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Preface

The exile to Babylon in 597 and 587 B.C.E., and the accompanying destruction of the Jerusalem temple and the city of Jerusalem, led to a fundamental transformation of Jewish culture and religion. Under the rule of the neo-Babylonian empire, Jews both in Mesopotamia and in the land of Israel laid the groundwork for a monotheistic Judaism with Torah observance at its center. Some 1200 years later, Jews in Mesopotamia codified the Babylonian Talmud. In the intervening centuries, a variety of political crises, cultural transformations, and religious conflicts contributed to the formation of a diverse Judaism (some would go so far as to say "Judaisms") that varied widely in its relationship to language, law, sacred texts, and religious and social identity. Between the Babylonian exile and the Babylonian Talmud the canon of the TaNaKH developed and was closed. Jewish mysticism and Jewish philosophy were born. The destruction of the Jerusalem Temple led to the rise of rabbinic Judaism. The oral law was conceived and codified. Although this lengthy time period traditionally is divided into the fields of biblical, Second Temple, and rabbinic studies, these artificial boundaries of scholarly disciplines often hide more than they reveal. The *Journal of Ancient Judaism* (*JAJ*) has the goal of addressing the history, texts, and religious formations that make up the rich cultural trace extending from the Babylonian Exile through the Babylonian Talmud.

JAJ invites the submission of articles that address all aspects of Jewish literature, culture, religion, and history from the Babylonian exile through the formation of the classical rabbinic corpus. Articles may be written in English, German, or French, although the majority of the published articles will be written in English. As an inter-disciplinary journal, *JAJ* is especially interested in contributions that cover wide-ranging topics through detailed, closely-worked arguments. Consequently, the submission of extensive articles, up to 80 pages in length, is encouraged. Article submissions are subject to peer review by an advisory board whose members will anonymously review submissions.

JAJ will appear 3 times per year; each issue of up to 144 pages will comprise an article section of up to 120 pages and a review section of 20–30 pages. One issue each year will be devoted to a particular theme, addressing questions, texts, or problems that are at the cutting edge of Jewish studies. The review section aims at comprehensiveness and will review more than 200 books each year. Each review will provide a brief summary of a quarter to a third of a printed page, highlighting the book's most important achievements. In exceptional cases, especially important books will be discussed in extensive review articles of up to 10 pages.

At the outset of this cross-disciplinary endeavor, we welcome participation from readers and colleagues across the field of Jewish studies, and we

Journal of Ancient Judaism, 1. Jg., 1–2, ISSN 1869-3296

encourage the submission of articles or ideas for theme issues dedicated to a full range of questions on Jewish history, culture, religion, and literature from the Babylonian Exile through the Babylonian Talmud. We are grateful for the support of our advisory board and wish also to thank the staff of Vandenhoeck & Ruprecht and in particular editorial director Jörg Persch, for the enthusiasm and effort that has gone into starting this new journal.

Maxine Grossman and Armin Lange
College Park, Maryland, and Vienna, December 16th 2009

Legal Fiction: Levirate *cum* Land Redemption in Ruth[1]

Adele Berlin (University of Maryland)

Abstract

The article focuses on the use of the levirate and the land redemption in Ruth. It argues that Ruth, drawing on Torah texts, has fictionalized these laws. Ruth's portrayal of these laws does not depict actual practice in the postexilic era, nor was it intended as a midrash *per se* on Torah laws. The book of Ruth, a story of return from exile, joined together the levirate and land redemption because these laws address the continuity of family and of inherited property. The story of the Judean family who long ago underwent "exile" and almost lost its family line and its ancestral land, but whose continuity was restored by means of Torah laws, is a metaphor for the exilic or postexilic community, which is being encouraged to see in the Torah the vehicle for its own continuity of people and land. The article also examines possible inner biblical interpretations of the *go'el* law in Ruth and in Jeremiah 32.

Two legal institutions, the levirate and the redemption of land, are central to the denouement of the story of Ruth, yet these institutions operate quite differently from their Torah versions in Deuteronomy (Deut 25:5–10) and in Leviticus (Lev 25:23–28). Moreover, their combination in Ruth is highly unusual, if not impossible. Three approaches have been used to explain the incongruities with Deuteronomy and Leviticus, each taking a different position on the relationship of Ruth to the Torah laws. (1) *The True-to-life Approach* assumes that the book of Ruth reflects actual legal practices at the time it was written. To the extent that they differ from the laws of Leviticus and Deuteronomy, these descriptions are used to reconstruct the development of these biblical laws. (2) *The Midrashic Approach* understands the book of Ruth as a midrash on Torah laws. (3) *The Fictional Approach* posits that the author has intentionally taken liberties with Torah laws, fashioning from them fictional constructs to suit its literary purpose. Most scholars do not dwell on the anomalous combination of the levirate and the land redemption but much of my discussion will do so.

1 Earlier and shorter versions of this paper were presented at a conference titled משפט ומקרא ("Law and Bible") held at Bar Ilan University, May 12, 2008, and at the 40th Annual Conference of the Association for Jewish Studies, December 22, 2008, in Washington DC. I thank Bernard M. Levinson for his comments on an earlier draft. I dedicate this paper to the memory of Raymond Westbrook, colleague and friend, who, even while seriously ill, exchanged ideas with me about the paper. Although I disagree with him on a number of points, I have utmost respect for his scholarship.

Journal of Ancient Judaism, 1. Jg., 3–18, ISSN 1869-3296

1. The True-to-Life Approach

This approach finds in Ruth a record of actual legal practices that can be used to reconstruct the historical development of legal institutions. The levirate is the prime example. For those who date Ruth to the pre-monarchical period, the book is a witness to an early stage of the levirate. For those who date Ruth late, and most scholars today date it to the Persian period, the book accurately reflects the practices of the Persian period that have been anachronistically retrojected back into the time of the Judges.[2] For example, Ziony Zevit traces the development of the levirate from the 9th–8th centuries when it was compulsory, as reflected in Genesis 38, to the Deuteronomic law from the 7th–6th centuries when it was desirable but not compulsory, to the book of Ruth, most likely from the late 6th–early 5th centuries, where the pool of potential levirs is expanded to include relatives other than a brother.[3]

Raymond Westbrook, who also considers Ruth to be legally true-to-life, takes a synchronic approach to the study of ancient Near Eastern law. His aim is to abstract the underlying legal principles of the levirate rather than to reconstruct its development over time. He pieces together a unified picture of the levirate from the various incomplete references to it throughout the Bible, irrespective of their dates. In Westbrook's view, Genesis 38, Deuteronomy 25:5–10, and Ruth are not contradictory; they are simply speaking about different applications or circumstances of the same institution, whose purpose is "to prevent the extinction of the deceased's title to his landed inheritance" by providing an heir for the estate of the deceased.[4]

Even when proponents of the true-to-life approach recognize that the story of Ruth is fictional, they maintain that its legal references reflect reality, believing that an ancient writer would not fabricate legal practices, even in a fictional work. D. R. G. Beattie is often cited in support of this position. He says: "a story-teller, if he is to maintain the credibility of his fiction, will not create a legal situation which his audience will know to be impossible."[5] However,

2 For a thorough discussion of the dating based on linguistic criteria see F. W. Bush, *Ruth/Esther* (WBC; Dallas: Word Books, 1996), 18–30. See also Z. Zevit, "Dating Ruth: Legal, Linguistic and Historical Observations," *ZAW* 117 (2005): 574–600. Zevit uses linguistic criteria as well as a reconstruction of legal history.

