to be asking himself: What is the role of the Temple for the gentile disciple of Jesus? His answer shifts the penitential role of the Temple onto the gentile disciples of Jesus themselves. The Temple can have no penitential effect for the gentile, but this does not rule out the possibility of penitence.

The practical implications for the transference of the divine presence from the Temple to Jesus' followers also entail a transference of the priestly duties and the purity laws incumbent upon the priests. Now, the gentile followers of Jesus carry the responsibility of the priestly duties and the purity regulations.[77] Other scholars have noted that in Paul's letters the purity of food is abandoned, while the purity of sex is retained. This may very well be due to the intelligibility of such practices in the Greco-Roman environment.[78] Additionally, the symbolic value of purity was emphasized.[79] Like my reading of purity in

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[73]It is worth noting that the Greek word Paul uses for temple is used in LXX to refer to the most holy regions of the Temple. See Psalm 28:2, 1 Chronicles 28:11 and Ezekiel 8:16. Michael Newton, The Concept of Purity at Qumran and in the Letters of Paul (Cambridge: Cambridge University Press, 1985) 54. We can conclude that for Paul the community corresponds to the most holy regions of the Temple.
[74]I Corinthians 3:16-17. All New Testament quotes are from The New Oxford Annotated Bible, ed. Bruce M. Metzger and Roland E. Murphy (New York: Oxford University Press, 1994).
[75]Conzelman 77-78. Newton 54.
[76]Romans 11:13, 15:16 and Galatians 1:16, 2:2. See Gager 50-53. Dr. Richard Sarason also notes that the notion is very similar to Qumran, where the community is viewed as the Temple.
[77]Newton 54-55.
[78]Comment of Dr. Richard Sarason.
[79]Neusner, Idea of Purity 59.

Philo, I see no reason to assume that the use of purity as a symbol precludes its retention, and in the case of Paul, its transformation as a practice.

We have already explored Philo's use of Leviticus 15:16-18, which speaks of immersion after sexual intercourse and nocturnal emission. In that discussion, Philo allegorized the levitical text, extending it to an admonition against adultery. In a passage of I Corinthians, Paul addresses gentiles at Corinth,[80] who are continuing wrongful practices--many of them sexual:

> Do you not know that wrongdoers will not inherit the kingdom of God? Do not be deceived! Fornicators, idolaters, adulterers, male prostitutes, sodomites,[81] thieves, the greedy, drunkards, revilers, robbers--none of these will inherit the kingdom of God And this is what some of you used to be. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and in the Spirit of our God.[82]

As Conzelman suggests in his classic study of I Corinthians, "the interpretation of baptism as purification is traditional."[83] Paul, as a Jew, would view the sins of idolatry and sexual immorality as carrying an impurity with them.[84] Gentile disciples of Jesus must have this impurity removed, and as we have seen, the levitical method of removing impurity--immersion in water--is retained by Paul. Before entering the Temple of God, now the community of Paul, the gentile disciple must remove all impurities through immersion in water. Yet, ritual purification after sexual transgression is not the only aspect of immersion in Paul's letters. This text also intimates that immersion purifies the initiate from past transgressions.[85] With this element Paul both extends ritual purification into the alle-

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[80]Newton 82.
[81]These terms indicate both passive and active homosexuality. Conzelman 106-107. For a review of recent scholarship on active and passive homosexuality in Roman culture see Ruth Mazzo Karras, "Active/Passive, Acts/ Passions: Greek and Roman Sexualities," American Historical Review 4 (2000): 1250-1265.
[82]I Corinthians 6:9-11.
[83]Conzelman 106-107, who refers the reader to "Jewish tradition."
[84]Newton 82.
[85]Newton 83.

gorical realm of moral purity and extends the practical repercussions of the levitical code. Immersion not only removes ritual impurity, it also removes the past sins of the gentile disciple of Jesus. Immersion--combined with the sacrifice of Jesus on the cross in place of the Temple sacrifices--serves as a penitential initiation for new gentile followers of Jesus. In I Corinthians 6, Paul the Jew attempts to bring the penitential power of the Torah and the Temple to his new gentile followers. Of course, this notion must be understood in terms of Paul's radical eschatological stance.[86] The imminence of the end-time calls upon him to preach the penitential, and ultimately salvific, message of the Torah and the Temple to the gentiles.

As we turn to I Corinthians 7 and the question of marriage and celibacy, the audience and setting of the letter also have an important position in my argument. I wish to suggest that the debate about marriage and celibacy in I Corinthians is primarily Paul's corrective to misunderstandings of his teaching within the community at Corinth.[87] Paul addresses those at Corinth who have interpreted his eschatology as a command to practice sexual asceticism. Paul wishes nothing of the sort. The question of the ethnic make-up of these misconstruers is difficult. Much work has been exerted noting the affinities between Paul's arguments and the Stoic/Cynic marriage debate.[88] One could argue that Paul would strive for rhetorical clarity in his letter, thus, the inclusion of the Stoic/Cynic debate hints at a gentile audience familiar with the Greco-Roman philosophical tradition.[89] This does not explain the presence of a number of Jewish teachings in 1 Corinthians 7.

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[86]Romans 8:18, 13:11f and I Corinthians 15:52.
[87]Conzelman 115. Gager 70.
[88]D.L. Balch, "1 Cor 7:32-35 and Stoic Debates about Marriage, Anxiety and Distraction," Journal of Biblical Literature 102/3 (1983): 429-439, and the "corrections" of Will Deming, Paul on Marriage and Celibacy (Cambridge: Cambridge University Press, 1995) 7-8. Also see O.L. Yarbaugh, Not Like the Gentiles: Marriage Rules in the Letters of Paul (Atlanta: Scholars Press, 1986).
[89]Deming 212-214.

Recently, a number of scholars have drawn attention to the quantity of Jewish legal material in I Corinthians 7.[90] Daniel Boyarin has noted parallels in the Testaments of the Twelve Patriarchs and in the Mishnah to Paul's teaching about periodic marital celibacy for the sake of prayer in 1 Corinthians 7:5.[91] Peter Tomson has made an extensive analysis of the "halakhic" portions of 1 Corinthians and concludes that Paul puts forward a range of legal materials, including Essene-like, Hellenistic-like and Pharisaic-like sources. Tomson further suggests that early Jewish followers of Jesus utilized a rather eclectic "halakha" in matters of marriage and celibacy.[92] While stopping short of saying that Paul specifically addressed Jewish followers of Jesus in 1 Corinthians 7, the evidence he gathers is quite suggestive. As we can see, the question of audience may still be unsolved. I would like to suggest a possible answer. Although Paul's primary mission is to the gentiles, and his tirades against the law should be understood in this light, occasionally he addresses specific legal issues for the Jewish followers of Jesus, for whom the law still stands. Here, I am suggesting a variation of the two paths theory. Paul believed that there are two paths to justification in the eschatological present.[93] For the Jew, the law still stands and following the law is necessary for salvation. For the gentile, the law is meaningless and the path to salvation is the purifying and penitential power of baptism and the sacrifice of Jesus. One provocative question remains unanswered: whether Paul believed that acceptance of Jesus as Christ was also necessary for the Jew.[94] For now, we shall leave that question open and offer a brief overview of Paul's position on celibacy.

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[90]Peter Tomson, Paul and the Jewish Law (Minneapolis: Fortress, 1990) 103-124, and Boyarin, Radical Jew 191-193.
[91] James H. Charlesworth, ed. "Testament of the Twelve Patriarchs," The Old Testament Pseudepigraphica, vol. 1 (New York: Doubleday, 1983) 814, and Mishnah Ketubbot 5:6.
[92]Tomson 124.
[93]Gager 59-61.
[94]See Stanley K. Stowers, A ReReading of Romans: Justice, Jews and Gentiles (New Haven: Yale University Press, 1996) 205, who thinks Paul calls for Jews to believe in Jesus as the Messiah and Lloyd Gaston, Paul and the Torah (Vancouver: University of British Columbia Press, 1987), who offers a contrary opinion.

The theme of celibacy appears throughout 1 Corinthians 7.[95] Most scholars agree that Paul addresses a specific question about the desirability of celibacy in this section of the letter.[96] Throughout the letter Paul expresses his personal predilection for celibacy,[97] while only at one point does he offer motivations for celibacy.[98] First, one should be celibate because of the eschatological present. Because of the imminent *eschaton*, an unmarried person should remain unmarried "for the present form of this world is passing away."[99] Second, a person should remain unmarried because of the worries that accompany married life.[100] At the same time, Paul does not disparage marital sexuality. In fact, he promotes an ethic of sexual reciprocity which is quite similar to the later rabbinic conception of marital sexuality.[101] Paul also offers another argument for marriage. If a person is prone to lust, or *porneia*, then marriage removes the possibility of sexual transgression and moral impurity.[102] Two things are obviously lacking from Paul's description of marital sexuality. First, he does not represent the feelings of warmth which can accompany marriage in the Greco-Roman tradition.[103] Second, he does not mention procreation as a goal of marriage, which has such prominance both in Hellenistic and later rabbinic Judaism.[104] What emerges as the Pauline view on marriage and celibacy can be boiled down to two phrases: marriage is good, but celibacy is better.[105] As we shall see, this is not far from the members of the ultra-pious class of Palestinian rabbinic sages.[106]

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[95]I Corinthians 7:1, 7-9, 25-38 and 40.
[96]Conzelman 115, who phrases the question: "Is sexual intercourse allowed?" Tomson 104.
[97]I Corinthians 7:1, 7-9 and 40.
[98]I Corinthians 7:25-38.
[99]I Corinthians 7:31.
[100]I Corinthians 7:32-35. This argument interacts with the Stoic/Cynic marriage debate.
[101]I Corinthians 7:3-5 and Mishnah Ketubbot 5:6.
[102]I Corinthians 7:2,5,9.
[103]Peter Brown, Body 55.
[104]Conzelman 116, Mishnah Yevamot 6:6, Philo as read by Belkin 219-20 and Cohen 139.
[105]I Corinthians 7:38.
[106]Boyarin, Radical 192.

Chapter 2
Hermeneutics
Situational Marital Celibacy at the Sinaitic Revelation: A Case of Eise/Exegetical Difference and Similarity in the Mekhilta and Didascalia Apostolorum

Methodological Introduction

The starting point for my discussion of situational marital celibacy in the literature of the Palestinian Rabbis is Chapter Three of Tractate Bachodesh in the Mekhilta. I pick this particular text because it analyzes the biblical verse which commands situational marital celibacy for the entire Israelite people--Exodus 19:15. My first reading attempts to discuss how the Rabbis interpret this verse. First, I pay attention to the morpho-syntax[1] of a particular passage. Second, I try to differentiate between the exegetical work the Rabbis accomplish with the Bible and the eisegetical concerns they read into the Bible. When possible, I also pay attention to rabbinic attributions, keeping in mind the flexibility that writers and editors of rabbinic texts employ with these sobriquets, in an effort to contextualize the discussion as much as possible. In this particular chapter, I will not historicize the text beyond these minimal parameters. Thus, any conclusions will be tied to a reading of a single text and will make no claims to explain rabbinic culture as a whole.

Michael Fishbane has noted that a wider understanding of midrashic texts derives from seeking "to examine how these ideas arise hermeneutically, and how they intersect with others in particular units."[2] In other words, the reader should pay attention to the relationship of a particular midrash to its biblical referent and to the wider array of biblical analysis within a chapter of midrashic text. I will refer to this type of analysis as intratextual. Thus, I will widen the scope of my reading to include both a wider section of

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[1]Takemitsu Muraoka, Syriac Grammar for Students of Hebrew (Weisbaden: Harrassowitz, 1987) 40.
[2]Micheal Fishbane, The Exegetical Imagination: On Jewish Thought and Theology (Cambridge, MA: Harvard University Press, 1998) ix.

the document at hand and a wider range of discourses related to situational marital celibacy. Initially, I will confine my analysis to Tractate Bachodesh in the Mekhilta, seeking out repetitions of the issues that arise in Chapter Three. Finally, I will read a document which describes a community of Jewish and gentile disciples of Jesus, the Didascalia Apostolorum, noting passages that share specific discourses with the Mekhilta. My reasons for choosing this particular document are three-fold: similar geographical location, similar period of development and the presence of Jewish disciples of Jesus in the group that generated the document. Analyzing the Didascalia on its own terms, I will generate a series of readings that describe how the writer(s) of the Didascalia and their internal opponents understood such concepts as sanctity and purity. In doing so, I will use the same methodology as I did with the midrashic text. After these readings are complete, I will compare the two documents, noting similarities and differences between them. Once again, any conclusions will be limited to a particular intertextual reading and will not apply to broad cultural categories

Purity and Sanctity: Mekhilta BaChodesh Chapter Three

"Then they laundered their clothes." (Exodus 19:10) And from what scriptural verse do [we learn that] they require immersion? Behold, I reason by analogy. Now, if in a situation that scripture does not require clothes washing, scripture requires immersion, here, where scripture requires clothes washing, is it not logical that scripture requires immersion? There is no clothes washing in the Torah where there is not [also] a requirement for immersion.[3]

The biblical discourse contains a whole array of rules that involve immersing various objects in water for the sake of purification. The above midrash clearly interacts with these biblical texts, drawing together other ideas about immersion from other passages in the Bible in order to interpret Exodus 19:10. In the Bible, there is a clear differentiation among three types of immersion in water, which depends upon the type of object.[4] Laun-

[3]Horowitz and Rabin, eds. *Mekhilta dRabbi Ishmael* (reprint, Jerusalem: Shalem, 1997) 212 line 3. All further references to the Mekhilta are to this edition.

[4]Jacob Neusner, Purity in Rabbinic Judaism: A Systematic Account (Atlanta: Scholars, 1994) 146.

dering--*kaf/bet/samech*--is used in reference to clothing.[5] Bathing--*resh/chet/tzadi*--is used in reference to the human body.[6] Dipping--*tet/bet/lamed*--is used in reference to other inanimate objects, which are then used to sprinkle the water upon things that need purification.[7] The Mishnah adds an entirely new layer of meaning to the last term. The word dipping--*tvilah*--becomes the general term for putting an object in an immersion pool--*mikvah*--whether it is a human body or an inanimate object, for the sake of purification.[8] Thus, the Mishnah collapses the biblical term for the bathing of the human body into the general term for dipping. Laundering is retained for the washing of clothes, but when clothes are placed in water for purification, dipping is used.[9] Thereby, the difference between laundering and dipping is also eroded, but not completely.