3 Zevit, "Dating Ruth," 581. This position runs counter to D. Weisberg, "The Widow of Our Discontent: Levirate Marriage in the Bible and Ancient Israel," *JSOT* 28 (2004): 403–29. Weisberg finds growing discomfort with levirate marriage on the part of men, the removal of shame over time for the declining levir, and ultimately the rabbinic preference for *halitzah* over levirate marriage.

4 Quotation from R. Westbrook, *Property and the Family in Biblical Law* (JSOTSup 113; Sheffield: Sheffield Academic Press, 1991), 76–77; see esp. pages 71 and 74. T. Thompson and D. Thompson, "Some Legal Problems in the Book of Ruth," *VT* 18 (1968): 79–99, also see no contradiction between the levirate as portrayed in Deuteronomy and in the narratives, since they think Deuteronomy presents a typical case but does not limit the levirate to brothers.

5 D. R. G. Beattie, "The Book of Ruth as Evidence for Israelite Legal Practice," *VT* 24 (1974): 252, and see 266.

Beattie qualifies his statement by noting that it is "valid only in cases where an author may expect his audience to be familiar with the milieu in which his story is located … when the author and his audience live in the same society and the same period as, or one which follows soon after, that which is described in the fiction."[6] Now Beattie dates Ruth to the Solomonic period, presumably close enough to the time of the Judges to fulfill his requirement that the audience be familiar with the period described in the story. But what would he say about the legalities in Ruth if the book had been written much later? Furthermore, Beattie, despite his insistence on legal realism, does not see the marriage of Boaz and Ruth as a levirate marriage. About the scene in chapter 4 he says: "the entire episode has been created by the author purely to provide a dramatic climax to his story."[7] So, while Beattie espouses the "true-to-life approach" in regard to some of the laws, namely, inheritance by widows (he says they can inherit) and land redemption (he says it is not equivalent to a purchase), he does not read all the legalities or quasi-legalities in Ruth as actual practice, thereby leaving open the door to the fictional approach to these laws. Furthermore, Beattie does not take into account that an audience might have been familiar with institutions through authoritative texts rather than through their own experience, so the midrashic approach is not on his horizon. The question of the legal realism in any given narrative may at times be proven from other sources, but in the absence of such sources we are left to our own interpretation.[8]

2. The Midrashic Approach

Because scholars have had to work so hard to make sense of the legalities in Ruth, with less than satisfying results, some have moved away from the true-to-life approach. The midrashic approach shares with the fictional approach (for which, see below) the idea that the legal institutions portrayed in Ruth do not reflect reality but are the result of the re-working of Torah texts. In that sense, both the midrashic approach and the fictional approach call on the phenomenon of scripturalization or inner biblical interpretation, that is, the re-use of authoritative traditional texts in later literature. The difference is that the midrashic reading sees the re-interpretation of Torah laws as the main goal of the book of Ruth. I will focus on three examples of the midrashic approach, all of them ideologically flavored: a feminist midrash by Irmtraud Fischer, a Christian midrash by André LaCocque, and a rabbinically-inspired midrash by Joshua Berman.

6 Beattie, "The Book of Ruth as Evidence," 252.
7 Beattie, "The Book of Ruth as Evidence," 265.
8 See K. L. Younger, Jr., "Two Comparative Notes on the Book of Ruth," *JANES* 26 (1998): 131.

Irmtraud Fischer ascribes the authorship of Ruth to a woman who lived in the time of Ezra. Drawing on feminist interpretation, along with earlier studies linking Ruth with Deuteronomy, Fischer argues that the book is a feminist exegesis of the Torah that creates a new halakhah for the benefit of women to counterbalance the male interpretation of the law, especially the levirate and the land redemption. The joining of these two institutions is an original move by the author of Ruth. Says Fischer: "Ruth is creating a new halakhah from the two legal institutions that guarantee the solidarity of kinship."[9] The logic of the combination is that "both laws relate to each other by referring to the inalienable claim to an estate in the promised land, which is to be guaranteed through kin solidarity."[10] While I do not think that the book of Ruth is making new halakhah, or arguing against the male interpretation of the Torah, I do agree with Fischer that the idea behind the combination of these two laws is focused on family continuity together with the legitimate claim to real estate in the land of Israel. More on this later.

André LaCocque's position resembles Fischer's, but instead of being feminist (although it is feminist in part), it is Christian. He explains the book as "a socio-legal commentary" written against "an ultra-conservative interpretation of scripture in the service of power" exemplified by Ezra and Nehemiah.[11] The lesson of the book "consists in rediscovering that the essence of Torah is love. When the Law is not interpreted according to the amplification principle that love dictates, it is stifled and dies."[12] According to LaCocque, the theme of *hesed* is equivalent to love, meaning a more inclusive interpretation of the law vs. a more restrictive one. The word *hesed* "is an opening on an interpretation of the Law that surpasses the letter."[13] Both in thought and in expression, LaCocque's reading is Christian, making Ruth into a proto-Gospel in which the letter of the law is superseded by the spirit. This is most obvious when he says: "The response of Boaz is 'gospel-like' before the fact … To employ the Pauline expression, 'the letter' would kill Ruth, 'the spirit' gives her life, literally."[14] LaCocque acknowledges the Christian character of his interpretation, at least partially: "One could believe that this view is more Christian than Jewish."[15] But then he suggests that it is equivalent to the rabbinic principle of לפנים משורת הדין, defining the law more expansively. But here he got it wrong. לפנים משורת הדין does not mean defining the law more expansively; it means going beyond the requirement of the law, possibly yielding a more stringent

9 I. Fischer, "The Book of Ruth: A 'Feminist' Commentary to the Torah?" In *Ruth and Esther: A Feminist Companion to the Bible* (ed. A. Brenner; Sheffield: Sheffield Academic Press, 1999), 40.

10 Fischer, "The Book of Ruth," 39.

11 Quotations are from A. LaCocque, *Ruth: A Continental Commentary* (trans. K.C. Hanson; Minneapolis: Fortress, 2004), 4 and 13.

12 LaCocque, *Ruth*, 25.

13 LaCocque, *Ruth*, 28.

14 LaCocque, *Ruth*, 70.

15 LaCocque, *Ruth*, 28.

observance. Needless to say, I am not convinced by LaCocque's midrashic reading of the book, although he does have some nice insights into parts of it.

Joshua Berman espouses a rabbinically influenced reading. Picking up on the observations by Michael Goulder (see below) that Ruth draws on the laws in Deut 22:30–25:10, Berman argues that the book "constitutes a legal homily whose plot unfolds according to the sequential order of the legal materials found in Deuteronomy 24:16–25:10 and is a comment upon them."[16] He stresses that it is "a *sequential* legal homily of the *entire* passage from Deuteronomy." It seems clear that the model informing Berman's thesis is rabbinic midrash which follows the biblical text verse by verse; he is proposing that Ruth is a kind of *midrash aggada* based on a legal section of Torah.

Now no one would deny that some of the laws in Deut 24:16–25:10 inform the book of Ruth, namely the forgotten sheaf (Deut 24:19–22), the levirate (Deut 25:5–10), and even perhaps the rights of the stranger, orphan, and widow (Deut 24:17). However, as he well knows, Berman's case rests on his proof that the intervening Deuteronomic laws underlie Ruth's plot. In order to prove this, he frequently resorts to rabbinic interpretations of Ruth. To cite one example, to show that Ruth has incorporated Deut 24:16, "Fathers must not be put to death for sons …," Berman adopts the rabbinic interpretation that Elimelekh and his sons were guilty of different sins and that their deaths were divine punishment; Elimelekh sinned by leaving the land of Israel, and the sons sinned by remaining in Moab and marrying Moabite women.[17] The biblical text offers no reason at all for the deaths of these men. The rabbinic interpretation is calculated to draw out of the text the Rabbis' positive value of living in the land of Israel and their negative view of intermarriage, hardly the main lessons of the book of Ruth.[18] Likewise, to find in chapter 3 the law against the muzzling of an ox while it is threshing (Deut 25:4), Berman invokes, among other sources, Talmudic links between threshing and sex. He reads the nighttime scene at the threshing floor as "a story of great restraint in the face of sexual desire," finding "the theme of bridled restraint … present on many levels."[19] Berman thereby adopts the Targum on Ruth 3:8, which he cites, that sees the virtuous Boaz controlling himself as Joseph did in the episode with Potiphar's wife. Sexual restraint is another rabbinic value but hardly the point in Ruth.

Berman's argument is forced, and it is further undermined by his silence on Ruth's allusions to laws outside of Deuteronomy 24–25 (such as the land re-

16 J. A. Berman, "Ancient Hermeneutics and the Legal Structure of the Book of Ruth," *ZAW* 119 (2007): 23.

17 Berman, "Ancient Hermeneutics," 27–29.

18 Compare T. Frymer-Kensky, *Reading the Women of the Bible* (New York: Schocken, 2002), 289, who understands the forbidding of Moabites to enter the congregation in Deut 23:4 as a move to keep them separate but not to prohibit intermarriage between Moabites and Israelites.

19 Berman, "Ancient Hermeneutics," 33.

demption and the prohibition on Moabites entering the congregation) and on his omission of some specifics in the Deuteronomic segment that he privileges (for instance, the widow's garment in Deut 24:17). My main objection is that Berman's thesis relies too much on rabbinic interpretations of the text that run counter to its plain sense.

Two earlier scholars, Michael Goulder and Georg Braulik, also noted the presence of Deuteronomic laws in Ruth, and they used the term "homily" in connection with it, although their "midrashic approaches" are much less-developed than those of Fischer, LaCocque, and Berman.[20] Goulder seems to have been the first to propose that the plot of Ruth was dependent on Deut 22:30–25:10. He explained the dissonance between Ruth and Deuteronomy by suggesting that the author of Ruth no longer understood the Deuteronomic laws; more specifically, that the author was in possession of an ancient scroll that he used to form his plot, or that Deuteronomy was recited liturgically and the author of Ruth was a simple preacher expounding on Deuteronomy 22–25 in the form of a story. Goulder's solution to the dissonance problem is weak. He does not consider that the author and his audience looked upon Deuteronomy as an authoritative text and that it might have been treated with sophistication. The result is that he makes the book of Ruth look like a poor piece of literature.

Braulik builds on Goulder's thesis that all four chapters of Ruth refer to a sequence of laws in Deuteronomy 23–25, and he adds other intertextual references throughout the Bible with which Ruth is in dialogue. He sees Ruth as opposing Deuteronomic law about the Moabites, alleviating any suspicion that the levirate may be incestuous,[21] and correcting the picture of Moabites offered in Genesis 19. On the other hand, according to Braulik, Ruth intensifies the Torah's demands regarding gleaning and the levirate. He regards Ruth as "the only Biblical example of an *entire* book systematically subjecting regulations of the Deuteronomic code to a socio-critical … and a sexual-critical … *relecture*."[22] As for the purpose of this *relecture*, Braulik cites Reinhold Boden who showed that "the driving force for the meta-legal attitude" of Ruth lies in *hesed* ("loy-

20 G. Braulik, "The Book of Ruth as Intra-Biblical Critique of the Deuteronomic Law," *Acta Theologica* 19 (1999): 1–20. (Original in "Das Deuteronomium und die Bücher Ijob, Sprichwörter und Rut: Zur Frage früher Kanonizität des Deuteronomiums," in G. Braulik, *Studien zum Deuteronomium und seiner Nachgeschichte* [SBAB 33; Stuttgart: Katholisches, 2001], 213–93 [at 258–80].) I thank Bernard M. Levinson for calling this article to my attention. M. D. Goulder, "Ruth: a Homily on Deuteronomy 22–25?" in *Of Prophets' Visions and the Wisdom of Sages: Essays in Honour of R. Norman Whybray on his Seventieth Birthday* (eds. H. A. McKay and D. J. A. Clines; JSOTSup 162; Sheffield: Sheffield Academic Press, 1993), 307–19.

21 Since Lev 18:16; 20:21 forbid marriage between a woman and her brother-in-law. See R. Gordis, "Love, Marriage, and Business in the Book of Ruth: A Chapter in Hebrew Customary Law," in *A Light unto My Path: Old Testament Studies in Honor of Jacob M. Myers* (eds. H. N. Bream et al.; Philadelphia: Temple University Press, 1974), 250, for the way the Rabbis resolved this contradiction. Braulik, intent on the Deuteronomic laws only, centers his discussion around Deut 23:1, which speaks of marrying one's father's (former) wife.

22 Braulik, "Book of Ruth," 18. Italics in the original.

alty, favor"), God's *hesed* and his demands for *hesed* on the part of his people.[23] Braulik's readings are in many places insightful, but I find his reliance on the *hesed*-theme an insufficient reason to explain the book's use of specific Torah laws. Moreover, it reminds me of LaCocque's understanding of *hesed* as love, a Christian code-word hinting that Ruth is leavening the law with kindness. Now many scholars, going back to the Rabbis, have found *hesed* to be an important theme in Ruth. But when the Rabbis see *hesed* as the main theme, they mean that the book is *not* about law at all. Thus: "Said R. Zeira, 'This scroll contains nothing about impurity or purity (אין בה לא טומאה ולא טהרה), nor about the forbidden or the permitted (לא איסור ולא היתר); it was written solely to teach you how much reward accrues to those who perform acts of *hesed*.'" (*Ruth Rabbah* 2:14). For Braulik, however, *hesed* is the main reason for the use of law.

I am not persuaded by any of these midrashic readings of Ruth. They strike me as anachronistic and influenced by the ideological leanings of their proponents. Ruth is not a proto-feminist text, nor a proto-Gospel, nor a proto-rabbinic text; it is not a midrashic text in the full sense because the interpretation of Torah law *per se* is not the primary goal of the book. The use of Torah passages in Ruth is better seen as part of the larger phenomenon of scripturalization or inner biblical interpretation. In invoking biblical texts, legal and non-legal, Ruth is no different from any number of late biblical and postbiblical works (like Esther or Chronicles or Psalms) that cite earlier biblical texts, sometimes pervasively. Ruth alludes to the story of the daughters of Lot (Gen 19:30–38), the story of Tamar and Judah (Genesis 38), the stories of the matriarchs Leah and Rachel, stories of famine and relocation, the book of Judges, and David, in addition to legal passages. Allusions to legal texts function in similar ways as allusions to non-legal texts. They are not intended as halakhic revolutions or even as halakhic homilies *per se*; they constitute a literary technique that ties the new composition to the literary tradition of Israel. It was the style to fashion works of literature around the themes and expressions of authoritative texts, for it both lent authority to the new work and gave new life to the traditional texts. Scripturalization is an important part of the literary technique of the book of Ruth, but it is not an end in itself.