The above midrash appears to be concerned with the level of purity required by the biblical text at the theophany. Exodus 19:10 calls for the washing of clothing, as well as sanctification, but explicit mention of immersion of the body is missing from the biblical text. One would think that the Rabbis would simply connect the dots, linking sanctification to purification. Instead, they address the issue of the washing of clothes. Whatever their methodology, I would argue that the Rabbis would find this absence of an *explicit* command for purification of the body disconcerting. Without bodily immersion and the washing of clothes, according to the Rabbis and the Bible, everyone present who had recently had sex would be impure.[10] The likelihood of such an event goes without saying. So, the Mekhilta responds by assuming that immersion of the body would also be a part of the purification process at Mt. Sinai, since it is a part of the purification process

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[5]Leviticus 11:25, 28, 40; Leviticus 14:8-9; Leviticus 15:5-8.
[6]Leviticus 14:9; Leviticus 15:13,27.
[7]Numbers 19:18. In other locations the word is used to indicate dipping in blood, which is also followed by sprinkling, striking or touching. See Leviticus 4:6; Exodus 12:22; Leviticus 9:9; Leviticus 14:6-7.
[8]Mishnah Mikvaot 6:6 and 8:5.
[9]Mishnah Mikvaot 10:4.
[10]Leviticus 15:16-18.

in Leviticus 15:16-18. The question is no longer whether a person should immerse their body, rather whether scriptural proof can be found for the practice. Neither the biblical term for immersion of the body nor the rabbinic term appears in the biblical chapter, much less the verse. Left with no biblical grounds at this location in the text to support their assumption, the Rabbis turn to analogical reasoning.

First, the Rabbis refer to an unspecified case where there is no requirement for the washing of clothes, yet there is a requirement for bodily immersion. Second, they deduce *a fortiori* that if in a case when washing of clothes is not required, immersion of the body is required, obviously, in a case where washing of clothes is required, immersion of the body should also be required. It is not our task to assess the quality of the logic of the Rabbis, which simply ignores the possibility of washing clothes without bodily immersion. Third, a general principle is drawn from the previous reasoning. All cases in the Bible which mention washing of clothes also include bodily immersion. In the process, the Mekhilta, like the Mishnah, retains the linguistic difference between laundering and dipping, which is present in the Bible. On the other hand, the practical consequence of the linguistic difference is erased by the hermeneutic collapse of laundering into dipping. If all cases of laundering include dipping, the linguistic difference has no practical consequences.

For the Rabbis, purity of the body appears to be an important issue--so important, in fact, that they resist the silence of Exodus 19 on the matter and derive support for the practice using independent and logical means. There are eisegetical and exegetical possibilities which could explain the desire of the Rabbis for the Israelites' bodies to be pure at Mount Sinai. Thus, the most likely explanation of the problem notes the eisegetical and exegetical aspects of rabbinic midrash:

"Then he sanctified the people (and they laundered their clothes)." (Exodus 19:14) He summoned them, and they laundered their clothes and made themselves pure.[11]

The existence of gaps in the biblical text, along with various other contradictions and incongruities, has long been observed by rabbinic and critical commentators. Recently, a number of scholars have specifically addressed the issue of biblical gapping.[12] Yet, the relationship of midrash to biblical gapping remains a contested area within the academy. Everyone appears to acknowledge the phenomenon, but there is some disagreement about its repercussions.[13] Daniel Boyarin notes that "midrash enters into these interstices by exploring the ways in which the Bible can read itself." The phrase appears to be a fairly accurate description of our example. Facing a gap in the biblical text, the Rabbis use another location in the Bible to explain and expand upon the lack of information.

The question posed by this verse to the Rabbis revolves around a gap in the biblical text. The Bible uses the word "sanctify", but does not clearly define what constitutes sanctification. Washing ones clothes appears to be part of the process, but its relation to sanctification remains vague. I would suggest that the above midrash arises to fill in this gap in the biblical text. How did Moses sanctify the people? He made them wash their clothes--which is present in the biblical text. How is the washing of clothes an act of sanctification? It is a part of the priestly regimen of purification. Thus, the Rabbis read washing one's clothes as a specification of sanctification and connect it to priestly practice.

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[11]Mekhilta 213 line 16.
[12]Meir Sternberg, The Poetics of Biblical Narrative (Bloomington, IN: Indiana University Press, 1985) 186-229.
[13]David Stern, Midrash and Theory (Evanston, IL: Northwestern University Press, 1996) 15-38, and Daniel Boyarin Intertextuality and the Reading of Midrash (Bloomington, IN: Indiana University Press, 1990) 39-56.

Yet, in order to answer the second question, the Rabbis must engage in an intertextual exercise with the Bible. As mentioned before, Exodus 19 does not include the word "purity." In order to understand sanctification in that light, the Rabbis look to other locations in the biblical text where the washing of clothes occurs as a ritual process of purification. For instance, Leviticus 11:24-25 specifically juxtaposes impurity, and a subsequent rite of purification, with the washing of clothes. "And the following shall make you unclean--whoever touches their carcasses shall be unclean until evening, and whoever carries the carcasses of any of them shall wash his clothes and be unclean until evening."[14] The Rabbis explain Exodus 19:14--or at least the gaps in Exodus 19:14--by generating an intertextual reading with other locations in the Bible where the washing of clothes is identified as a kind of purification.

In doing so, the Mekhilta arrives at a definition of sanctification which may not be self-evident from a simple reading of Exodus 19. Taking the hint from Moses' command to do the laundry, the Mekhilta widens the discourse of holiness in the Bible into the realm of purity. Sanctification and purification, as imagined by the priests and interpreted by the rabbis, are interpolated into the Sinaitic theophany. This is the possible eisegetical half of the equation. Yet, I should acknowledge the exegetical possibility that the Rabbis are simply spelling out something that is in fact "present" in the biblical text. The biblical writers may use the shorthand of sanctification to indicate the full array of priestly purification practices.[15] Yet, a hermeneutics of suspicion demands a critical analysis of this shorthand hypothesis. Ultimately, the eisegetical/ideological interpolation of levitical ideas upon the theophany, whether accomplished by the biblical writer(s), redactor(s) or the Rabbis, is difficult to ignore:

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[14]Leviticus 11:24-25.
[15]So, Dr. Richard Sarason and Nahum Sarna.

"Then he said to the people "now be ready[16] three days[17]" (Exodus 19:15) We have not learned from this that God said to separate from the wife. But "be ready" and "and be ready" form a *gezeirah shavah*: Just as "be ready"--the one that is enunciated here (Exodus 19:15)--(means) to separate from the wife, so too "be ready"--the one that is enunciated there (Exodus 19:10)--(means) to separate from the wife. Rabbi says: "It (the use of "be ready" in Exodus 19:10) is decided from its context 'Go to the people and sanctify them today and tomorrow' (Exodus 19:10) If it is about the subject of immersion, he should[18] immerse on the fifth day and be pure at sunset [i.e. not tomorow]." But why does scripture say "Go to the people?" rather that God said to Moses "to separate from the wife."[19]

The disagreement between the anonymous opening opinion and Rabbi is not about the subject matter--situational marital celibacy for three days before the theophany. After all, the biblical text commands situational marital celibacy, so there is little room for disagreement. The issue, I would suggest, is both a matter of hermeneutics and a questioning of the previous connection between sanctification, purity and immersion. The anonymous statement which opens the midrash makes no mention of purity or immersion. Rabbi's opinion, which directly addresses the issue of immersion, contests whether purity is really the matter at hand when the Bible speaks of sanctification. Thus, in this particular paragraph, the Rabbis contest the previous definition of sanctification based upon the priestly conception of purity. In the process, they intimate a different definition of sanctity, which is based upon situational marital celibacy.

Additionally, the two opinions also disagree over how to read the biblical text in two different locations--Exodus 19:10 and Exodus 19:14-15. The anonymous voice wishes to read the Torah intertextually, while Rabbi wishes a contextual reading. The first anonymous opinion in the above midrash addresses an ambiguity in the biblical text. Does the

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[16]The participle with the verb *hey/yod/hey* can indicate punctual action. J.C.L. Gibson, Davidson's Introductory Hebrew Grammar-Syntax (Edinburgh: T&T Clark, 1994) 138.
[17]I am arguing that the *lamed* is being used adverbially with the nominative phrase "three days," thereby modifying the "readiness." Gibson 117.
[18]When the apodosis of a conditional sentence is in the imperfect, it suggests a command. M. H. Segal A Grammar of Mishnaic Hebrew reprint (Eugene: Wipf and Stock, 2001) 228.
[19]Mekhilta 213 line 18ff.

command to "be ready" in Exodus 19:15 refer to the following biblical command to distance oneself from women or does it refer to simple readiness? The midrash suggests that the answer lies in a *gezeirah shavah*--a rabbinic hermeneutic principle which imports the meaning of a phrase in the Bible into another location in the Bible where the phrase is repeated. Thus, the Rabbis suggest that the meaning of readiness in both Exodus 19:11 and Exodus 19:15 is separation from one's wife. The tautological nature of the argument does not appear to bother the Rabbis. Quality of the argument aside, the Rabbis decide that readiness equates with situational marital celibacy, using an intertextual reading of two verses of the Bible.

Rabbi raises another related issue. Does sanctification, as mentioned in Exodus 19:10, refer to immersion and purity as the previous midrash[20] suggested in reference to Exodus 19:14? Also, rather than resorting to an intertextual argument, like the previous anonymous statement, Rabbi decides the issue based upon a reading of the verse in its context. "Go to the people and sanctify them today and tomorrow and they should launder their clothes."[21] The question that the midrash addresses is the meaning of the term sanctification. Rabbi appears to be aware of the school of thought which generated the previous analysis of sanctification.[22] As we saw before, sanctification and laundering are connected by the Rabbis to a wider array of purification practices mentioned in the priestly code--like immersion. Rabbi contests whether sanctification and immersion are equated at Exodus 19:10.

Rabbi's argument revolves around one word in the biblical text--tomorrow. If sanctification refers to immersion, then it is unnecessary for the Bible to say "today and tomor-

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[20]Mekhilta 213 lines 16-17.
[21]Exodus 19:10. My translation.
[22]Mekhilta 213 lines 16-17.

row." After all, once the person has immersed and waited until sunset, he would remain pure throughout the next day. There is no additional need to immerse tomorrow or at any additional time before the theophany. On the other hand, if sanctification refers to situational marital celibacy, then the person would have to retain the practice tomorrow and until the theophany, since sexual intercourse would render the person impure.[23] Thus, I would suggest that Rabbi, while retaining the levitical definition of purity and the necessity for purity during the revelation at Mount Sinai, argues for a different definition of sanctification based upon abstaining from sex for a period of time.

Situational marital celibacy not only keeps the Israelites pure at the time of the theophany, it also creates a state of sanctification. The implication is that in order to hear God's word the people of Israel must not only be pure, they must also be holy. "One sanctifies oneself through sexual abstinence"[24] Situational marital celibacy achieves a high status in this tannaitic text, enacting both purity and sanctity. Yet, it is also important to note that the Rabbis place this line of reasoning at a particular historical juncture--the theophany at Sinai. There is no suggestion that situational marital celibacy should enter into the everyday lives of the Rabbis. Rather, at this particular moment in Israelite history, when the entire people are in close contact with the divine, a heightened level of purity and holiness is necessary.

The question then arises: is this temporary sexual abstention an ascetic practice? Steven Fraade, in an important article about Jewish asceticism, argues that there are two components to ascetic practice: an effort to achieve perfection, and abstention.[25] There

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[23]Leviticus 15:18.
[24]Naomi Koltun-Fromm, "Sexuality and Holiness: Semitic Christian and Jewish Conceptualizations of Sexual Behavior," *Vigilae Christianae* 54 (2000): 391.
[25]Fraade, "Ascetical Aspects" 257.

can be no doubt that abstention is a part of the practice of the Israelites at Mount Sinai according to the Mekhilta. Thus, the second part of Fraade's definition is easily satisfied. I would also suggest that the connection of situational celibacy to holiness by Rabbi satisfies the first part of the definition. Holiness is a heightened state that refers to perfection--at least when it applies to God. Holiness is an essential marker on the road of spiritual accomplishment. Much has been written about the role of the holy man in Late Antiquity,[26] and it would be hard to deny that holiness and spiritual accomplishment are equated in the rabbinic mind. Thus, I would suggest that situational celibacy, as defined by Rabbi, qualifies as an ascetic practice. A text redacted in the late third or early fourth centuries--the Mekhilta--represents an important Rabbi of the second century--Rabbi Judah the Patriarch--calling for ascetic celibacy for the entire people of Israel.

Once again, I must caution against extensions of this reading into the daily lives of rabbinic Jews by noting that the celibacy is situational. The call for celibate behavior is located in a highly limited historical setting--the theophany. At the same time, we can note that such practices are not only for ritual purity. They also enact a state of holiness. Yet, immediately after this interpretation which defines celibacy as holiness, the midrash returns to the issue of purity:

"Come not near a woman" Hence, the sages said: "That a woman discharging the virile semen on the third day does not thereby become impure, can be proven from the precautions taken at Sinai." This is according to the opinion of Rabbi Eleazar ben Azariah. Rabbi Ishmael, however, says: Sometimes this period begins after four *onahs*, sometimes after five, and sometimes after six. Rabbi Akiva says: It always begins after five *onahs*.[27]

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[26]Peter Brown, "The Holy Man in Late Antiquity," Society and the Holy in Late Antiquity (Berkeley: University of California Press, 1982) 103-152, and Richard Kalmin, The Sage in Jewish Society in Late Antiquity (London: Routledge, 1999).

[27]Mekhilta 214 lines 3-5.

Rather than emphasizing that "come not near a woman" refers to holiness during situational marital celibacy, this particular midrash goes back to the subject of ritual purity. The legal question at hand is how long a woman can discharge semen after sexual intercourse. The Rabbis rule that after a certain contested period of time, a woman no longer becomes unclean from a post-coital emission of semen. Looking to Exodus 19:15, the Rabbis imply that the reason that sex is prohibited for three days is that a woman can become impure during that amount of time by discharging semen. Thus, any contact with a woman could make a man impure during this time. The ritual purity of men is the issue at hand, although the text could also wish that the women be pure at Sinai. The midrash, like many halakhic midrashim, pins a legal decision of the Rabbis upon a biblical text. Exodus 19:15 is used as a proof for the rabbinic laws of seminal discharge by a woman. Here, the discussion no longer concerns the issue of holiness. The restraint from sexual intercourse in the three days previous to the theophany is for reasons of ritual purity.

Thus, we can conclude that situational marital celibacy in the Mekhilta includes two major discourses--purity and holiness. For the Rabbis, talking with God demands ritual purity. Hence, the discussion of the various elements of the priestly code. Laundering of clothes and immersion of the body are necessary before the theophany, according to the Rabbis. In this, they extend the biblical discourse on purity in Exodus 19, which only explicitly calls for laundering of clothes. The Rabbis define sanctity in two specific ways. Holiness is connected to the priestly code. Specifically, the rabbinic laws of immersion are collapsed into their idea of sanctity. Yet, somewhat suprisingly, holiness is also connected to situational marital celibacy. The act of sexual abstention causes the Israelites to enter into a state of holiness. The practice can be characterized as ascetic, since it includes both abstention and a motion towards perfection. It must also be noted that the practice is not a part of the daily lives of the Rabbis in this representation, rather a part of an understanding of an historical event--the theophany. Yet, one should not de-emphasize the impor-

tance of the connection between holiness and situational marital celibacy in this tannaitic tradition.

Perishut: "Separation from the wife"

The idea of separation, or *perishut*, both from other nations and as a practice of abstaining from specific foods and activities, has a long history in Judaism. The Pharisees, who are a pre-rabbinic religious group widely agreed to be connected to the Rabbis, take their name from the Hebrew root *pey/resh/shin*. This word--Pharisees--literally means separatists or those who have separated. While there is a wide consensus that the Pharisees and the Rabbis are connected, the details of the connection remain a matter of scholarly dispute.[28] The Pharisees appear to have practiced a type of Judaism that emphasized purity--particularly food purity, the Sabbath and tithing, which are all also areas of discourse and praxis in rabbinic Judaism. Importantly, according to one rabbinic text of a much later provenance, they also expected to receive reward in the world to come for their practices of restraint and separation in this world.[29] Thus, at least in later rabbinic conception, the Pharisees practiced a rigorous Judaism which included self-denial and a *telos* of perfection. Hence, using Fraade's description, we could call some of their practices ascetic.

The Rabbis, as represented in the Mekhilta, also continue this idealization of separation in three specific ways: 1) they call for a separation between the the people of Israel and the nations. 2) following the Bible, they call for a sexual separation from one's wife during the Sinaitic theophany. 3) they call for separation from impurity. We already saw in

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[28]See Jacob Neusner, From Politics to Piety (Englewood Cliffs, NJ: Prentice-Hall, 1972), and Ellis Rivkin, A Hidden Revolution (Nashville: Abingdon, 1978).
[29]Soloman Schechter, ed. *Avot DeRabbi Natan* (reprint, Jerusalem: *Machon LeHotzaat Sefarim*, 1966) Chapter 5.

the previous section a text which calls for separation from one's wife at the Sinaitic theophany for reasons of ritual purity and for achieving a state of sanctification. It is worth noting the exact wording of the phrase used by the Rabbis to indicate this separation: *Lifrosh min haishah*--to separate from the wife. The Rabbis have the opportunity to use biblical language, after all, Exodus 19:15 says to "not come near a woman." Instead, they choose to use a language of separation, which includes a wider connotation than the biblical verse. Separation in the rabbinic text takes on a connotation of both purification and sanctification.[30]

Another rabbinic text from the Mishnah mentions these connections and develops the idea:

> R. Phineas b. Jair says: Heedfulness leads to cleanliness, and cleanliness leads to purity, and purity leads to *perishut*, and *perishut* leads to holiness, and holiness leads to humility, and humility leads to the shunning of sin, and the shunning of sin leads to saintliness, and saintliness leads to the Holy Spirit, and the Holy Spirit leads tothe resurrection of the dead. And the resurrection of the dead shall come through Elijah of Blessed memory. Amen.[31]

Here, we see *perishut* described as one aspect of a process which ultimately enacts the final redemption. With purity as an antecedent, *perishut* is a part of the personal piety practiced by the rabbinic sage in order to achieve a saintly state and to perfect the world. Both elements of Fraade's definition of asceticism are present in this text--separation/abstention from specific practices and the perfection of the sage and the world. Thus, we can suggest that *perishut* is a term which broadly describes rabbinic asceticism in the Mishnah. The question is whether we can import this mishnaic meaning into the Mekhilta's comment: *lifrosh min haishah.* The possibility is tempting, yet we must remember that the Mekhilta does not speak of daily practice, rather actions specific to the theophany. Also, this is not the only meaning of separation in the Mekhilta.

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[30]Koltun-Fromm 391.
[31]Mishnah Sotah 9:15. Translation by Danby.

In Mekhilta Bachodesh Chapter Two, which immediately precedes all of the texts discussed in the previous section, the Rabbis emphasize the necessity of separating from the nations of the world:

"And you shall be for me a kingdom of priests and a holy nation" (Exodus 19:6) From here they said,[32] all Israel was fit to eat from the holy things before they made the golden calf. After they made the golden calf they took these things from them and gave them to the priests ... "Holy nation," holy and sanctified, separate (*prushim*) from the nations of the world and their abominations.

Clearly, separation refers to the people of Israel retaining a distinct identity from the nations of the world and keeping a distance from their abominable practices. Separation is not only an internal affair, where separation from impurity and the excesses of living form a particular kind of pietism; it also includes keeping a distance from non-Jews. Thus, the biblical call to be priest-like takes on a double sense: one should not indulge and one should not mix with the nations. Yet, the discourse of the golden calf also offers a specific historical reason for many of the biblical laws of purity, which separated the priests from among the Israelite people. Separation from holy things--the things involved with the sacrifices and dedicated to God--was not necessary before the events of the golden calf. Israel's actions, or even sins, enact the need for a further layer of ritual purity.[33]

Thus, I can discern three tendencies in the Mekhilta's representations of separation: 1) separation from the nations which surround the Jews 2) separation from specific things as a pietistic practice which can be ascetic 3) separation for the sake of purity. Yet, we must keep in mind, once again, that the ascetic practices represented in the Mekhilta are not recommended for the daily lives of the Rabbis, and as we shall see, do not become normative within rabbinic Judaism.

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[32]A technical term which introduces a rabbinic dictum.
[33]We shall see that the Didascalia Apostolorum also uses a similar exegesis of the golden calf incident, but with different conclusions.

Modesty in the Mekhilta

In his History of Sexuality, Michel Foucault concerns himself with a specific aspect of morality in Roman texts. In doing so, he reverses an earlier trend in his scholarship, which emphasizes the role of power and knowledge in the formation of the individual. Rather than paying close attention to legal documents which command performance or outlaw performance of specific actions deemed moral or immoral, Foucault describes the process of moral subjectivation. The question is not how exterior forces, which have a degree of power in society, form the moral sensibilities of the individual. Instead, Foucault focuses upon how the individual forms a moral self as an internal process.[33] This section of the thesis seeks to analyze how the Rabbis engaged in the process of moral subjectivation.

Midrashic texts, which include legal material and moral aphorisms, are a good source for such an analysis. They not only prescribe behavior, they also discuss moral action and its affects on the world in the abstract. In the following discussion, I will focus upon rabbinic representations of shame and modesty. In doing so, I will suggest that such discussions of morality enable the construction of a moral self, and that such a moral self engages in the decisions of whether to separate oneself from specific things and actions that are deemed impure or unholy. Thus, the construction of a moral self is not a process that occurs in a vacuum, rather it develops from a series of decisions made by an individual whether to participate in specific activities and whether to contact specific things. Morality is both a process of moral subjectivation and the choices that the moral self makes in the world.

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[33]Michel Foucault, The Use of Pleasure, trans. Robert Hurley (New York: Vintage, 1985) 3-32.

The Mekhilta, like most midrashic texts, is full of moral aphorisms, guiding the formation of the moral self and the moral choices of the Rabbis and their followers. Chapter Nine of Mekhilta Bachodesh includes a paragraph that addresses the issue of modesty. I wish to explore the relationship between this moral statement and the choices the Rabbis make about separation, purity and holiness. The paragraph begins with a description of Moses as the preeminent man of modesty:

"Then Moses drew near to the darkness (where God was)" (Exodus 20:18) What earned him this merit? His modesty (*anvetanuto*), as it is said "The man Moses was very modest." (Numbers 12:3) The verse tells that anyone who is modest will cause the *Shekhinah* to dwell with man on earth. "For thus saith the High and Lofty One that inhabiteth eternity, whose name is holy: I dwell in the high and holy place, with him also that is of a contrite and humble spirit." (Isaiah 57:15) And it also says: "The spirit of the Lord God is upon me; because the Lord hath anointed me to bring good tidings unto the humble." (Isaiah 61:1). And it also says: "For all these things hath my hand made ... but on this man will I look, even on him that is poor and of a contrite spirit." (Isaiah 66:2). And it also says: "The sacrifices of God are a broken spirit; a broken and contrite heart, O God, Thou wilt not despise." (Psalm 51:19) But whosoever is proud of heart causes the land to be defiled and the *Shekhinah* to depart, as it is said: "Whoso is haughty of eye and proud of heart, him will I not suffer." (Psalm 101:5). Furthermore, one who is proud of heart is designated an abomination, as it is said: "Everyone that is proud of heart is an abomination of the Lord." (Proverbs 16:5). Idols are also designated an abomination, as it is said: "And thou shalt not bring an abomination into thy house." (Deuteronomy 7:26). Hence, just as idolatry defiles the land and causes the *Shekhinah* to withdraw, so he who is proud of heart causes the earth to become defiled and the *Shekhinah* to withdraw.[35]

The text speaks of modesty. Modesty--*anvetanut*--shares a similar semantic range with humility, meekness and kindness.[36] Thus, in this case, we are not speaking of sexual modesty, rather a type of humility which enacts kindness and proper behavior. According to the midrash, modesty is a precondition for contact with the divine presence--the *Shekhinah*--while pride defiles the land and causes alienation from the divine presence. Both of these statements are connected to a general characterization of Moses as a shy, modest and humble man in the Bible. The primary location for this characterization is Chapter Twelve of the Book of Numbers. Given the established biblical precedent of Moses'

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[35]Mekhilta 238 lines 1-9.
[36]Marcus Jastrow, Dictionary of the *Targumim, Talmud Babli, Yerushalmi* and Midrashic Literature reprint (New York: Judaica Press, 1996) 1092.

modesty, the Mekhilta takes the characteristic from Numbers 12 and uses it as an exegetical key to unlock Exodus 20. Exodus 20:15-18 represents Moses encountering God alone. The people of Israel, scared by the thunder and lightning of the theophany, stay away from the mountain. Moses, on the other hand, goes directly into the darkness--God's temporary residence on the mountain top. Communication between God and Moses follows this approach. The Mekhilta, faced with the question of why only Moses goes into the cloud, chooses not to accept the simple interpretation of the biblical text, which directly states the people's trembling and fear of death. Rather, it chooses to foreground a distinctive moral quality of Moses--modesty--and to make this attribute the thing which separates him from the rest of the people. The Mekhilta injects the nexus of modesty/prophecy from Numbers 12 into Exodus 20:15-18, at the expense of a more literal interpretation.

The Mekhilta also makes a moral judgement about the opposite of modesty--pride. Pride has two repercussions in this midrash--the *Shekhinah* withdraws to her heavenly home and the land becomes defiled (*ltamei*). We have already seen that the Mekhilta both retains and expands the priestly laws of purity. Here, while the literal and practical elements of the laws of purity are retained, there is also a tendency to metaphorize purity into a moral discourse. Purity not only determines praxis, it also serves as a metaphor for the repercussions of boastful action. One possible explanation for this metaphorizing tendency is distance from the Temple cult. As the concrete reality of the Temple and its purity laws recede into the past, there is a natural tendency to relocate purity laws into other places, such as the table, and to metaphorize and moralize the purity laws. In other words, "allegorical interpretations, like allegorical interpretations of the histories and the prophecies and much else in Hebrew Scriptures--for the Rabbis (are) a literary exercise which never entailed any doubt as to the plain, literal meaning of the laws and the fact that

they were to be obeyed."[36] Purity becomes a metaphorical and ethical discourse, but the reality of the purity laws is never abandoned.

Metaphors, I would argue, are not only a literary exercise performed by the Rabbis. Thought and action cannot be so easily separated. Metaphors we create in the mind also guide the way that we live our everyday lives. The conceptual systems we develop are the models we use to experience the world.[37] Additionally, the most basic values of any culture are coherent with the most basic metaphorical system of that same culture.[38] When the Rabbis develop a metaphorical relationship between purity and modesty, the exercise goes beyond literary creation. The connection between purity and modesty also shapes the way that the Rabbis experience their world. Obviously, the connection will also guide the way the Rabbis experience their own behavior, make moral choices and construct a moral self. Moses, as the paradigm for humility, offers a model for the Rabbis to engage in the process of moral subjectivation, and to take their moral selves into the world and make ethical decisions.

In connecting purity and modesty, the Rabbis use a potent concept from the biblical discourse to guide their everyday lives. Purity is no longer simply an indicator of a person's ritual status relative to the Temple or other locations of religious praxis. The potent metaphor of purity also reminds the Rabbis to act with humility, modesty and meekness in their everyday dealings with others. While suggesting a one-to-one correspondence with rabbinic tendencies towards self-restraint and abstention would extend this reading beyond its limits, intimating a loose connection between rabbinic efforts at moral subjectivation

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[36]Neusner, The Idea of Purity 106.
[37]George Lakoff and Mark Johnson, Metaphors We Live By (Chicago: University of Chicago Press, 1980) 3.
[38]Lakoff and Johnson 22.

and the ascetic tendencies of the rabbis remains a possibility. The process of moral metaphorization creates a climate where ascetic behavior could be valued and gives the Rabbis a ready bank of concepts that could reinforce such behavior. Yet, we must be cautious and note that the midrashic texts at hand do not explicitly make a connection between moral behavior and abstention.

We should also note that metaphors are culturally specific. The metaphors that guide a culture also give the culture its unique shape and identity. Thus, when we turn to texts written by Jewish and gentile disciples of Jesus[39] about purity and modesty, there will be an opportunity to compare the metaphors, moral subjectivation and ethical choices of the two religious groups. Jewish and gentile disciples of Jesus were also going through the process of forming individual and group identities during the tannaitic period. Looking at a document of one of these early communities gives us the opportunity to see how another religious group in a similar time and place represents purity, separation and shame.

The Didascalia Apostolorum

The Didascalia Apostolorum was originally written in Greek in the third century.[40] Later--sometime in the first half of the fourth century--the document was translated into Syriac.[41] The original Greek version has been lost, although the work is also preserved in Latin fragments. The Mekhilta, although it contains earlier traditions, most likely reached

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[39]I do not use the term "Jewish-Christian" because I believe it is a scholarly invention which obfuscates the fluidity of Jewish and Christian identities and communities of this period. See Charlotte Fonrobert, "The *Didascalia Apostolorum*: A Mishnah for the Disciples of Jesus," Journal of Early Christian Studies 9:4 (2001): 484, note 4.

[40]R.H. Connelly, *Didascalia Apostolorum* (Oxford: Oxford University Press, 1929) lxxxvii.

[41]Arthur Vööbus, *Didascalia Apostolorum* in Syriac (Louvain: *Corpus Scriptorum Christianorum Orientalium*, 1979) 28, and Connelly lxxxvii.

its redacted form in the third century.[43] Thus, both the Mekhilta and Didascalia share a general temporal frame. Both works also engage in extensive readings of the biblical text to explain the respective positions of the two groups. Although the statement verges on generalization, one can say that the two works show extensive similarities of exegetical techniques, while they often come to quite different conclusions. Both of the works also come from a similar geographical location. The Mekhilta comes from Palestine.[44] The Didascalia probably comes from Syria, but a location in Palestine cannot be ruled out.[45] We can see that the two documents share enough similarities to make a comparison a productive endeavor.

Purity in the Didascalia Apostolorum

Unlike the rabbinic corpus, the Didascalia does not embrace the priestly code of the Bible. For that reason, the text's position on purity is quite different from that of the Rabbis. In Chapter 26 of the Didascalia, the writer describes what he calls the second legislation--*tinyan nomuso* (Greek=*deuteros nomos*; Hebrew=*mishneh Torah*). The text argues that the law--*nomuso* (Greek=*nomos*; Hebrew=*Torah*)--and the prophets are eternal, while the second legislation is temporary.[46] What exactly constitutes the law and the second legislation is rather ambiguous. At a minimum, the law consists of the ten commandments, but also appears to include other judgements--*dinei*--which were made before the sin of the golden calf.[47] We also know what is not in the law. For in the law "there is no burden, no distinction of meats, no incenses, nor offerings of sacrifices and burnt offer-

[43]Strack and Stemberger 274-280.
[44]Strack and Stemberger 274-280.
[45]Connelly lxxxix.
[46]Vööbus 224.
[47]Vööbus 225.

ings."[47] From this description, it becomes clear that the law does not include much of the levitical code. Yet, we cannot equate the second legislation with the levitical code simply because much of the priestly rulings are not included in the law.