3. The Fictional Approach

The fictional approach takes the legal institutions in Ruth as fictional constructs; they were never actually practiced in the form described.[24] The levirate never existed in the form presented in Ruth, where the levir (or pseudo-levir)

23 Braulik, "Book of Ruth," 19.

24 The fictional approach is not to be confused with a literary approach to legal material, which applies to it a literary analysis of its structure, style, and wording. For the literary approach to Leviticus see B. Schwartz, תורת הקדושה: עיונים בחוקה הכוהנית שבתורה (Jerusalem: Magnes, 5759 [= 1999]). More recently, A. Bartor has developed a literary approach to legal

and the *go'el* are one and the same. In fact, such a combination would seem to be impossible, for according to Deuteronomy, the levirate takes place before there is an estate belonging to the deceased (his father's estate has not yet been divided); and land redemption occurs not due to the death of the owner or the lack of an heir, but due to economic distress. Now this is not to suggest that the author of Ruth made up his pseudo-levirate from whole cloth. He is obviously drawing on the levirate in Deuteronomy, known to his audience, but he is freely recasting it, thereby creating an entirely new levirate-land redemption combination. As Baruch Levine puts it, "the author of Ruth was capable of legal leaps, of glossing over prerequisites for invoking certain Israelite laws …"[25] Tikva Frymer-Kensky says of the scene at the gate in chapter 4 that "Boaz is not presenting an accurate legal scenario …"[26] And Yair Zakovitch states that the author made his own original combination of the land redemption and the levirate, wherein the redemption of the woman is a logical extension of the levirate law, in the manner of a legal midrash (מדרש הלכה), which pulls together two different laws and blends them harmonistically.[27] I agree that the author of Ruth took liberties with the laws of land redemption and levirate, especially in combining them. The author created a "legal fiction," by which I do not mean a pretense for the purpose of fulfilling a legal requirement, like the selling of *hametz* ("leaven") before Passover, but rather a fictional work that employs fictional or imaginary legal practices, which, in this case, bear an obvious resemblance to Torah law but depart from it.[28]

The combined levirate and *ge'ullah* is sealed with a fictional ceremony involving the transfer of a shoe, which most commentators understand as transferring the right or obligation to be the *go'el* and the levir from Peloni to Boaz. This ceremony is labeled as the attestation in cases of redemption and exchange (על הגאולה ועל התמורה), or better, taking the phrase as a hendiadys, as the exchange of redemption rights.[29] It is not called *halitzah*, although it was obviously designed to bring to mind Deuteronomy's *halitzah*, with which it shares the removal of a shoe (using a different verb) in the presence of the elders at the gate, and a snippet of Deuteronomic phraseology in the accompanying declaration: להקים שם "to perpetuate the name" (Ruth 4:5,10; Deut 25:6–7), to

material in the Bible. See her article, "The Representation of Speech in the Casuistic Laws of the Pentateuch: The Phenomenon of Combined Discourse," *JBL* 126 (2007): 231–49.

25 B. A. Levine, "In Praise of the Israelite *mishpahah*: Legal Themes in the Book of Ruth," in *The Quest for the Kingdom of God. Studies in Honor of George Mendenhall* (eds. H. B. Huffmon et al.; Winona Lake, Ind.: Eisenbrauns, 1983), 95–106; esp. page 96.

26 Frymer-Kensky, *Reading the Women*, 251.

27 Y. Zakovitch, *Ruth* (Miqra Le-yisrael; Tel Aviv: Am Oved, 1990), 24. These comments were anticipated by Beattie's observation, noted above, that the marriage scene in Ruth 4 was created by the author to provide a dramatic climax.

28 B. M. Levinson has recently adopted this explanation in his *Legal Revision and Religious Renewal in Ancient Israel* (Cambridge: Cambridge University Press, 2008), 33–45, especially 42; and see also his acknowledgement to me on p. xxi.

29 Bush, *Ruth, Esther*, 234.

which Boaz adds על נחלתו, "on his inheritance" thereby explicitly connecting the levirate with the estate of the deceased which is being redeemed.[30] But this is not actually the *halitzah* ceremony any more than the levirate in Ruth is an actual levirate.[31] I think that the author made up this hybrid *halitzah-ge'ullah* ceremony in order to solidify the joining together of the levirate and the land redemption.

That this ceremony is a figment of the author's imagination I deduce from the fact that it is explained as an ancient ceremony that the audience is not expected to know, even though they are presumed to know about the levirate and the land-redemption, which neither require nor receive an explanation. If they knew the Torah, which they must have known to make the many allusions to it effective, how come they did not know this ceremony? Because it is nowhere found in their authoritative traditions. So how did the author know it? Was he (or she, if you like) a legal anthropologist? Did he discover a secret ancient document? More likely, he made up this ceremony and passed it off as ancient—another part of the fake realism of his story. In fact, there was no ceremony in the Torah for the transfer of *ge'ullah* rights, because none was necessary (see below). This is just one of our book's many fictions. The audience, entering into the "long-ago" fictional world that the story creates, accepts the story's legal touches as easily as its other unlikely happenings. There is no difference between creating fictitious historical events and creating fictitious legal events, and hence no reason to assume that a fictional narrative accurately portrays legal institutions. As Zakovitch notes, Ruth is a work of fiction, not a legal document, and it can tell us nothing about actual legal practice at the time it was written or before.[32]

30 Deuteronomy emphasizes the perpetuation of the name of the deceased and does not mention his estate, since that estate does not yet exist and can only come into existence if the levirate produces an heir. In Ruth, the estate already exists.

31 There are, of course, many discussions about the relationship between this ceremony and the levirate. Josephus (*Ant*. 5:9) takes it as such (presumably reflecting ancient interpretation) and conveniently has Boaz call Ruth to the town gate where it is she who removes the shoe from Peloni. Some modern scholars agree that this is a *halitzah* ceremony. Others emphasize the differences: the widow in Deuteronomy removes (חלצה) the shoe from her brother-in-law, in what may be a gesture of shaming rather than transfer of rights, whereas in Ruth 4:7 the owner of the rights (presumably) removes (שלף) his own shoe and gives it to the one acquiring the rights. Goulder, "Ruth, a Homily," 310, trenchantly notes: "The plain sense of the law in Deuteronomy 25 is that the brother who will not undertake the levirate is *disgraced in public* [italics in the original] … This [Ruth 4:7–8] is very much nicer, especially if there is no spitting. Not that Ruth is in a position to do such a thing, since she is not present, although according to the law [in Deuteronomy 25] it is she who is required to lodge the complaint to the elders."

32 Zakovitch, *Ruth*, 20.

4. Why Choose the Levirate and the Redemption of Land?

Why did the author of Ruth choose the levirate and land-redemption as keystones in the plot, and why did he join them together? To answer that question we must decide what kind of story Ruth is. It has been read in quite a few different ways, not all mutually exclusive: as a polemic against the ban on foreign wives in Ezra-Nehemiah, or more generally against the exclusiveness of the returning Judeans; as a story promoting the attribute of *hesed*; as enhancing the lineage of King David and promoting the Davidic kingship; as a supplement to Judges or a link between Judges and Samuel; and as a midrash on the Torah laws. More recently it has been seen as a story of the return from exile, the counterpart of a diaspora story, and that is how I read it. I follow Tikva Frymer-Kensky, who reads the story as "an allegory for Israel's destiny, beginning with her bereavement and ending with her joy." She continues: "The book of Ruth deals with leaving and then returning to the land of Israel, which could refer to the descent to Egypt and the Exodus from there. But the book also revolves around leaving family property and then reacquiring it. This is a concern of a much later period, the return to Zion after the Babylonian exile."[33]

To bolster the claim that Ruth is a postexilic story of return I would make the following four points:

(1) The word שוב, "return," occurs 12 times in chapter 1, emphasizing the act of returning. Naomi is "one who returned" (4:3). Ruth is called "the one who returned" (1:22; 2:6), even though she is technically not returning since she had never been in Judah.