Earlier scholars have noted that the second legislation includes the ceremonial legislation of the Pentateuch, such as the Sabbath, circumcision, dietary laws and the laws of purity and impurity.[48] More than likely, this line of reasoning is correct. Rather than searching for an exact answer to the question of the content of the second legislation, we could look to the rhetorical context for clues about the text and its function. The Didascalia appears to be making an argument similar to that of Paul in Galatians and Acts.[49] Faced with communities still practicing elements of the ceremonial law of the Bible, Paul polemicizes against such praxis--like circumcision--in the first century. I wish to suggest that the Didascalia's argument against the second legislation served a similar function among the Jewish disciples of Jesus in its day. The arguments against purity in Chapter 26 of the Didascalia should be understood in this way.[50] We should also be aware that the similarity is purely rhetorical. The Didascalia appears dismissive of Paul and his writings.[51]

The Didascalia gives ample evidence for the presence of Jewish disciples of Jesus within its community. Chapter 26 includes an exhortation to the "beloved brethren, you from among the Jewish people," when arguing against the practice of the Sabbath on the

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[47]Vööbus 225.
[48]Connolly lix.
[49]Galatians 5 and Acts 15.
[50]My thesis that the Didascalia specifically addresses Jews who are disciples of Jesus only holds for this specific chapter. Until I have studied the entire document in depth, I cannot rule out the possibility that other sections of the document address other portions of the community.
[51]Fonrobert, "Mishnah" 489.

seventh day.[52] Furthermore, the writer(s) believes that Jesus said Matthew 11:28--"Come unto me, all you that toil and are laden with heavy burdens, and I will give you rest" --not "to the gentiles, but he said it to *us* his disciples from among the Jews and brought *us* out from burdens and the heavy load."[53] Hence, it appears that the writer(s) understands the coming of Jesus as having a message that applies specifically to the Jews within this community. Unlike the gentiles, who never had to adhere to any of the law, the Jews receive the special benefit of relief from the toil of the second legislation. This quote is all the more interesting because the author appears to include himself among the Jewish disciples of Jesus with the use of the term *us*. Another passage specifically differentiates between the Jews and the gentiles within the community:

> "Indeed, the law is a yoke, because like a plow-yoke of oxen it is placed upon the former people (biblical Israelites), and upon the present Church of God, even as now also in the Church it is upon *us*, among those who are called from the Jewish people, and upon you and upon those from among the gentiles who have (obtained) mercy for them ..."[54]

The use of the term *us* in this passage once again refers to the Jewish disciples of Jesus within the community, who are differentiated both from the biblical Israelites and from the gentile followers of Jesus. Apparently, the writer(s) of the Didascalia understands these Jewish disciples of Jesus differently from both their ancestors in the biblical narrative and from the gentile followers of Jesus. The Jewish disciples of Jesus within this community have a special position and receive the special attention of the *rhetor*. So, it should not be surprising that the opening of Chapter 26 includes a statement addressed to the Jewish disciples of Jesus who still are practicing elements of the laws of purity:

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[52]Vööbus 233.
[53]Vööbus 230. Emphasis mine.
[54]Vööbus 231. Emphasis mine.

You, however, who have been converted from the Jewish people to believe in God our savior Jesus Christ, do not henceforth remain in your former conversation, brethren, that you should keep vain bonds, purifications and sprinklings and baptisms and distinction of meats ...[56]

Addressing Jewish disciples of Jesus within the community, the writer(s) attacks specific Jewish practices which are prevalent among them. "Purifications, sprinklings and baptisms" refer to the various immersions required by biblical law, which are retained by rabbinic law, for a person who has become ritually impure. For instance, immersion in water after sexual intercourse would be required to reenter a state of purity.[57] Obviously, the existence of rhetoric against practices of purification cannot prove without a doubt that these practices were indeed performed by Jews following Jesus. Nonetheless, the probable authorship of the text by a Jewish disciple of Jesus, the nature of the heresiology of the text--i.e. the inclusion of Jewish practices in heretical lists--and the opening admonishment to Jewish disciples of Jesus all strongly argue for the retention of Jewish purification practices by these same Jewish disciples of Jesus.

Like the Mekhilta, which often eise/exegetically interprets the Bible to support/derive rabbinic praxis, the Didascalia argues against the practice of purification with a specific interpretation of the biblical text. Unlike the Mekhilta, the Didascalia rejects the biblical concept of purity. In Exodus 32, the story of the golden calf describes the actions of the Israelite people while Moses was on Mount Sinai experiencing the theophany. The people make a golden calf and worship it. The Didascalia uses this narrative to explain why the people of Israel received the second legislation. Once God sees the idolatry of the Israelites, "the Lord became angry, and in the heat of His anger--(yet) with the mercy of his goodness--he bound them with the second legislation, and laid heavy burdens upon them and a hard yoke upon their neck."[58] Thus, the giving of the second legislation is not the

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[56]Vööbus 223.
[57]Leviticus 15:16-18 and Tosefta Berachot 2:12.
[58]Vööbus 226.

original intention of the theophany; rather, it is a punishment for the idolatrous practices of the ancient Israelites.[58]

Thus, it is not surprising that the second legislation should be abandoned with the coming of the messiah. It is, after all, simply a punishment--an interim plan of God to keep the Israelites away from their idolatrous predilections.

> Indeed the second legislation was for the making of the calf and for idolatry. You, however through baptism have been set free from idolatry, and from the second legislation, which was because of idols, you have been released. Indeed, in the Gospel he renewed and fulfilled and confirmed the law,[59] but the second legislation he abrogated and abolished. Truly it was to this end, indeed, that he came, that he might affirm the law, and abrogate the second legislation, and fulfill the power of men's liberty, and demonstrate the resurrection of the dead.[60]

The coming of Jesus, as the messiah, erases the need for the second legislation, since through baptism the people are no longer tempted by idolatry. Through baptism, the people are free from the bonds of idolatrous practice and free from the bonds of the second legislation that protects them from it. Of course, this logic would also apply to the Jews who are followers of Jesus addressed by the Didascalia. They no longer have to practice the dietary laws, purification and other actions connected to the Temple cult after baptism and acceptance of Jesus as the messiah. So, it is understandable that the writer of the Didascalia opens the chapter with a polemic against the practices of purification. These laws are no longer necessary.

Yet, I would argue that baptism, which is also an immersion, may have held another meaning for the Jewish disciples of Jesus within the community. Before the coming of the messiah, immersions were necessary to maintain purity as a periodic part of living a holy life. Now that the messiah has come, only one immersion is necessary. There appears to

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[58]The Epistle of Barnabas Chapter 14 uses a similar argument.
[59]Matthew 5:18.
[60]Vööbus 228.

be another layer to the argument against immersions. Not only does the Didascalia offer the eise/exegetical argument of the golden calf narrative; it also suggests that baptism erases the need for other purifications. It is through baptism that the Jewish disciple of Jesus is set free from the bonds of the second legislation and the need for any subsequent immersions. Simultaneously, the text argues for baptism and against the second legislation and its vain sprinklings.

We see in the Didascalia the leaders, or writer(s), attempting to determine normative behavior for the radically changed world in which they live their lives. The messiah has come and gone and come again, leaving the emerging leadership of his followers to sort out the repercussions of the events. In this environment, much like the work of the Rabbis in the Mekhilta, Mishnah and Tosefta, the leaders offer interpretations of biblical texts, rhetorical devices and revisions of biblical discourse to their followers in an effort to suggest the proper response to history.

For example, I mentioned above a teaching of the Didascalia in which the leaders specifically address Jewish disciples of Jesus.[61] The teaching is a midrashic reading of Matthew. "Come unto me, all *you* who labor and are heavy laden, and I will give *you* rest."[62] The Didascalia appears to ask the midrashic question: who is the *you* in this passage of the Gospel? The answer, according to our writer(s), suggests that the *you* are the Jewish disciples of Jesus. Jesus has a specific message for the Jewish disciples within the community that relieves them of the burden of the second legislation. The teaching specifically notes that this part of the message of Jesus is not for the nations (*amemo*)--the gentiles within the community. The *you* in Mathew 11:28 differentiates between the Jews

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[61]Vööbus 230.
[62]Matthew 11:28. Emphasis mine.

and the gentiles among the disciples of Jesus. Thus, using a highly midrashic hermeneutic, the writer(s) addreses specific behaviors of the Jewish disciples of Jesus in a specific historical situation.

According to the writer(s), much of the biblical discourse no longer applies. The second legislation has been abrogated. The arrival of Jesus, and acceptence of his role as the messiah through baptism, frees the descendents of the Israelites from the punishments inflicted upon them for their past idolatrous actions. Those Jewish disciples of Jesus who still practice the second legislation are no better than idolators themselves.[63] The goal of this polemic against the practice of the second legislation is community building--both by defining proper behavior and identifying deviant behavior.

Community entails inhabiting a specific territory built from the ethos and ways of the people who choose to live within it.[64] If we carry the territory metaphor to its logical conclusion, then we can also suggest that a community needs to maintain boundaries--both as a means to determine who is and is not a member of the group and also to identify deviant behavior within the group. I would suggest that the Didascalia participates in this process of boundary maintenance when it offers a polemic against the second legislation and specifically against practices of purification. "On the whole, members of a community inform one another about the placement of their boundaries by participating in the confrontations which occur when persons who venture out to the edges of the group are met by policing agents whose special business it is to guard the cultural integrity of the community."[65] Encountering Jewish disciples of Jesus within their ranks who are retaining the biblical laws of purity, the leaders of these followers of Jesus enact a police action. They

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[63]Vööbus 233.
[64]Kai T. Erickson, Wayward Puritans (Boston: Allyn and Bacon, 1966) 9-10.
[65]Erickson 11.

engage in a rhetorical battle against the practices and mark boundaries with the identification of deviant practices.

On the other hand, the words of the Didascalia also build a positive identity for those within the fold. The identification of deviant behavior also bolsters group identity "by supplying a focus for group feeling."[66] The group now has identified an array of practices which are counter to its goals. With this identification comes a feeling of mutuality--even if it is a mutual dislike for these deviant practices and the deviants who perform them. Thus, we see a single social function of the discourse against purity in the Didascalia. It attempts to establish the boundaries of an emerging community by offering negative repercussions for deviant ideation/actions and by focusing group feelings against deviant ideation/actions.

Yet, it is equally important to note that the Didascalia inadvertently records the resistence of some Jewish disciples of Jesus to these efforts to create and maintain boundaries. A rhetorical stance against practices like immersions and separation of meats would not be necessary unless members of the community were actually practicing them. Of course, these admonitions could simply be rhetorical posturing, but the use of an entire chapter of the text, the proffering of biblical proof to strengthen the argument and the use of actual Jewish practices in the discussion all strongly argue for an real problem within this group. Apparently, the efforts at boundary maintenance and the construction of group identity are not complete. A number of Jewish disciples of Jesus stand with one foot in the room and one foot out of the room.

Separation in the Didascalia Apostolorum

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[66]Erickson 4.

In the previous section of the thesis, I outlined the rhetorical context for Chapter 26 of the Didascalia. Since this is an important element of the argument of this section, I wish to briefly review some pertinent rhetorical positions of the chapter. The following quotation, which comes fairly early in the chapter, is preceded by the initial argument against the second legislation. In the middle of the discussion of biblical Israel's punishment for the sin of the golden calf, the writer(s) interjects the first of the practical consequences for the people's actions:

> Therefore He laid upon them continual burnt offerings as a necessity, and caused them to abstain (*afresh*) from meats through distinction (*purshonei*) of meats. Indeed, from the time that animals were discerned, the pure flesh and the not pure, from that time were separations (*purshei*), and purifications, and baptisms and sprinklings ... for because of the multitude of sins there were laid upon them customs unspeakable.[67]

Thus, an array of practices--including the dietary laws, laws of purity and the sacrifices[68]--are decreed upon the Israelites for their sins. The curious element of this passage is the word choice of the writer(s) of the Didascalia. Three different times, the writer describes the dietary laws in terms of the three letter root--*pey/resh/shin*--which has a semantic range that includes abstention. We can see from Vööbus' translation that this is the case. He translates the root both in terms of "distinction" and in terms of "abstention." Thus, Vööbus himself suggests that at least in the *afel*, or 3 stem, the term indicates a command by God to abstain. Payne-Smith offers an example of the *afel* which indicates something set apart for God.[69] The translation cannot be determined definitive until a further examination of the use of the term by the writer(s) of the Didascalia. At a minimum, we can suggest the possibility that the writer(s) understood the levitical separation of meats in terms of abstention for the sake of God.

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[67]Vööbus 227. With minor changes in translation.
[68]The ellipsis includes a list of sacrificial activities.
[69]R. Payne-Smith, A Compendious Syriac Dictionary reprint (Eugene, OR: Wipf and Stock) 466.

Yet, the most important question remains the most difficult to answer. It is common knowledge that the rabbinic class greatly expanded upon the levitical dietary laws.[70] Additionally, we have seen the remarkable linguistic similarity between *tinyan nomuso*--the second legislation--and *mishnah* (*Torah*)--the second/repetition (of the) law. Also, we have seen that many of the activities which attract the rhetorical ire of the writer(s) of the Didascalia are levitical practices that are continued or expanded by the Rabbis--such as the dietary laws and the laws of purity. Does the argument against the second legislation also include a veiled attack upon rabbinic activities? At this time, I wish to leave the question unanswered. Yet, I feel comfortable suggesting that there is much evidence that supports reading the Didascalia both as a document attempting to form a "Christian" identity and as a document which exhibits "intra-Jewish"[71] argumentation. When one reads the Didascalia, simple differentiations between these two identities appear to crumble.

Shame in the Didascalia Apostolorum

In the Mekhilta, we saw that the Rabbis exert some effort to construct a moral self out of a specific conception of modesty. Connecting modesty to purity, the Rabbis generate a potent metaphor, which I suggest guides the moral behavior of the Rabbis and their choices regarding purity and abstention. Yet, along the way, the literal interpretation and practice of the purity laws is never abandoned by the Rabbis and their followers. Chapters Two and Three of the Didascalia outline proper behavior for husbands and wives. Within these chapters, the text describes the modest conduct which befits marriage and also connects immodest behavior with impurity. In this section, I wish to analyze the metaphorical

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[70]For example, Mishnah Chullin.

[71]I put the terms in quotes to emphasize my belief that "Jewish" and "Christian" identities are not solid at this point in history--if ever--instead, they move on a continuum between the two groups.

connection between immodesty and impurity. I will begin with an exhortation to men to act modestly:

> Do not adorn (yourself) so that a strange woman may see you and covet you. And if, indeed, you be constrained by her and sin with her, death in fire shall come upon you from God severely, that (death) which abides forever which is in rough and bitter fire; and you shall know and understand that you are severely tortured. But if you do not do this impurity (*tamutho*), but put her far away from you and renounce her--you have sinned only in this that through your adornment you have caused the woman to be kindled with the desire of you ... And if you wish to please God and not men and are looking and hoping for the life and rest everlasting, do not adorn the beauty of your nature which is given you from God but in the modesty of neglect pretend to be poor before men.[72]

Following an admonition to dress modestly, the text outlines the repercussions for both sexual transgression and proper modest behavior. In the process, sexual transgression--the culmination of immodesty--is compared to impurity. Now, I must note that this *topos* is not uncommon in Late Antiquity and that the presence of the metaphor in both the Mekhilta and Didascalia is not particularly enlightening by itself. Nonetheless, an intertextual reading with another passage in this chapter of the Didascalia can show an important difference in how these metaphors were used by rabbinic Jews and the members of the Didascalia's community.

Elsewhere in the chapter, the text describes the proper reading curriculum for an adult male in the community. The emphasis is upon biblical texts. If the person desires to read stories, he should read the Book of Kings. If the person desires songs, he should read the Psalms. During this listing of correct reading material, the Didascalia notes the care one should take while reading the second legislation, so that one "abstain(s) from the commands and prohibitions that are therein."[73] As I already have shown, the second legislation includes the laws of purity. In this chapter, the connection between impurity and sexual transgression is purely metaphorical. There is no further implication that the laws

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[72]Vööbus 13. I made minor changes to the translation.
[73]Vööbus 15.

of purity should be exercised by the community. This is an important difference between the Mekhilta and the Didascalia.

In an admonition to wives to behave modestly the Didascalia uses metaphor to connect impurity with sexual transgression:

> You have learned then how many praises a modest women and one who loves her husband received of the Lord God, one that is found faithful and wants to please God. You therefore, woman, shall not adorn yourself that you may please other men. And you shall not be plaited with the dresses of harlotry, nor clothe yourself in the garment of harlotry nor be shod with shoes so that you resemble those who are in this way; in order that you may not bring upon you those who are captured by these (things) and you do not sin in this work of impurity (*tamutho*).[74]

For women, too, sexual transgression is connected to impurity by means of metaphor. Once again, utilizing the intertextual reading with the section about the second legislation, and even an intertextual reading with the portion of the Didascalia that argues against post-menstrual immersion,[75] we can suggest that for women this metaphor does not imply practicing the biblical laws of purity. For men and women in the Didascalia, the connection between sexual transgression and impurity is only a potent metaphor drawn from the biblical discourse, which guides the construction of a moral self.

Thus, while both the Mekhilta and the Didascalia read the biblical text, and even exhibit some hermeneutic similarities, ultimately, different readings of the levitical code and different social circumstances between the two communities differentiate them in their conceptions of purity and celibacy. For the Rabbis, who show a great concern for retaining the levitical code, a literal interpretation and implementation of purification practices is a necessary outcropping of their understanding of the Bible. The Rabbis also

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[74] Vööbus 24.
[75] Vööbus 238ff. See Charlote Fonrobert, Menstrual Purity (Stanford: Stanford University Press, 2000) 160-209.

extend purity into the realm of metaphor, utilizing it for the constitution of a moral self. For the writer(s) of the Didascalia, who rejects the levitical code as a part of the now defunct second legislation, purity is simply a metaphor for moral subjectivation, while literal practice of purification is irrelevent. I have suggested that the retention of practices of purity by the Rabbis operates as a stepping stone for ascetic practices. As we saw in the Mishnah: purity leads to *perishut*, which in turn leads to holiness.[77] Purity is a first step; abstention is a second step; holy perfection is an ultimate goal. Left without the literal retention of purity practices and ignoring the writings of Paul for the most part, the community of the Didascalia would have to look to other means for the expression of an ascetic ideal. I would argue that the need to create tangible boundaries in this still fluid community supersedes this potential urge.

[77]Mishnah Sotah 9:15.

Chapter 3
History and Asceticism
Palestinian Rabbinic and Syrian Christian Asceticism as Reflected in Two Third- and Fourth-Century Documents--The Tosefta and the Didascalia Apostolorum

In the gap between history and religious ideals, ascetic practice makes its home. All religions strive for certain ideals, and rabbinic Judaism during Late Antiquity is not an exception to the rule. One could characterize the emerging rabbinic Judaism of the first three centuries of the common era as a messianic movement.[1] Ben Zion Wacholder has described the Mishnah, which is arguably the quintessential rabbinic document of the period, as highly messianic and highly idealistic. In his conception, the inclusion in the Mishnah of a vast amount of practices which are impossible to enact after the destruction of the Temple can be explained by a yearning for a messianic future, in which the Temple will be rebuilt and these practices can once again be performed by Jews.[2] Yet, the other side of the coin must have also been undeniable to the Rabbis. The Temple was destroyed. The seventy years after the event were marked by a series of revolts, persecutions and decrees which took their toll upon the Jewish people and individual Jews. This chapter suggests that the combination of idealism and hard reality was a fertile ground for both practices which resemble asceticism and practices which can be called asceticism.

In a compelling article about Jewish asceticism in the Second Temple period and the rabbinic period, Steven Fraade draws attention to these two elements--idealism and hard historical realities--as the phenomena that bred ascetic practice. "Humans (whether individually or collectively) aspire to advance ever closer to an ideal of spiritual fulfillment and

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[1]Aharon Oppenheimer, "The Messianism of Bar Kokhba," Messianism and Eschatology, ed. Tzvi Baras (Jerusalem: Zalman Shazar Centre, 1983) 153-165.
[2]Ben Zion Wacholder, "Messianism and the Mishnah," The Louis Caplan Lecture on Jewish Law, The Chapel of the Hebrew Union College, 29 Mar. 1978.

perfection, while confronting a self and a world that continually set obstacles in that path, whatever its particular course."[3] The period of the revolts and persecutions, roughly between 66 C.E. and 138 C.E., offered no shortage of obstacles, while the Rabbis continued their efforts to rebuild a broken world. Asceticism was a part of that encounter between idealism and history.

A Third- or Fourth-Century Rabbinic Document: The Case of the Tosefta

Historicizing rabbinic texts is a notoriously tricky proposition. The suspect nature of rabbinic attributions, working with redacted texts that claim to represent earlier traditions and reading a much later medieval manuscript tradition all complicate matters. Determining whether a discussion was created at the time of the rabbinic attributions in the text or at the hands of later compilers is quite difficult, even somewhat meaningless, since we know as little about the Rabbis as we do about the editors. At a minimum, one can propose a probable time of redaction and identify how the redacted text historically locates a particular discussion. Although the issue is fraught with problems, a likely date for the final redaction of the Tosefta is the late third or early fourth century.[4] Thus, we can say something of how a third- or fourth-century document represents a pietistic response to earlier events, regardless of whether the editors or earlier writers hold primary responsibility for those representations. The lens into the past is dusty and smudged, but we are still able to see the outlines of rabbinic asceticism.

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[3]Fraade, "Ascetical Aspects" 255.
[4]H.L. Strack and G. Stemberger, Introduction to the Talmud and Midrash (Minneapolis: Fortress, 1992) 167-81.

Chapter Fifteen of tractate Sotah in the Tosefta opens with the words, "when the Temple was destroyed,"[5] locating the narrative in post-70 C.E. Palestine. An interpretive lament for the loss of the Temple makes up the rest of the chapter, which takes a good amount of care mentioning the historical events of the next seventy years. Before listing three wars with Rome, a saying attributed to Rabban Shimon ben Gamliel bemoans "each and every persecution that came upon the public, the rabbinic court diminished joy corresponding to it."[6] The Rabbis respond to the horrors of war with Rome by imposing a series of decrees upon their followers:

> During the war of Vespasian[7] they decreed about the grooms' wreaths [...] During the war of Quietus[8] they decreed about the brides' wreaths [...] During the last war[9] they decreed about the grooms' canopy.[10]

All of these decrees cluster around marriage rituals. Despite an almost infinite range of possibilities, the wreaths worn by the bride and groom and the wedding canopy seize the legislative attention of the Rabbis. Whether the superscriptions about the three wars are part of a tannaitic discussion or the work of early amoraic editors, the Rabbis contextualize the decision to limit joy at wedding festivities within Roman rule. I would suggest that the response to limit joy derives from the pain and loss experienced during three wars with the Romans. Here, I am not simply reading historical events into the text, rather, paying close attention to the structure of the chapter, and noticing how the Rabbis themselves connect the three revolts to a limiting of joy. Facing the valleys of history, yet retaining

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[5]Tosefta Sotah 15:1.
[6]Tosefta Sotah 15:6.
[7]All references to the wars are missing from the Erfut manuscript. Throughout the paper, my translation follows the Vienna manuscript.
[8]The Vienna manuscript has "during the war of Titus." The Kaufman manuscript of the Mishnah has "*Kitom.*" The Antonin manuscript has "*Keitos.*" Thus, I follow Saul Lieberman, *Tosefta Kifshuto* (New York: JPS, 1955-73) 767, who associates the text with the revolt in Mesopotamia put down by Lucius Quietus in 115-117 C.E. during the reign of Trajan.
[9]Lieberman, *Tosefta Kifshuto* 769-770 rightly associates this term with the Bar Kokhba revolt in 132-135 C.E.
[10]Tosefta Sotah 15:8-9. My translation.

the heights of rabbinic messianism, abstention arrives as a pietistic practice which levels the field. While this path, as we shall see later, remains a minority opinion butting heads with the Rabbis' desire for procreation, nonetheless, it represents a small voice within the rabbinic tradition which embraces abstention. At this point, I can only emphasize that marriage practice draws the attention the Rabbis, while a further restriction from sex or marriage is not--yet--represented in the Tosefta.

If asceticism can be defined as having two components: "1) the exercise of disciplined effort toward the goal of spiritual perfection (however understood), which requires 2) abstention (whether total or partial, permanent or temporary, individualistic or communalistic) from the satisfaction of otherwise permitted earthly, creaturely desires,"[11] then the Rabbis are halfway down the road to ascetic praxis. While the abstention is undeniable, it appears that the restrictions are part of an array of specialized mourning practices--or penitential practices--for the loss of the Temple.[12] Spiritual perfection does not appear to be the goal of these practices. Nonetheless, rabbinic focus upon marriage, sexuality and procreation continues throughout the chapter, and also connects with a larger array of practices, such as not eating meat and not drinking wine:

Rabbi Ishmael[13] said: "Since the day when the Temple was destroyed, it was argued not to eat meat, and not to drink wine, but no rabbinic court decrees upon the public things they cannot bear." He would say: "Since they uprooted the Torah from among us[14] let us decree upon the world that it lay in waste--not to marry a woman, and not to give birth to children and not to practice the seven-day party for the birth of a son until[15] the seed of Abraham ceases from him." They said to him:[16] "It is better for the public that

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[11]Fraade, "Ascetical Aspects" 257.
[12]Comment of Dr. Richard Sarason.
[13]The Erfurt manuscript has Rabban Shimon ben Gamliel, which coheres with the previous attribution about decrees.
[14]The Erfurt manuscript has an interesting variant. "Since they decreed upon us not to study Torah." Saul Lieberman believes that the Erfurt manuscript reflects a scribal change by someone who did not understand the text. He also believes that the statement of Rabbi Yishmael in the Vienna manuscript refers to the persecutions and decrees of his time, specifically decrees which affected family life, such as circumcision and marriage. Lieberman, *Tosefta Kifshuto* 771.
[15]The manuscript contains the additional words "*shelo*," which are ungrammatical. I eliminate the

they err unintentionally, and not intentionally." When the Second Temple was destroyed, *perushin*[17] increased in Israel who were not eating meat and drinking wine. Rabbi Yehoshua joined the discussion and said to them: "My sons, why are you not eating meat?" They said to him: "How could we eat meat when everyday a continual burnt offering was offered on the altar and now it has ceased?" He said to them: "We should not eat. Why are you not drinking wine?" They said to him: "How could we drink wine when everyday it was poured on the altar and now it has ceased?" He said to them: "If it is so, we should not eat bread, for from it they were bringing the two loaves and the show-bread. We should not drink water from which they were pouring the water-offering on *Sukkot*. We should not eat figs and grapes for from them they were bringing first-fruits on *Atzeret*." They were silent. He said to them: "My sons, to mourn too much is impossible and not to mourn is impossible, rather so said the Sages: 'A person plasters his house with plaster but leaves a little part uncovered as a memorial to Jerusalem.'"[18]

Here, we see a much more radical formulation of a proper response to the destruction of the Temple. Rabbi Ishmael, or in another manuscript Rabban Shimon ben Gamliel, mentions that some argued for abstention from meat and wine. The text lacks a specific range of time for this practice, but the logic of the narrative suggests that this is a full-time occupation. It is possible to compare this decree with the broad pattern of rabbinic decrees to reduce joy in the face of suffering. Here, the range of these decrees is expanded beyond the wedding ritual into everyday life, focusing upon the eating and drinking habits of the Jewish people. The choice of meat and wine also appears to be connected to the Temple. As we see later in the arguments of the *perushin*, both meat and wine were a part of the Temple ritual. The abstainers argue that since the Jews can no longer offer these two things on the altar of the Temple, they also have no place on the table.

The statement attributed to Rabbi Yishmael also subtly resists those who desire to abstain from meat and wine. He mentions that decrees were never imposed upon the people that they were not able to keep, implying that full-time abstention from wine and meat was

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words as a scribal alteration made by a later hand who resisted the call to a celibate life.

[16]The Erfurt manuscript contains the words "Leave Israel alone!," which again may be a point of resistance to the celibate life. The amount of variants suggests a contested site.

[17]*Perushin*--literally "separatists." The term has a double meaning in tannaitic literature. 1) Israel should separate themselves from the nations 2) Israel should abstain from their indulgences. Fraade, "Ascetical Aspects" 269-72. In this context, it refers to the latter.

[18]Tosefta Yevamot 15:10-12. My translation.

both too extreme and never actually achieved by rabbinic sanction. Limiting the period of abstention to a single day marking the loss of the Temple, on the other hand, reaches a normative position for the Rabbis. As mentioned earlier, the goal of abstaining may very well be part of an array of mourning practices that cluster around the ninth of Av. These similarities call for an intertextual reading with Mishnah Taanit 4:7:

> In the week wherein falls the 9th of Av it is forbidden to wash the hair or wash the clothes; but it is permitted on the Thursday because of the honour due to the Sabbath. On the eve of the ninth of Av let none eat of two cooked dishes, let none eat flesh and let none drink wine. Rabban Simeon b. Gamaliel says: A man need but make some difference. Rabbi Judah says: A man must turn up his couch. But the Sages did not agree with him.[19]

The Mishnah mentions a series of actions which the Rabbis suggest for the ninth of Av--the day on which the Temple was destroyed according to rabbinic understanding. The sheer range of opinions offered by the Rabbis on this subject suggests a contested site of rabbinic praxis--like most locations in the Mishnah. In the anonymous voice of the Mishnah, the text initially calls for not eating meat and wine, much like our text in the Tosefta, and for not eating two cooked dishes on the eve of the ninth of Av. Yet, in a saying attributed to Shimon ben Gamaliel, the Mishnah merely calls for some change in eating habits. Rabbi Judah says a man should overturn his bed, which is a sign of mourning. On the other hand, the Rabbis also reject this practice. A range of opinions are expressed--from the rigorous initiation of a minor fast and a mourning practice to merely making minor changes in everyday life.