(2) The famine and the resulting relocation to another country recall similar incidents in the Joseph story and in the story of Abraham (Gen 12:10). These famines lead to a migration to a foreign land, a kind of "exile."

(3) Why did the family move to Moab? On a practical level, Moab is the closest foreign country to Judah and perhaps received more precipitation than Bethlehem did in dry years.[34] By and large, though, Moab is fraught with negative associations in the Bible (an exception is that in 1 Sam 22:3–4 David's parents found protection in Moab). But if we read Ruth as a story of return, we should recall that Moab is the location from which the people of Israel entered the land of Israel at the end of their wanderings after the Exodus.[35] Indeed, Exodus language may be found in Ruth 1:6, where God *paqad* ("took note of") his people (cf. Gen 50:24–25; Exod 3:16; 4:31).[36] This makes Naomi's return to Judah, which symbolizes the Judean return after the exile, a geographic replay

33 Quotations from Frymer-Kensky, *Reading the Women*, 254–55. She also sees the story as addressing the tension between those who returned from exile and those who remained in Judah.

34 For the idea that Moab received more rainfall see Zakovitch, *Ruth*, 47.

35 LaCocque, *Ruth*, 3, notes that Moab was "the last stop at the time of the exodus from Egypt" but explains it as a "transition from the nomadic to the sedentary state."

36 Braulik, "Book of Ruth," 11–12.

of the original entrance into the land. The Exodus was a trope in postexilic literature for the return from exile.

(4) Why is the story set in the time of the Judges? The period before the monarchy mirrors the postexilic situation when "there was no king in Israel." The Davidic monarchy is anticipated in the future both in Judges and after the exile. The many references to Bethlehem, the link with Judean lineage through Judah and Tamar, and certainly the genealogy at the end of the book point directly to David.[37] But I do not think the main concern of the story is to glorify the *past history* of David's line; rather, in the context of the return, it is more likely that the *restoration of the Davidic monarchy*, either as an actual political program or as a messianic hope, is the subtext.[38]

I would add to Frymer-Kensky's observation about reacquiring family property (addressed through the land redemption) that there is also concern with Judean continuity, addressed by the levirate. That point is emphasized by the reference (4:12) to the story of Judah and Tamar, another levirate story, indeed, another story featuring a surrogate levir. The allusion in Ruth to Judah and Tamar sharpens the theme of the levirate as the vehicle of family continuity, more specifically, the continuity of the line of Judah.[39] Going further, I suggest that the story of Ruth offers a "revision" or "improvement," as it were, to the story of Tamar and Judah. Whereas in Genesis 38, Judah lets the levirate obligation lapse, in Ruth, Boaz, the stand-in for Judah, takes the initiative to make it operative even when it is not required. Most important, both stories are about Judahite continuity at a moment when the family line has almost ended. As Ellen van Wolde put it: "Without Tamar, the Judahites would not have survived; without Ruth, they would never have had David as their king."[40]

The combination of the levirate and the land redemption is most apt for a story of Judean return. They are two sides of the same coin: the preservation of the family and its estate. The *go'el* keeps land within the family, and the levir ensures that there is a family to possess that land. These are the Torah's legal institutions designed to ensure the continuity of the family and of its inherited landholdings when they are in jeopardy. The levirate takes effect when a family line is about to disappear, and the redemption of land takes effect when the land is in danger of being alienated from its proper owner. As a metaphor, this is exactly the situation faced by the postexilic Judeans, whose continuity as a national entity was in danger, and whose inherited land had passed to outsiders (Lam 5:2), being at that time in the possession of Persia.

37 For the connections with David in the story, see Zakovitch, *Ruth*, 32–33.

38 So Fischer, "The Book of Ruth," 47, speaking of the royal dynasty of David: "It is quite obvious that in those days people already expected a descendant of this dynasty, who would lead Israel to salvation."

39 See E. van Wolde, "Texts in Dialogue with Texts: Intertextuality in the Ruth and Tamar Narratives," *Biblical Interpretation* 5 (1997): 24.

40 Van Wolde, "Texts in Dialogue," 27.

Going beyond these two specific legal institutions to the broader conceptual framework of which they partake, progeny and land are the two components of the divine promise to the patriarchs that became a key ideological concept in postexilic writings of return. The message of the book of Ruth to its postexilic readers was that the promise to the patriarchs, once on the brink of extinction, had been revived through the application of Torah laws. Moreover, the revival of the family lineage and patrimony in the time of the Judges had paved the way for the establishment of the kingdom of Judah and the Davidic monarchy. The book of Ruth holds out the hope that this tale set in the distant past will be replayed in the near future.

To sum up thus far: The book of Ruth is not an accurate depiction of legal practice, nor is it a midrash on Torah law *per se*. It is a fictional story of return that uses Torah texts to strengthen its audience's hope that the renewal of progeny and land will happen again in their own day. The Judean family who long ago underwent "exile" and almost lost its family line and its ancestral land, but whose continuity was restored by means of Torah laws, is a metaphor for the exilic or postexilic community, which is being encouraged to see in the Torah the vehicle for its own continuity of people and land. Ruth may differ from Ezra-Nehemiah on its view of foreign wives, but it is in full agreement with them on the centrality of Torah in the restored community.[41]

5. Interpretations and Applications of the *go'el* Law in Ruth and Jeremiah

While I do not believe that Ruth is a thorough-going midrash, it may contain interpretations of individual Torah passages, for such interpretations are often embedded in writings from the Persian and Hellenistic periods. The passage I want to consider is the law of the *go'el* in Lev 25:25, which says:

> If your kinsman is in straits and sells part of his land-holding, the redeemer who is close/closest to him will come and will redeem what his kinsman sold.

The phrase in question is גאלו הקרב אליו, "his redeemer who is close/closest to him." Must the *go'el* be the *closest* redeemer? Many commentators think so.[42] But the construction is ambiguous and need not be understood as a superlative. It may mean "his *go'el*, one who is related to him."[43] Here are a few ex-

41 Ruth's view of foreign wives, vis à vis the view in Ezra and Nehemiah, deserves more consideration than can be provided here. Suffice it to say for now that I do not see a direct polemic against Ezra-Nehemiah as the main point in Ruth, although a difference of opinion on the matter of foreign wives and/or the status of Moabites is implied.

42 NRSV: "next of kin"; NJPS: "nearest redeemer"; Milgrom, *Leviticus 23–27* (AB; New York: Doubleday, 2001), 2147: "closest redeemer." See *Sifra*, *Behar* 3:4, which explains that the phrase means that the closest relative takes precedence.

43 KJV: "any of his kin"; B. A. Levine, *Leviticus* (JPS Torah Commentary; Philadelphia: Jewish Publication Society, 1989), 175: "relative, one closely related."

amples of similar constructions. First, two examples (1 and 2) that require the superlative; then two examples (3 and 4) that do not.

1. Num 27:11. "And if his father has no brothers, then you shall give his inheritance to his flesh, the one who is close/closest to him from his clan, and he shall inherit it." In this law of inheritance, in the absence of a son, a daughter, a brother, and a father's brother (as specified in the preceding verses), the inheritance goes to לשארו הקרב אליו ממשפחתו. This context demands that we translate "to his flesh, the closest to him from his clan." The heir is the next relative in the line.

2. Deut 21:3. In the case of a murder victim discovered outside of a municipal jurisdiction, the murderer being unknown, the elders and magistrates measure the distance from the corpse to the surrounding towns, and, "The elders of the closest (הקרבה) town to the corpse shall take the heifer …" The obligation to ritually absolve the guilt of the murder falls upon the town nearest the corpse, not merely a nearby town, since the distance from the corpse has been measured. I turn now to two examples in which הקרב need not be understood as a superlative.