I would suggest that Mishnah Taanit represents the larger trend in response to the destruction of the Temple. The Rabbis recognize the need to mark the loss of the Temple, but at the same time, they attempt to limit the behavior. Extreme voices occasionally are

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[19]Mishnah Taanit 4:7. Translation by Danby.

loud enough to be heard, like the abstainers in the Tosefta text, but for the most part the Rabbis wish to constrain the remembrance of the Temple both in time and in range of practice. We see this tendency in the Mishnah, where unlike the Tosefta, the mourning practices are limited to a single day--the ninth of Av. While quite willing to enact measures which mark the destruction of the Temple, the Rabbis are also careful not to make them excessive. Unlike the abstainers of the Tosefta, the Rabbis of the Mishnah enact abstention in a particular ritual context. The activities occur on a single day--the ninth of Av--and are quite mild. Here, once again, the abstention is in response to loss, but the goal is to channel the emotions into a specific period of time and then to move forward into the future. This is the route that emerges as the dominant trend in relation to the loss of the Temple. Given our two-stage definition of asceticism, the rabbinic practices of the ninth of Av, while involving abstention, fall short of asceticism, since they do not have perfection as their goal. Instead, mourning for the loss of the Temple is the *telos*. Yet, there was no shortage of more extreme responses to the loss of the Temple and Tosefta Sotah represents a number of them:

> Since they uproot the Torah from among us, let us decree upon the world that it lay in waste--not to marry a woman, not to give birth to children and not to practice the seven-day party for the birth of a son until the seed of Abraham ceases from him.[20]

Before connecting this text to any historical context, first we should unpack how the text functions in the Tosefta. The opening metaphor "uprooting of Torah" lacks a definite historical reference. As mentioned previously, the Erfurt manuscript has an interesting variant on this text. It reads, "Since they decree upon us not to study Torah, let us decree..." The variant tempts the reader to connect the Tosefta to a specific Roman decree which banned the study of Torah, but I would suggest that the specificity is an

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[20]Tosefta Sotah 15:10. My translation.

over-reading of the material at hand. Saul Lieberman suggests that the Erfurt manuscript reflects a change by a scribe who did not understand the text before him,[21] which erodes the specific connection to a Roman decree. Lieberman does suggest that the text refers to the persecutions and decrees of the time of Rabbi Yishmael--a second-generation Tanna who roughly lived during the period of the three revolts.[22] Thus, it is possible to make a more general connection between the "uprooting of the Torah" and the Hadrianic persecutions--the revolt of 135 C.E. and its aftermath. Whether the text reflects a statement of a second-generation Tanna or an editorial attribution of a statement to a second-century Tanna, the "uprooting of Torah" most likely represents a metaphorical reference to the persecutions during the era of Rabbi Yishmael.

Thus, it is possible to argue that the losses of the past centuries are so traumatic that a certain group of Jews responds with a radical rejection of the world. Facing the suffering of the period, a group of Jews choose to refrain from marriage, procreation and circumcision. All three events are vital elements in the preservation of the Jewish people: a Jew gets married, produces children and has those children circumcised. Without these practices, there would be no Jewish people.

Yet, possibly, the last of the three tells the most about this minority response. Circumcision is a particular marker of the Jew. Romans also get married and procreate, but they do not circumcise. In fact, circumcision marks a point of difference in the Roman and Jewish conception of the body. "For the Jews of Late Antiquity, I claim, the rite of circumcision became the most contested site of this contestation, precisely because of the way that it concentrates in one moment representations of the significance of sexuality,

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[21]Lieberman, *Tosefta Kifshuta* 771.
[22]Strack and Stemberger 79.

geneology and ethnic specificity in bodily practice."[23] Daniel Boyarin is speaking about the contestation between the Jews and the Romans relative to the particularity of Jewish ethnicity. Facing a powerful empire, the Jews attempt to retain a specific ethnicity with a number of conceptualizations and ritual practices. Circumcision, which obviously has a biblical heritage, achieves new meanings when facing Roman power and Roman conceptions of the body. We do know of a Hadrianic decree which bans all genital mutilation. Although possibly not a specific attack upon circumcision, rather an array of near-eastern practices,[24] the decree must have been perceived by the Jews as an affront to their efforts at ethnic particularism. On the other hand, in the Tosefta, a group of Jews have given up the contest. In giving up sexuality, they are not only giving up wives and children; they are also ceding the most potent mark of ethnic specificity available to them--circumcision.

The end of procreation would be the eventual end of corporate Israel. Without Jews who are recognizable as Jews, the corporate body of Israel will fade away. The Rashbam, in an insightful commentary to a repetition of this text in the Talmud, notes that the destruction of the Jewish people is not in the hands of the gentiles in this case.[25] No longer do the Romans wreak havoc upon the Jewish people. They have taken the destruction into their own hands. The practice of celibacy, the Rashbam implies, is the Jews taking their bodies back under their control. Marriage, children and circumcision have been abandoned in a radical last grasp for control of particular identity. The Jews seem to say: "If we are going to be destroyed, then at least have it be under our own volition."

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[23]Daniel Boyarin, Carnal Israel (Berkeley: University of California Press, 1993) 7.
[24]So argues Emil Schuerer, The History of the Jewish People in the Age of Jesus Christ (175 B.C.E.-A.D. 135), trans. T.A. Burkill and others, rev. and ed. Geza Vermes and Fergus Miller (Edinburgh: Clark, 1973-1987), but Gedalihu Allon, *Toledot haYehudim bEretz Yisrael bTkufat haMishnah vhaTalmud* (Tel Aviv: *Kibbutz haMeuchad*, 1952), contends that one cannot assume ignorance on the part of Hadrian about Jewish reaction to the decree.
[25]Rashbam on BT Sotah 70b. See Lieberman, *Tosefta Kifshuta* 772.

Although the commentary is medieval, it succinctly captures a possible psychology of rabbinic celibacy. If this is the case, then celibacy in the Tosefta can only be called ascetic in its praxis, not in its *telos*. The Jews are abstaining, but not as a religious practice with the goal of perfection; rather they are responding to a challenge against corporate Israel by giving up on the future and seizing control of their own destruction.

Yet, the Rabbis also resist this tendency in the Tosefta. We have already seen how Rabbi Yishmael implies that not drinking wine and not eating meat is not a proper approach for the Jewish community as a whole. Similarly, the anonymous voice of the Tosefta responds to the Jews who want to decree against marriage, procreation and circumcision: "It is better for the public that they err unintentionally and not err intentionally."[26] What exactly is the error of which the Tosefta speaks in the passage? I would suggest that the Tosefta assumes that not marrying is a sin, not procreating is a sin and not circumcising is a sin. Thus, a decree against marriage, procreation and circumcision causes those who do not do these practices to sin intentionally, while without the decree they are merely unintentional sinners. Thus, the anonymous voice of the Tosefta both assumes that not practicing marriage, procreation and circumcision is a sin and proffers an argument to resist decreeing these abstentions. Yet, immediately following this argument, the Tosefta presents the story of the *perushin*.

Once again, an introductory phrase, "when the last Temple was destroyed,"[27] introduces a narrative of abstention, contextualizing the practices as a response to the loss of the Temple in 70 C.E. In response to this event, a number of *perushin*, or abstainers, began not to eat meat and not to drink wine. The practice has already been discussed in de-

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[26]Tosefta Sotah 15:10. My translation.
[27]Tosefta Sotah 15:11. My translation.

tail relative to the opinion attributed to Rabbi Yishmael at the beginning of Tosefta Sotah 15:10 and also relative to Mishnah Taanit 4:7. Here, further along in Tosefta 15:10, the logic of the abstainers directly connects to the Temple rite. Since meat and wine can no longer be offered on the altar, they should also not be served on the table. Establishing a correspondence between the alter and the table, the statement suggests a way to mourn for the loss of the Temple.

On the other hand, the Tosefta offers an argument against more extreme practices of abstention. Attributed to Rabbi Yehoshua, the argument reminds the abstainers that water and bread are also part of the Temple rite. Should the Jews also abstain from bread and water? Rabbi Yehoshua appears to remind the abstainers that taken to their logical conclusions these extreme practices threaten the lives of individual Jews and the ongoing existence of corporate Israel. Instead, he suggests an alternative praxis which enacts the normative rabbinic stance relative to the destruction of the Temple. Mourning and memorial are the guiding principles for a response to the loss, not asceticism. Thereby, he suggests to leave a part of a wall unplastered as a memorial to the Temple and says "My children, to mourn too much is impossible and not to mourn is impossible."[28] The Rabbis recommend a moderate position. While acknowledging the opinions of abstainers among the Jews, they also contest these opinions and subtly dissuade them from their practice.

The corporate body of the people of Israel was not the only thing threatened by the wars, revolts and persecutions of the first two centuries in Palestine. Individual Jewish bodies were also damaged, punished, wounded and killed. In Tosefta Sotah Chapter Fifteen, we have already seen that in response to the tragedies of that era a minority of rabbis

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[28]Tosefta Sotah 15:12. My translation.

gave up the idea of an identifiable corporate Israel. Earlier in the chapter, the Rabbis address the other issue--damage committed to individual bodies--in a *mashal*:

> When the Sanhedrin was terminated, singing in banquet halls was terminated. And what good was the Sanhedrin for Israel? But it was for this matter, concerning which it is said, "And if the people do at all hide their eyes from that man, when he gives one of his children to Molech, and do not put him to death, then I will set my face against that man and against his family." (Leviticus 20:4-5) At first, when a man would sin, if there was a Sanhedrin in operation, they would exact punishment from him, now, from him and his relatives, as it is said, "Then I will set my face against that man and against his family." (Leviticus 20:5) They have compared the matter to one who went bad in a town, so they gave him over to the strap-bearer and he strapped him. He was too hard for the strap-bearer. They gave him over to a rod-officer, and he beat him. He was too hard for the rod-officer. They gave him over to a centurion and he put him in prison, but he was too hard for the centurion. They gave him over to a magistrate, and he threw him into a furnace. So is Israel: the latter tribulations make them forget the former tribulations.[29]

The relationship of narrative to history is complex. Given the technical difficulties of the literature, relating midrash, or in particular the *mashal*, to historical events is an even more imposing task. Yet, a number of schools have emerged that describe the function of midrash. Some writers posit the existence of a bank of story-types at the disposal of any member of a culture. These story-types are the bearers of ideological information, which changes depending upon the literary setting. For these writers, history is found by analyzing how a certain bank of stories are used in different literary and historical locations.[30] So, any history generated from the *mashal* focuses upon a specific literary context, closing down the possibility of intertextual readings. Another school, led by Daniel Boyarin, argues that midrash relates primarily to the Bible. Midrash is hermeneutics. By Boyarin's understanding, the *mashal* functions as an interpretive key which unlocks problems in the biblical text with an easily understood literary form--the parable. Hence, the *mashal* controls the possible meanings which can be generated by rabbinic culture from the biblical text. The *mashal*, in its essence, works intertextually,

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[29]Tosefta Sotah 10:7. Translation by Neusner.
[30]Hayden White, Tropics of Discourse: Essays in Cultural Criticism (Baltimore, MD: Johns Hopkins University Press, 1978) 78.

connecting the Bible to the cultural code of the rabbis.[31] Steven Fraade takes a center position, arguing for attention to the details of rabbinic textuality relative to the Bible without completely ignoring historical context, and calling these the "inner-facing" and the "outer-facing" aspects of midrash.[32]

Paying attention to hermeneutics and to historical information represented in the text, I try to generate readings which both respect how midrash functions as a genre of literature and how it interacts with the historical context. I acknowledge that previous scholarship has been much more successful at the former than the latter, but do not see why this should preclude new efforts at generating historical readings. Taking into account the cautionary tales of the last generation of post-modernists, I will still attempt to historicize rabbinic representations. I would suggest that just as the post-moderns have taught us much in the last thirty years about the limits of history, so too catastrophic events, such as the destruction of the Temple, have much to teach us about the limits of post-modernism.

The opening passage of Tosefta Sotah 15:7 once again speaks of limiting joy relative to the actions of the Romans. Specifically, the abolition of the Sanhedrin, which some historians tentatively locate during the reign of Hadrian,[33] signals an end to the singing at banquet halls. Whether this midrash can be specifically located in the era of Hadrian and the second revolt or not, the text does explore a problematic between Rome and the Jewish community. Within the *mashal*, the last two punishers, who exert the most damage upon the bad man, are Roman officials--the centurion and the magistrate. The first word, *kitron*, is a contraction of the Greek word centurio, while the second word, *shilton*, also

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[31]Daniel Boyarin, Intertextuality and the Reading of Midrash (Bloomington, IN: Indiana University Press, 1990) 80-92.
[32]Steven Fraade, From Tradition to Commentary: Torah and its Interpretation in the Midrash Sifre to Deuteronomy (Albany, NY: State University of New York Press, 1991) 13-22.
[33]Lawrence Schiffman, From Text to Tradition (Hoboken, NJ: Ktav, 1991) 145.

refers to Roman power in this specific literary context.[34] Thus, the language of the text itself suggests a cultural interaction between Rome and the Jews. Given the narrative of the *mashal*, which describes a series of beatings and finally death imposed upon a Jew, calling this interaction a point of tension may very well be an understatement. I wish to argue that the specific location of this tension between the Romans and the Jews is the individual Jewish body.

Both the midrashic eise/exegesis of the beginning of Leviticus 20 and the *mashal* address the question: what good was the Sanhedrin? The implication of the question is that the Sanhedrin was not always a great institution for individual Jews. After all, it meted out corporal and capital punishments. Yet, the meta-issue is the quality of the Sanhedrin's judgements compared to Roman judgements. Leviticus 20 serves as an intertextual key that unlocks the issue. In Leviticus 20, a man who offers his children to Molech is punished by death. When a man does not report someone who offers his children to Molech, both he and his family are killed. The increase in the range of punishment from the single man to the man and his family catches the attention of the Tosefta, which then applies the example to the change from the Sanhedrin to the Romans. So, the answer to the two initial questions (what good was the Sanhedrin? how does the Sanhedrin compare to Roman institutions?) is generated from a reading of the Leviticus text. Just as the punishment for Molech worship gradually increases in range of affected parties, so too the punishments increase as one moves from the Sanhedrin to Roman control .

The *mashal*, as Daniel Boyarin has noted, (almost) always functions as an interpretive key relative to the biblical text.[35] I would suggest that it also functions as an interpretive

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[34]Jastrow 1353 and 1581-2.
[35]Boyarin, Intertextuality 5.

bridge between the biblical text and the historical and cultural context. While highly hermeneutical in its function relative to the Bible, the *mashal* also takes the meta-questions of a rabbinic text and answers them with a highly fictionalized representation of possible events. In doing so, the *mashal* writes a fiction, utilizing elements and *topoi* which would be plausible to the audience of its day. It serves as a translation of the highly technical work of rabbinic eise/exegesis to a broader audience, by taking recognizable elements of everyday life and writing them into a brief parable. Like Boyarin, I agree that the possible message derived from the *mashal* is quite closed in its range.[36] I also suggest that the work of the *mashal* moves in two directions--towards the Bible and towards people's everyday lives. The questions answered by the *mashal* are not only hermeneutical. The *mashal* also addresses meta-issues drawn from the larger historical and cultural context of the writers and editors of the Tosefta.