3. Exod 12:4. Each family gets a paschal lamb, but if the family is too small for an entire lamb, one lamb is shared by neighboring families. "But if a household is too small for a (whole) lamb, it and its neighbor who is close/closest (הקרב) to it shall take, in proportion to the number of people." Must the neighbor be the closest in proximity or just someone nearby? (NJPS: "who dwells nearby" vs. NRSV "closest neighbor.") It makes more sense to me to take the meaning as a nearby neighbor, perhaps one with a small family, rather than limiting the sharing to the neighbor physically closest.

4. Lev 21:2–3. A priest is forbidden to have contact with the dead except for close biological relatives, "except for his flesh who is close/closest (הקרב) to him: his mother, his father, his son, his daughter, his brother; and for his never-married sister who is close/closest (הקרבה) to him, who has never had a husband, he may defile himself for her." The first phrase should be construed as "his flesh who is closest to him," meaning his closest blood relatives (those listed), as opposed to more distant blood relatives. But in v. 3, the phrase לאחתו הבתולה הקרובה אליו means "his never-married sister who is close to him," not "his never-married sister who is closest to him." The point is not to single out the closest unmarried sister out of several such sisters, but to say that any unmarried sister is included in the category of the closest relatives for whom the priest may defile himself.[44]

To return to the *go'el* in Leviticus 25, I see no reason to take גאלו הקרב אליו as meaning the closest *go'el*.[45] The point in Leviticus is that the redeemer must be a

44 Contra Milgrom, who translates "for his marriageable sister, closest to him" and explains that it refers to a full sister, not a half- or step-sister (*Leviticus 17–22* [AB; New York: Doubleday, 2000], 1791, 1799). NJPS and NRSV correctly render "sister, close to him."

45 Contra Milgrom, *Leviticus 23–27*, 2194. Milgrom equates the phrase with שארו הקרוב אליו in Lev 21:2. He also notes that the succession would be the same as in Num 27:11, thereby

relative, any relative, lest the land pass to someone outside the family. Leviticus mentions nothing about the possibility of multiple redeemers and their order of precedence, most likely because it only envisions one. (Since this law is designed for the benefit of the impoverished original owner, not of the purchaser/redeemer, who might lose money on the deal, few would volunteer to redeem.) Given that the question of multiple redeemers is not addressed, the meaning of the phrase גאלו הקרב אליו is ambiguous. But in Ruth this ambiguity is resoundingly eliminated: גאלו הקרב אליו means the closest *go'el*, and potential redeemers may not go out of line (Ruth 3:12). We cannot know the origin of this reading of the Leviticus phrase, but I suspect it arose through a harmonization with Num 27:11 where the heir to an estate must be the closest relative. (Unlike land redemption, inheritance benefits the heir, not the original owner, so potential heirs would be eager to inherit and therefore must be ranked.)

The existence of the hierarchy of redeemers in Ruth may also explain why a ceremony for the transfer of redemption rights was required. The *go'el* law in Leviticus, as I understand it, would not require a formal transfer because Leviticus does not envision multiple redeemers; the more likely scenario that Leviticus addresses is that no relative would step forward to redeem, rather than that too many redeemers would volunteer. Leviticus seeks to ensure that a redeemer will step forward, and presumably all relatives are equally qualified. Therefore, Leviticus has no need for a mechanism for transferring the redeemer-rights from one person to another. On the other hand, if, as in Ruth, the *go'el* had to be the closest relative, then there would need to be a legal mechanism for substituting a less-close relative should that prove necessary. That mechanism in Ruth is the *halitzah*-like ceremony, which models the release of the declining *go'el* on the ceremony of a declining levir (although

conflating redemption and inheritance laws. Finally, he sees in Lev 25:49, the redemption of an indentured Israelite, a partial listing of the same succession. Milgrom was preceded in these opinions by Westbrook, *Property and the Family*, 61. Levine, *Leviticus*, 175, also extrapolates the order of relatedness for land redemption from the listing in Lev 25:48–49 for redemption from indentured servitude. NRSV, on 25:48–49, taking אחיו literally as "brothers" rather than "kinsmen," offers the "succession" interpretation: "one of their brothers may redeem them, or their uncle or their uncle's son may redeem them, or anyone of their family who is of their own flesh may redeem them." Levine adopts this "succession" interpretation of 25:49 (despite the NJPS translation on which his commentary is based), saying "The order of obligation to redeem kinsmen within the clan correlates, in a general way, with the law of inheritance set forth in … Numbers 27:8–11. First come brothers, then uncles and cousins, then other consanguineal relatives." (Levine, *Leviticus*, 180). I do not agree that Lev 25:49 is prioritizing a succession of redeemers; I read it as merely giving examples of the type of kinsman who would normally redeem the indentured person. I translate: "one of his kinsmen should redeem him: either his uncle or his cousin should redeem him, or any of his flesh from his family." Similarly NJPS. See M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon Press, 1985), 170–72, 211–12, who explains clauses with או as exegetical additions to clarify a law. In this case, there may have been two levels of additions; one explaining אחיו as including uncles and cousins, and a second addition extending the meaning to any family member.

without the shame attached to the declining levir) because in this story land-redemption is tied in with levirate marriage, which is itself a vehicle to perpetuate the inheritance of land.

I want to consider the possibility that even prior to the book of Ruth the inheritance law in Num 27:11 had been harmonized or conflated with the land-redemption law in Lev 25:25. While redemption and inheritance are two different legal institutions, they share the concept that land is inalienable and should remain close to its original owner, during his lifetime (redemption) and after his death (inheritance). Let us look at Jer 32:6–8, where the terms גאולה ("redemption") and ירושה ("inheritance") come together in a way that suggests a blending of Lev 25:25 and Num 27:11. Jeremiah is told that his cousin Hanamel will come and say: "Buy my field in Anatoth because you have the right of *redemption* (הגאלה) to buy it." But when Hanamel actually speaks, he says, "Buy, please, my field in Anatoth in the land of Benjamin because you have the right of *inheritance and of redemption* (כי לך משפט הירשה ולך הגאלה); buy it." This suggests that the laws of Lev 25:25 and Num 27:11 were being taken together, at least here, and that the concept of inalienable property to be redeemed by the *go'el* had converged with the concept of inheritance by the next of kin.[46]

Actually, though, Jeremiah's action constitutes neither a redemption nor an inheritance. While the terminology is drawn from two Torah laws, Jeremiah's land purchase does not fit either one; Hanamel was not selling his land because he was impoverished (redemption), nor was he dead (inheritance).[47] This is an ordinary out-and-out sale, under the guise of a redemption *cum* inheritance.[48] Jeremiah pays money to the original owner and receives a witnessed deed, and the land now belongs to Jeremiah, apparently never to be returned to Hanamel or his descendants (the deed was given to Baruch for safe-keeping for a long

46 See Fishbane, *Biblical Interpretation in Ancient Israel*, 98 n. 31. The Targum on Jeremiah renders הנאולה by אחסנתא, "inheritance," the same word that renders אחוזתו in Lev 25:25, and הירושה by ירותא, further erasing the difference between the terms.

47 A. Rofé, "The Scribal Concern for the Torah as Evidenced by the Textual Witnesses of the Hebrew Bible," in *Mishneh Todah: Studies in Deuteronomy and Its Cultural Environment in Honor of Jeffrey H. Tigay* (eds. N. S. Fox, et al.; Winona Lake, Ind.: Eisenbrauns, 2009), 240, interprets the words "the precept and the laws" in Jer 32:11, which he takes as a later insertion, as an attempt to make this transaction appear to be conforming to Torah law although in reality it did not.

48 Westbrook, who does take it as a redemption, also understands that Jeremiah buys the land for himself. He explains at length the two contradictions between Jeremiah and the land-redemption law in Leviticus: that Jeremiah bought the land before it was sold to an outsider (a pre-emptive sale), and that Jeremiah apparently bought the land for himself. The second point leads Westbrook to conclude that the redeemer was not required to return the land to its owner, but simply to make sure it remained in the family (*Property and the Family*, 59–60, 117). See also Milgrom, *Leviticus 23–27*, 2195, who echoes the idea that the redemption is meant to keep the land in the family, but then adds that the redeemer must return it to its owner (for a price) at the jubilee, according to Leviticus 25. When there is no institution of the jubilee, as in Jeremiah and Ruth, the redeemer keeps the land, unless it is repurchased by the owner.

time, hinting that Jeremiah's ownership would be of long duration). In fact, this is a symbolic act whose stated purpose is to show that in the restoration that will follow the exile, ordinary real estate transactions will resume, for the land will regain any value it might have lost in the face of the Babylonian conquest. As Jer 32:43–44 explains, "Fields shall again be purchased in this land, of which you say 'It is a desolation …' Fields shall be purchased with money, and deeds written and sealed and witnessed by witnesses in the land of Benjamin and the environs of Jerusalem, and the towns of Judah, and the towns of the hill country and the towns of the Shephelah, and the towns of the Negev."

The Torah's ideal may be inalienable land, but the reality in Jeremiah's time is that land is bought and sold. At the same time, though, the ideal of inalienable ancestral landholdings is an important national metaphor during the exile and the return, and the prophet invokes it through the terminology of redemption and inheritance to show that the people will return to their God-given land.

Both Ruth and Jeremiah are engaged in "legal fictions"; they are taking liberties with Torah laws by employing them in ways and situations at variance with the original laws, and also by joining together two conceptually similar laws. This goes beyond interpretation. We might call this the scripturalization of legal practices. It turns ordinary transactions, or fictional transactions, into applications of Torah law.

The scripturalization of legal practices suggests that not all references to Torah law reflect actual legal practice or even legal theory, as developed by scribes or judges.

Nor does the re-use of these laws depend on the status of the Torah laws themselves – whether they are actual laws, idealized or theoretical laws, or non-legal scribal works.[49] The point is that the Torah was an authoritative document that served as a source and frame of reference for later authors. Viewed through this lens, it is clear that, as in all forms of scripturalization, liberties are taken with the Torah text, new twists are introduced, re-interpretation occurs. We should ask how and why these changes were made, and how they figure in the message of the new work. To reconstruct biblical legal practice and theory is a worthy goal, but we must refine our methods for evaluating the textual evidence. We should not assume that every legal reference is true-to-life, or that it represents an accepted interpretation, although some certainly are and some certainly do. When we recognize that some legal passages outside the Torah are fictional constructs, we begin to grasp a new dimension about what the Torah meant to the postexilic Jewish community. Legal fiction may lead us closer to the truth about the social and religious significance of biblical law.

49 For a recent discussion of this problem see B. Wells, "What is Biblical Law? A Look at Pentateuchal Rules and Near Eastern Practice," *CBQ* 70 (2008): 223–43.

Monstrous Appetites: Giants, Cannibalism, and Insatiable Eating in Enochic Literature

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Abstract

In different ways the *Book of Watchers*, the *Animal Apocalypse*, *Jubilees*, and the *Book of Giants* present the insatiable appetite of the giants as the key for understanding their crimes, which include murder, anthropophagy and the consumption of blood. Blood plays a major role in the retribution by the angels against them. The appetite of the giants affects their recompense in that their bodies, not their spirits, are destroyed. In this form they can no longer eat; but, this essay suggests, their overwhelming hunger remains. The ancient Near Eastern background of depicting violence and death with language of eating is also explored. The theme of appetite is critical for understanding the giants and their crimes on earth.

"I only sacrifice to myself – to the gods never – and to this belly of mine, the greatest of all the gods." – The Giant Pantagruel (Rabelais, *Gargantua and Pantagruel*, Book 4, Chapter 58 [citing the Cyclops Polyphemus from Euripides, *Cyclops* 334–35])

Introduction

Scholarship on the *Book of Watchers*, and *1 Enoch* in general, has paid a great deal of attention to the actions of the Watchers on earth, such as their sexual relations with human women and their disclosure of heavenly secrets to them.[1] Commentators generally focus on their offspring the giants as a consequence of the transgression of heavenly-worldly boundaries represented by their parents.[2] There has been much less consideration of a related key point – what the

1 See, for example, J. J. Collins, "The Origin of Evil in Apocalyptic Literature and the Dead Sea Scrolls," in *Seers, Sibyls and Sages in Hellenistic Roman-Judaism* (JSJSup 54; Leiden: Brill, 2001), 287–99; P. Sacchi, *Jewish Apocalyptic and its History* (trans. W. J. Short; JSPSup 20; Sheffield: Sheffield Academic Press, 1990); A. Y. Reed, *Fallen Angels and the History of Judaism and Christianity: The Reception of Enochic Literature* (New York: Cambridge University Press, 2005), 84–121; D. Suter, "Fallen Angel, Fallen Priest: The Problem of Family Purity in 1 Enoch 6–16," *HUCA* 50 (1979): 115–35 (esp. 116–17).

2 In this article I use the common parlance of referring to the offspring of the Watchers as "giants." The term is vague. It is used to signify a bewildering variety of monstrous but somewhat humanoid creatures in the folklore of cultures across the world. Since the word generally refers to creatures who are violent and powerful, its usage with respect to the children of the Watchers is justified. For more on the broad topic of giants, see J. J. Cohen, *Of Giants: Sex, Monsters, and the Middle Ages* (Minneapolis: University of Minnesota Press, 1999); K. Schulz, *Riesen: Von Wissenshütern und Wildnisbewohnern in Edda und Saga* (Heidelberg: Winter, 2004); W. Stephens, *Giants in Those Days: Folklore, Ancient History, and National-*

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giants actually do on earth. Their crimes, which include murder, cannibalism and the consumption of blood, are driven by their insatiable appetites. In this article I demonstrate that this is not only the case in the *Book of Watchers* but also that the twin themes of appetite and consumption are important in other Enochic texts that reformulate the Watchers story, including *Jubilees*, the *Book of Giants* and the *Animal Apocalypse*.[3] The importance of the theme of eating is also reflected in the punishment of the giants, who are forced to exist as spirits that cannot eat. I also speculate about the ancient Near Eastern literary background of the trope of destructive consumption.

Destructive Giants in *1 Enoch* 6–11

According to the *Book of the Watchers*, soon after the giants are born they begin to eat insatiably, which leads to a cycle of increasing violence. The versions of the core text for this issue, *1 En* 7:3–5, are notably different from one another.[4] 4QEn[a] 1 iii 17–21 by itself is too fragmentary to yield a full translation but contains the following information:[5]

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ism (Lincoln: University of Nebraska Press, 1989); L. Motz, "Giants in Folklore and Mythology: A New Approach," *Folklore* 93 (1982): 70–84. See also A. T. Wright, *The Origin of Evil Spirits* (WUNT 2.198; Tübingen: Mohr Siebeck, 2005), 22, 138–65.