In this case, the *mashal* functions as a translation of the eise/exegetical work just performed upon Leviticus 20. For those who do not have minds trained in rabbinic hermeneutics and do not know the Bible by heart, the *mashal* arrives to express the same message--punishments get worse over time. Once again, the message can be applied to the larger question of the section. Is the Sanhedrin or the Roman authority a harsher judge? Clearly, in the *mashal*, one suffers more under Rome. The punishments inflicted by the *kitron* and the *shilton* are much more harsh--prison and death by fire--than the punishments offered by the local authorities--beatings. Yet, the *mashal*, with its use of realistic *topoi* from Late Antiquity, adds an element missing from the biblical discourse. Here, we get a description of violence being committed to Jewish bodies by the Roman authorities. Although placed in a highly simplified and fictionalized narrative, one can still read the *topoi* as elements of the larger Greco-Roman context being used for a specific

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[36]Boyarin, Intertextuality 83.

purpose. You thought the Jewish judges were bad, so the text implies, how about the Romans?

The *nimshal*, I would suggest, also relates to contemporary historical events. It reads "so too for Israel, the latter persecutions make them forget the former."[37] By offering a short moral to the *mashal*, the *nimshal* creates a culturally sanctioned response to the events of their day. The Rabbis offer a possible consolation for suffering. As long as the pain keeps getting worse, the Rabbis seem to argue, at least we forget about the pain in the past as it is overwhelmed by the pain in the present. The use of forgetting as a model for healing is not the usual mode for the Rabbis. As we already saw in Mishnah Taanit 4:7, mourning and memorial are intimately connected in rabbinic textuality. Here, the rabbis take a different view, offering the solace of forgetfulness to the sufferer and the mourner.

Thus, facing the suffering of three revolts against Roman authority, the Rabbis develop a dual response to the problem in Tosefta Sotah Chapter Fifteen. First, the Rabbis recognize the possible threat to the survival of the people of Israel as a corporate entity. A minority opinion suggests that the solution to the problem is to give up certain practices which ensure the existence of corporate Israel--marriage, procreation and circumcision. These practices are also tied to an array of abstentions, such as not eating meat and wine. But, as we have seen, these practices fall short of ascetic behavior, since they do not have perfection of the individual Jew as their goal; rather they are mourning practices in response to the loss of the Temple and the suffering during the revolts. Also, we must keep in mind that these abstentions were ultimately rejected by the Rabbis with the exception of one day a year to mark the destruction of the Temple.

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[37]Tosefta Sotah 10:7.

Second, the Rabbis respond to the damage to individual Jewish bodies by generating a normative cultural response to the reality of physical pain and death. Forgetting past pains is suggested as the response to these beatings and death sentences. Yet, once again, this is not the normative rabbinic response to the suffering; rather focusing release of pain into specific days of ritual memorialization and abstention--such as the ninth of Av--becomes the standard practice of rabbinic Judaism. These minority voices within the Tosefta give us a glimpse into the range of behaviors recognized, if not embraced, by the rabbinic class in Palestine in the third century. Apparently, a range of behaviors were generated by Jews in response to suffering and only over time did normative practice become dominant. The rabbinic text attests to both of these processes, mentioning the minority practices and exerting an effort to marginalize them. In the next text, also taken from the Tosefta, we see both of these tendencies:

Rabbi Akiva says: Anyone who murders diminishes (God's) image, as it is said, "The spiller of the blood of man, by man his blood should be spilled, (for in the image of God, He has made man.)" (Genesis 9:6) Rabbi Eliezar ben Azariah says: Anyone who does not engage in procreation[38] diminishes (God's) image, as it is said, "for in the image of God, He has made man," (Genesis 9:6) and it is written, "while you, be fruitful and increase." (Genesis 9:7) Ben Azzai says: Anyone who does not engage in procreation murders and diminishes (God's) image, as it said, "for in the image of God, he has made man," (Genesis 9:6) and it is written, "while you, be fruitful and increase." (Genesis 9:7) Rabbi Eleazar ben Azariah said to him: Ben Azzai, words are beautiful when they go out of the mouth of those who do them. There are those who expound beautifully and do not practice beautifully and those who practice beautifully and do not expound beautifully. Ben Azzai expounds beautifully and does not practice beautifully. He [Ben Azzai] said to him: What should I do? My soul desires the Torah; let the world be preserved by others.[39]

This text has captured the attention of a number of scholars in the past few decades. Jeremy Cohen notes the presence of a number of Hellenistic elements in the voice of Ben Azzai. First, the call to the celibate life echoes Stoic representations of Cynic practices.[40]

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[38]Here, I eliminate the dittography from the above or below statements "murders and" following Lieberman *Tosefta ki-fshutah* 75.
[39]Tosefta Yevamot 8:7. My Translation.
[40]See Epictetus Discourses 3.22.69-72.

Second, the argument about the diminishing of God's image could go back to the statue-cult of Hellenistic rulers. Just as the divine Ceasar is embodied in a statue which deserves respect, so too YHWH is embodied in the totality of the individual human which deserves respect. Cohen focuses on the repercussions of this belief in rabbinic conceptions of murder.[41] Obviously, if it is an attack upon God, murder attains the status of a major sin. Cohen's argument astutely analyzes the Tosefta's eise/exegesis of the verse "Be fruitful and multiply" relative to murder, whether or not we agree with the Hellenistic comparisons.

Daniel Boyarin opens his chapter on the tension between Torah study and marital sexuality with this text. Boyarin says the text expresses this tension by personifying the two poles of the argument within the voices of the Rabbis. Once again focusing initially upon hermeneutics, Boyarin notes that Akiba and Elazar disagree about the interpretation of the verse "Be fruitful and multiply." Akiba analyzes the text in reference to the preceding biblical verses on the "image of God," and thus against murder. Elazar analyzes the text in relation to the continuation of the biblical text, and thus for procreation. Thereby, Elazar and the celibate Ben Azzai represent the two poles of this tension.[42]

Ben Azzai does not practice what he preaches in the Tosefta. While giving lip service to the importance of procreation, he also has not taken a wife and has not reproduced. What does this contradiction mean? One could dismiss Ben Azzai as a hypocrite. Possibly, this hypocrisy is supposed to undermine the celibate position he espouses, or, the true lesson is to practice the actions which you derive from Torah. On the other hand, we should note that Ben Azzai also could voice an inversion of the stereotypical lecher who

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[41]Cohen 109-114.
[42]Boyarin, Carnal Israel 134-166.

justifies his lascivious behavior with a sly smile and the words "I can't help myself." Thus, the final statement "My soul desires Torah; Let the world be preserved by others" reads with the sly smile of the celibate lusting after learning.[43]

Yet, in the same passage the juxtaposition between Torah and the world catches my eye. "My soul desires Torah; Let the world be preserved by others."[44] Rather than using the technical term for procreation--*priah urviah*--the Tosefta uses a much more broad and metaphorical language. Obviously, "preserving the world" would include procreation in rabbinic representation, but the wording of this passage also suggests a wider semantic range. With his desire for Torah, Ben Azzai also rejects those things which preserve the world. He chooses the life of the study hall over the life of the average man--who labors and has a family. Arguably, this choice also entails a rejection of the world at large for the world of Torah.

Thus, celibacy for Ben Azzai attains the status of personal piety. The goal of the abstention is not mourning for the Temple; rather it enables a full dedication to the life of Torah, enacting the spiritual and physical perfection which develops from that life. For the first time in a rabbinic text, we see ascetic praxis personified by a Rabbi. The text not only represents abstention, but also attributes specific religious goals to the practice. Scholars have already described the attraction of the celibate life in the near east in Late Antiquity.[45] Yet, the role of ascetic Torah study and asceticism in general within rabbinic Judaism has been ignored for the most part by contemporary scholarship.

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[43]Boyarin, Carnal Israel 135.
[44]Tosefta Yevamot 8:7.
[45]Brown, Body 91.

Yet, we should not forget the amount of effort which the Tosefta exerts to marginalize this voice within the rabbinic tradition. The opening words of Tosefta Yevamot 8:4, which precede the opinion of Ben Azzai, read "A person may only desist from procreation if he has children." In the Tosefta, the issue is not whether a man should have children, rather, how many of what gender satisfy his requirement to procreate.[46] Additionally, a man is required to have sex with his wife for her pleasure.[47] Thus, Ben Azzai does not hold the normative rabbinic position about procreation. At no point in the discussion, other than our iconoclast Ben Azzai, do the Rabbis allow for the annulment of procreation without children. Even the discussion between Ben Azzai and Elazar destabilizes Ben Azzai's position. Ben Azzai is portrayed as a hypocrite, or at best a smiling sinner, neither of which lend much credence to his position. Thus, once again, we see a rabbinic text that gives a minority opinion about abstention; only this time, the practice can be called asceticism.

Third-Century Jewish/Gentile Disciples of Jesus: The Case of the Didascalia Apostolorum

The Didascalia shares a number of characteristics with the Tosefta, which makes a comparison particularly compelling. Both documents in the form in which we have them probably derive from the early fourth century. While still a contested issue in rabbinic scholarship, this is within the likely time for the editorial formation of the Tosefta,[48] which also contains teachings from the first three centuries. Early scholars argued for Aphrahat's awareness of the Didascalia, thus placing the translation into Syriac from the Greek

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[46]Tosefta Yevamot 8:4.
[47]Mishnah Ketubbot 5:6. Boyarin, Carnal Israel 142-3.
[48]Strack and Stemberger 176.

original between 300 and 330.[49] Other scholars have contested this assertion, claiming that dating the translation before or after Aphrahat is not possible, and thus widening the possible date of the translation to the first half of the fourth century.[50] The likely date for the Greek original is the third century.[51] So, we see that the two texts have a remarkably similar documentary history. Both possess an earlier layer that is modified later through translation or editing. Additionally, the texts probably derive from a similar geographical location. Because of linguistic affinities with the Mishnah, it can be said definatively that the Tosefta was edited in Palestine.[52] Early scholars place the Didascalia in between Edessa and Antioch without ruling out a location in lower Syria or Palestine.[53]

In the past, a number of approaches have been used to analyze the Didascalia Apostolorum, which often reveal much about the scholarly predispositions of the writer and much less about the lives of the gentile and Jewish disciples of Jesus in third-century Syria. Theological speculation about a broad phenomenon called "Jewish Christianity" guided early studies, which emphasized reconstructing the unified Christian outlook of these early believers, rather than analyzing a group of individuals with a diverse and divergent range of opinions.[54] Other scholars were concerned with the position of "Jewish Christianity" relative to the Eastern and Roman Churches, and thereby focused their energies on identifying groups in the Didascalia as "Jewish Christians" and arguing for diversity, not heresy, in Eastern Christianity.[55] Thus, a supreme amount of effort was exerted to

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[49]R.H. Connelly lxxxvii.
[50]Vööbus 28.
[51]Connelly lxxxvii.
[52]Strack and Stemberger 176.
[53]Connelly lxxxix.
[54]Jean Danielou, The Theology of Jewish Christianity, trans. J. Baker (London: Darton, Longman and Todd, 1964). Also see Robert Kraft, "In Search of 'Jewish Christianity' and its 'Theology' Problems of Definition and Methodology," Recherches de Science Religieuse 60 (1972) 81-92 for a critique of Danielou. Vööbus 55-7 also addresses theology.
[55]Georg Strecker "On the Problem of Jewish Christianity," Orthodoxy and Heresy in Earliest Christianity, eds. R. Kraft and G. Krodel (Philadelphia: Fortress, 1971) 241-85.

identify some of the heresies of the following passage, such as not eating swine, with "Jewish Christians."[56]

Specifically on the subject of asceticism and sexual renunciation, Robert Murray mentions that these two phenomena are almost universal within Syriac Christianity, while noting that the affirmation of marriage occurs in certain texts like the Didascalia.[57] Murray refers the reader to the passage below in a footnote, but apparently does not desire to further analyze his broad observation. This section of the chapter will attempt to enhance Murray's observation with an analysis of the primary text at hand:

> However, everyone of them[58] had one law on earth--that they would not serve the Torah and the Prophets. And everyone would blaspheme against the Almighty God. And they would not believe in the resurrection. For also they were teaching and stirring things up with other things and many opinions.[59] For many of them were teaching that a man should not take[60] a wife. And they were saying that when a man has not taken[61] a wife, it is holiness. And by means of holiness they were praising the doctrines[62] of their heresies. While others of them were teaching that a man should not eat meat. And they were saying that a man is not required to eat anything in which there is a soul. While others were saying that concerning swine alone a man was guilty of eating its soul. But those things that the law makes clean, he should eat. And he should circumcise as is in the law. While others were teaching other things and were making contention and were stirring up the churches.[63]

Like the Tosefta, the Didascalia has a specific way of historicizing the practices of abstention represented within its pages. In Chapter Twenty-Four of the Didascalia, which immediately follows the above text, a repetition of Acts 15 with some additions locates the text in the first-century debates within Christianity about certain Jewish practices, such as circumcision. Previous scholars have observed that the device enables a claim to ortho-

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[56]Strecker 253.
[57]Robert Murray, Symbols of Church and Kingdom (Cambridge: Cambridge University Press, 1975) 12.
[58]Unfortunately, there is no antecedent to this pronoun.
[59]*Reyono* is a noun derived from the G stem and thus translated flatly as "opinions."
[60]I am reading *nun/samech/bet* as an imperfect with assimilation of the *nun* and translating it as a modal. The parallel syntax with the later admonition against the vegetarians supports my reading.
[61]I am reading the diacritical marker over the second letter as an indicator of the perfect, while a diacritical over the first letter would indicate a participle.
[62]*Taritho* is a noun derived from the D stem, so it is translated more emphatically as "doctrines."
[63]Vööbus 230-231. My Translation.

doxy, identifying the teachings of the Didascalia with the teachings of the earlier Church.[64] Others note that the device also uses the first-century debate to explore the third-century manifestations of the same problem.[65]

I wish to follow the second line of argument and suggest that the heresies of the above passage address many different groups, among them Jews who are followers of Jesus in the community of the Didascalia. In support of my argument, the Didascalia specifically addresses "you, however, who have converted from the Jewish people to believe in God our savior Jesus Christ."[66] I have argued in Chapter Two of this thesis that Chapter 26 of the Didascalia specifically addresses certain practices of these Jewish disciples of Jesus. Here, I only wish to suggest the possibility that *some* of the heretical practices in the above text do refer to Jewish practices, possibly performed by Jewish disciples of Jesus within the community.

In Acts, circumcision is the foremost concern of the community, while in the Didascalia, a much wider array of Jewish practices are addressed. In the passage above, circumcision and Jewish dietary laws are among the heresies. Additionally, in Chapter 26 of the Didascalia, female disciples of Jesus who practice the Jewish laws of menstrual purity are attacked by the writer(s).[67] Chapter 26 also contains an argument against the "beloved brethren, you from among the Jewish people" who observe the Sabbath on seventh day, not the first day.[68] Thus, the Didascalia offers a polemic against a much wider array of Jewish practices, which may be performed by Jewish disciples of Jesus. Finally, in Chapter 26, the writer(s) believes that a specific teaching of Jesus--Mathew 11:28--applies

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[64]Strecker 246.
[65]Fonrobert, Menstrual Purity 171.
[66]Vööbus 223.
[67]Vööbus 238-43.
[68]Vööbus 233.

not to "the gentiles, but he said it to *us* his disciples from among the Jews."[69] Here, the writer(s) appears to include himself among the Jewish disciples of Jesus.

Given this evidence of polemic against a wide array of Jewish practices in the Didascalia, I would suggest that two of the heresies described in the above passage--circumcision and absention from swine--specifically address Jewish practices performed by Jewish disciples of Jesus. Whether this reflects the historical situation of a third-century Greek writer, a fourth-century Syriac translator or both, I am arguing that the text would logically proffer polemic against practices which were actually being performed within its community. While earlier scholars may have overstated the negative tone of the rhetoric against Jewish practices,[70] they rightly note the retention of Jewish practice by members of the community, the rhetoric proffered against these practices and the ambiguous position of these Jewish disciples of Jesus.[71]

The source of the practice of celibacy is much harder to determine. Strecker has already noted the affinity between the earlier portion of the passage quoted above--celibacy and vegetarianism--and Gnostic or Marcionite practices.[72] He also acknowledges the difficulty in analyzing statements against heretics, since they are often transmitted in a highly formulaic manner, refering to many heretical groups in a single passage. Thus, I do not wish to extend my assertion about the Jewish nature of circumcision and abstention from swine to celibacy.

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[69]Vööbus 230. Emphasis mine.
[70]A. Marmorstein, "Judaism and Christianity in the Middle of the Third Century," Hebrew Union College Annual 10 (1935): 230.
[71]Marmorstein 228.
[72]Strecker 253.

The Didascalia does represent celibacy as heretical, which suggests the possibility that it was being practiced by or was attractive to gentile or Jewish followers of Jesus in the community. On the other hand, the list of heresies speaks of those who are "teaching and troubling the people with many opinions." Thus, the celibacy mentioned in the Didascalia may be the practice of outside agitators seeking adherents among the faithful members of the orthodox church. Yet, I would suggest that the strict split between inside and outside may not be the case in this particular group of disciples of Jesus. I have already suggested that the Jewish disciples of Jesus may have flowed relatively freely between different Jewish groups in the area.[73]

This list of heresies is repeated immediately before an admonition against the practice of immersion for menstrual purity, which would be addressed to Jewish followers of Jesus in the community. Thus, it is tempting to suggest that these heresies also refer to them. A closer look reveals a much more unclear rhetorical context. These practices could just as easily be gnostic:[74]

> Therefore keep away from all heretics who follow not the law and the prophets and who do not obey Almighty God, but are his enemies; who keep away from meats, and forbid to marry, and believe not in resurrection of the body; but who moreover will not eat and drink, but are willing to rise as demons, empty spirits, who shall be condemned forever and tormented in unquenchable fire. Flee and keep away from them, therefore, that you may not perish with them.[75]

The wording of the admonition against those who promote celibacy tells something of the nature of the practice. Specifically, the Didascalia speaks of the connection between the celibate life and holiness in the mouths of the heretics. "Indeed many of them were teaching that a man should not take a wife, and were saying that if a man did not take a

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[73]Robert Kraft, "The Multiform Heritage of Early Christianity," Christianity, Judaism and Other Greco-Roman Cults, ed. J. Neusner (Leiden:Brill, 1961) 175-9.
[74]Comment of Dr. Richard Sarason.
[75]Vööbus 237-8.

wife, this was holiness. And through holiness they glorified the opinions of their heresies."[76] Apparently, the heretics bolstered their arguments for the celibate life by claiming that it was a life of holiness--*kadishutho*. For these holy men (nowhere is there mention of a woman not taking a husband) the celibate life is a part of religious practice which connects one to the divine through holiness. Thus, we can argue that this celibacy is an ascetic practice. Not only do the men abstain from sex, they do this in order to achieve a specific religious goal--connection with holiness.[77]

Yet, we must remember that the Didascalia argues against the practice of celibacy, branding it as heretical. For the emerging group identity of this community, polemic against a number of practices aids in creating an authoritative claim upon the souls of the members of their community. Part of establishing the correct path in any religious group is the creation of a confident demarcation between proper and improper behavior.[78] I would suggest that this is the primary function of the passage against heresies in the Didascalia. Given the number of competing strains of religious praxis in Syria and Palestine in Late Antiquity, the writer of the Didascalia offers arguments against a whole series of practices within his community and the practices of a number of outside religious groups. Celibacy is only one of these contested regions within formative Christianity that plays a role in the determination of orthodox or heretical status. Thus, these efforts at boundary maintenence both shore up the emerging group identity and identify the behavior of others as deviant.[79]

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[76]Vööbus 213.
[77]Ironically, this heretical theme becomes a central aspect of the later Syrian Church. See Peshitta to 2 Chronicles 31:18-19 and Aphrahat's Eighteenth Demonstration.
[78]Emil Durkheim, The Division of Labour in Society, trans. George Simpson (Glencoe: The Free Press, 1960) 32.
[79]Kai Erikson, Wayward Puritans (Boston: Allyn & Bacon, 1966) 4.

Thus, unlike much of early Syrian Christianity, the Didascalia does not demand celibacy for entrance into its community. Reconstructing the social context and daily behavior of the average Jewish or gentile disciple of Jesus is extremely difficult, since most of the documents we have are written by a celibate elite. It is quite possible that calls for universal ascetic behavior merely reflect the desires of this elite group. In the Didascalia, we get another clue about the role of the average member of a community of disciples of Jesus. Baptism is definitely a part of entrance to the community. In Chapter 26, baptism of all members is assumed, while celibacy is not required of the average member. Additionally, it is branded as heretical. Thus, we can conclude that celibacy was not a requirement for admission to the Church in this community.[80]

Yet, we should also note that in an earlier portion of the Didascalia, which specifically addresses the emerging leadership, or bishopric, of the community, not marrying is suggested as an ideal:

> It is better that he also should be and remain without a wife; but if not, that he has been the husband of one wife only so that he may sympathize with the weaknesses of widows.[81]

The text appears to suggest that not having a wife is a requirement for the bishopric, although considerations are made for the man who once had a wife and has become a widower, because he would be able to feel sympathy for widows. Thus, virginity does not appear to be the issue at hand for the bishop; rather it is embracing the celibate life as a part of his position as a leader of the community. Thus we appear to have a two-fold response to celibacy in the Didascalia. Noting the presence of other heretical groups who practice celibacy, and even the possibility of members of the group drawn to the practice, Chapter 23 polemicizes against asceticism and the celibate life as heretical. This appears

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[80]Robert Murray, "The Exhortation to Candidates for Ascetical Vows at Baptism in the Ancient Syriac Church," New Testament Studies 21 (1974): 80.
[81]Vööbus 28.

to be the message for the masses. In forming the boundaries of the emerging social group, the text identifies which practices are acceptable and which practices are heretical for the average church member. On the other hand, in forming an elite to guide the practices of the membership of the church, the Didascalia establishes celibacy as an ideal practice.

I have suggested that specific portions of the heretical list--rejection of circumcision and the dietary laws--specifically address the practices of Jewish disciples of Jesus within the community of the Didascalia. I also acknowledge that the third-person rhetoric of the passage suggests polemic against outside agitators who are encouraging these practices among the Jewish disciples of Jesus. Yet, we should not discount the possibility that the boundaries between the varieties of Judaism in the third and fourth centuries are so fluid that such discussions of inside and outside are in fact the wrong question. There remains the possibility that the efforts of the Didascalia to eliminate these practices attest to a fluidity between the various groups of Judaism--including the Jewish disciples of Jesus. In this scenario, the efforts at boundary maintenance and self-definition represent an ideal that has not yet been reached within this emerging Christian community.

A Comparison: Rabbinic Jews and Jewish/Gentile Disciples of Jesus

In both the Didascalia and the Tosefta, the nature of ascetic practice is remarkably similar. In both texts celibacy, and the celibate life, are represented as modes of religious praxis that exerted a specific appeal within both communities. The response of both groups to the celibate life, at least for the masses, is also remarkably similar. In the Tosefta, while the opinion of Ben Azzai is preserved, the great weight of the discussion leans towards the marginalization of celibacy as both a response to the losses of the first centuries of the common era and as an ascetic practice connected to Torah study. In the Didascalia, the writer brands celibacy as heretical and strongly dissuades the Jewish and

gentile disciples of Jesus from engaging in the practice. Thus, both texts preserve the presence of celibacy as a force in their respective communities and offer their persuasive powers to fight against sexual abstention.

Yet, there also are a number of differences between the two groups' representations of asceticism. First, we should note that nowhere in the rabbinic texts on celibacy is not marrying suggested as a prerequisite for membership in the elite--the rabbinic class. The Didascalia, on the other hand, does offer celibacy as a prerequisite for the bishopric. Also, the apparent cause of the arguments against celibacy differs in the two communities. The writer of the Didascalia argues against heresy. The primary concern for the emerging Christians is stabilizing a group identity and the ability to identify deviant practices. Thus, in the community of the Didascalia social pressures appear to drive the rhetoric against celibacy. For the rabbinic Jews, the command to procreate supplies the argument against celibacy. Thus eise/exegetical tradition appears to be the main impetus for the rabbinic arguments. Unable to erase the biblical command to "be fruitful and multiply," a pietistic group of rabbis can only push their position so far. The Didascalia and the Tosefta come to similar conclusions, but the driving force behind their respective arguments appears to differ.

Given the normative status of the Hebrew Bible within rabbinic Judaism and the command to "be fruitful and multiply," it is quite difficult for rabbinic Judaism to embrace the celibate life. The Didascalia, on the other hand, has a much different relationship with the Hebrew Bible. While the sheer level of contestation over the status of the Hebrew Bible suggests that it is not yet *Vetus Testamentum*, the doctrine of the second legislation--*tinyan nomuso*--that appears in Chapter 26, points to the emerging view of the still formative Church. The Didascalia argues that the law--*nomuso*--which mainly consists of the Ten Utterences of the Sinaitic theophany, still stands for disciples of Jesus. The

second legislation, which appears to be much of the levitical and ritual strata of the Hebrew Bible, was only given to the Jews as a punishment for the sin of the golden calf. Thus, with the sacrifice of Jesus and baptism, adherence to the second legislation is no longer in force.[82] The Didascalia is not burdened by the biblical discourse to "be fruitful and multiply," yet the social forces of group identity still drive them to polemicize against ascetic praxis.

This different relationship to the Bible does not explain the Didascalia's strong response to the practices it terms heretical. For a possible answer to this question, we must turn to what we know of social context. I have already suggested that there was a relatively open flow between the Jewish disciples of Jesus and other Jewish groups. Further, I have intimated that rabbinic Judaism may have been one of these groups. Other scholars have noted the insecure position of Syrian Christian communities relative to their rabbinic Jewish fellow-citizens.[83] Thus, it is tempting to suggest that the hereseiology of the Didascalia specifically interacts with the presence of rabbinic Judaism. The identification of two elements of the heresy--abstention from swine and circumcision--as rabbinic practices strengthens this assertion. Yet, I must be cautious, since the role of celibacy is much more unclear and unlikely to be a normative rabbinic practice, despite the opinion of Ben Azzai. At a minimum, I can suggest that the Didascalia exhibits intra-Jewish argumentation as well as efforts to form a Christian community.

The goals of celibacy are also different in both texts. In the Tosefta, Ben Azzai embraces the celibate life as part of a larger ascetic regimen that includes perfection of the

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[82]Vööbus 223-233.

[83]Hans J.W. Drijvers, "Jews and Christians at Edessa," Journal of Jewish Studies 36 (1985): 102, and Wayne A. Meeks and Robert L. Wilken, Jews and Christians in Antioch in the First Few Centuries of the Common Era (Missoula: Scholars Press, 1978).

self through the study of Torah. In the Didascalia, the heretics practice celibacy in order to connect themselves to the divine through holiness. A picture emerges that represents very similar practices within both religious groups, arguing for a similar cultural *koine* throughout Syria and Palestine in the third and fourth centuries. Yet, we should not oversimplify the similarities. Possessing radically different views on biblical law, the two groups come to different conclusions about those practices. Living in different social contexts, they address different issues within their communities.

Conclusion

Ultimately, this thesis is only an initial effort at describing the relationship between Palestinian rabbinic representations of purity and celibacy and one group of gentile/Jewish disciples of Jesus in Syria. I have suggested that third- and fourth-century documents written by the two groups offer similarities and differences relative to both purity and celibacy. On the one hand, both groups share an effort to marginalize the ascetic voices within their respective camps. For the Jews, facing catastrophic historical circumstances, celibacy becomes a compelling option for a spiritual elite. At the same time, the documents preserve an effort to marginalize these ascetics. Meanwhile, the disciples of Jesus, facing an array of perceived heresies, polemicize against celibacy as a heretical practice. At the same time, celibacy is recommended for the bishopric. In this case, the different social contexts of the two groups impact upon their decisions about whether to embrace a version of the celibate life. We could say that surface similarities between the two groups stand in contrast with the different reasons proffered for celibate praxis.

On the topic of purity, the Jews retain an allegience to the biblical discourse of levitical purity. Thus, purity is represented both as a reality that demands certain practices and as a metaphor for the constitution of the moral self. Given their rejection of the levitical code, it is not surprising that the gentile/Jewish disciples of Jesus, or at least their leaders, only retain the metaphorical and moral aspects of purity. Yet it is important to realize that the Didascalia also records the efforts of some Jewish disciples of Jesus within the community to continue practicing immersions. The practice of ritual purity appears to be an area of contention among the gentile/Jewish disciples of Jesus. In this case, hermeneutics drives the difference between the two communities. Differing interpretations of the levitical code are the driving force for both of the communities' opinions on the matter.

Yet, we should be careful not to generalize about the state of Jewish and Christian communities during the third and the fourth centuries. If we had taken the opportunity to look at the Demonstrations of the fourth-century Persian Christian Aphrahat and talmudic representations of celibacy, an almost inverted picture would have emerged. Aphrahat embraces the celibate life as an ideal, curiously using midrashic techniques and traditions similar to those in the tannaitic texts analyzed in this thesis.[1] The Rabbis, on the other hand, continue their marginalization of celibacy, ultimately rejecting it outright.[2] Along the way, they allow for periods of marital celibacy for the sake of Torah study.[3] Seeking reasons for this shift that occurs in the East will have to remain for another day and another project. In the words of the rabbinic sages:

"It is not incumbent upon you to complete the work, but neither are you free to desist from it."[4]

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[1]In particular, the Sixth and Eighteenth Demonstrations of Aphrahat.
[2]Boyarin, Carnal 46-47; 135-136; 139-141.
[3]BT Ketubbot 61a ff.
[4]Mishnah Avot 2:21.

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