3 I use the term "Enochic" here loosely, as a designation for Early Jewish texts that draw extensively upon Enochic tradition. Scholars have observed that the giants have an extraordinary appetite but this motif has not been explored at length. André Caquot, for example, observes that the giants have "une faim monstrueuse." See his "Les prodromes du déluge: légendes araméennes de Qoumrân," *RHPR* 83 (2003): 41–59 (esp. 41). Note also M. Delcor, "Le Myth de la chute des anges et de l'origine des géants comme explication du mal dans le monde dans l'apocalyptique juive: Histoire des traditions," *RHR* 190 (1976): 3–53 (esp. 29–30); Suter, "Fallen Angel, Fallen Priest," 119. The eating habits of the giants in the later reception of Enochic tradition are examined in E. Tigchelaar, "Manna-Eaters and Man-Eaters: Food of Giants and Men in the Pseudo-Clementine *Homilies* 8," in *The Pseudo-Clementines* (ed. J. N. Bremmer; Leuven: Peeters, 2009 [forthcoming]).

4 This pericope is generally regarded as part of the layer of tradition associated with Šemiḥazah rather than Asael. See, for example, G. W. E. Nickelsburg, *1 Enoch 1: A Commentary on the Book of 1 Enoch, Chapters 1–36, 81–108* (Hermeneia; Minneapolis: Fortress Press, 2001), 165; C. Molenberg, "A Study of the Roles of Shemihaza and Asael in 1 Enoch 6–11," *JJS* 35 (1984): 136–46 (esp. 137). Consult the survey of scholarship on the source criticism of the *Book of the Watchers* in Wright, *The Origin of Evil Spirits*, 11–50.

5 The key book on the Aramaic Enoch material remains J. T. Milik, *The Books of Enoch: Aramaic Fragments of Qumrân Cave 4* (Oxford: Clarendon, 1976). See also M. A. Knibb, *The Ethiopic Book of Enoch* (2 vols.; Oxford: Clarendon, 1978); M. Sokoloff, "Notes on the Aramaic Fragments of Enoch from Qumran Cave 4," *Maarav* 1 (1978–79): 197–224; K. Beyer, *Die aramäischen Texte vom Toten Meer* (2 vols.; Göttingen: Vandenhoeck & Ruprecht, 1984), 1.225–58 (= *ATTM*); *idem*, *Die aramäischen Texte vom Toten Meer. Ergänzungsband* (Göttingen: Vandenhoeck & Ruprecht, 1994), 117–18 (= *ATTME*) (his 2004 supplement to *ATTM* will be referred to as *ATTM II*); G. W. E. Nickelsburg, "The Books of Enoch at Qumran: What We Know and What We Need to Think about," in *Antikes Judentum und Frühes Christentum: Festschrift für Hartmut Stegemann zum 65. Geburtstag* (eds. B. Kollmann, W. Reinbold

- The offspring of the Watchers and women were born (מתילדין) upon the earth
- They eat the "toil" (עמל) of all of humankind (the word "eat" is reasonably reconstructed)
- They begin to kill (לקטלה) people[6]
- They sin against animals[7]
- They eat flesh (למ̊כל בשר]הן) but whose exactly, on the basis of the Aramaic alone, is not clear

No extant portion of 4QEn[a] 1 iii states that they drink blood. "They were] drinking [the] blood" (שתין דמ[א והוא), however, is one of the few visible phrases in the corresponding section of 4QEn[b] 1 ii (l. 25a). Whose blood is imbibed is not clear in the Aramaic. It is reasonable, however, to posit that the giants sin by consuming animals and drinking their blood. This is supported by the Greek text of *Watchers* from Panopolitanus (Akhmim) (G[Pan]). According to this manuscript, *1 En.* 7:2–5 reads:

The women became pregnant and gave birth to great giants, 3,000 cubits tall (γίγαντας μεγάλου ἐκ πηχῶν τρισχιλίων). They ate the labors of men. As they were unable to supply them, the giants grew bold against them and devoured the men. They began to sin against birds, animals, reptiles and fish, and to eat the flesh of each other. And they drank the blood.[8]

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and A. Steudel; BZNW 97; Berlin/New York: Walter de Gruyter, 1999), 99–113; M. Langlois, *Le premier manuscript du livre d'Hénoch: Étude épigraphique et philologique des fragments araméens de 4Q201 à Qumrân* (Paris: CERF, 2008).

6 I read ושרין rather than קשרין ("conspired") in 4QEn[a] 1 iii 19 with Sokoloff and Beyer, *contra* Milik, *The Books of Enoch*, 150. See Beyer, *ATTM*, 1.236; Knibb, *The Ethiopic Book of Enoch*, 2.79; Sokoloff, "Notes on the Aramaic Fragments of Enoch," 199; S. Bhayro, *The Shemihazah and Asael Narrative of 1 Enoch 6–11* (AOAT 322; Münster: Ugarit-Verlag, 2005), 243; E. W. Larson, "The Translation of Enoch: From Aramaic into Greek" (Ph.D. diss., New York University, 1995), 265.

7 From the Aramaic it is clear that the giants transgress against the animal kingdom but the word "sin" is reconstructed (on the basis of the Greek) and not in the extant Aramaic texts.

8 For most of this passage there is no corresponding material in Syncellus. This manuscript, however, attests a distinctive version of *1 En* 7:2: "the giants gave birth to the Nephilim and to the Nephilim were born Elioud. They grew in accordance with their greatness. They taught themselves and their wives charms and enchantments." While the word Nephilim (Ναπηλείμ) indicates that this text relies on a Semitic source, the text is strikingly different from the corresponding Aramaic Enoch material from Qumran. In 4QEn[a] 1 iii 15–16 there is not enough space to reconstruct the text of G[Sync] 7:2. Knibb and Milik both reasonably see the Aramaic as closer to G[Pan]. In the Syncellus text the giants are divided into "three kinds" (γένα τρία; 7:1) and are given a lead role in the introduction of illicit revelation to the world. G[Sync] 8:3 includes a reference to the giants eating human flesh, the placement of which is attributed by Knibb, *The Ethiopic Book of Enoch*, 2.83–84, to the editorial activity of Syncellus. One explanation, voiced by Bhayro, *The Shemihazah and Asael Narrative*, 141, is that Syncellus or one of his sources (such as Annianus and Panodorus) glossed the information from *Jub.* 7:22, which preserves a variation of the threefold format: "The giants killed the Naphil and the Naphil killed the Elyo, and the Elyo mankind." This is possible but would not explain why the three generations of giants are in *Jub.* 7:22. As discussed below, the three kinds may be alluded to in the *Animal Apocalypse*, an interpretation that would argue against reading

The Aramaic texts do not give the height of the creatures, much less the extremely large stature of 3,000 cubits, or approximately 1,500 meters, in height.[9] The crime of anthropophagy is explicit in G^{Pan} but not as evident in the Aramaic. The Greek text states that they ate (κατησθίοσαν) men. The Aramaic here is extant; it says rather that they began to kill men (4QEn^{a} 1 iii 19).[10] In G^{Pan} (and the Ethiopic) it is clear that they eat the flesh and drink the blood of one another. It is reasonable to posit that the word γίγας (Eth. *ra'ayi*) is a translation of גבר. This term, however, is not extant in the corresponding passages of the Aramaic Enoch texts.[11]

Despite their differences, the Aramaic and G^{Pan} versions of *1 En* 7:3–5 both emphasize one important point: the giants' appetite is the key factor motivating their destructive activities. They begin by eating the toil of the humans.[12] When this is insufficient, they eat the humans themselves. This does not sat-

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G^{Sync} 7:2 as a late gloss derived from *Jubilees*. It would suggest rather that the *Animal Apocalypse* and *Jubilees* attest an Enochic tradition preserved in Syncellus. While the significance of G^{Sync} 7:2 is not fully clear, it is reasonably considered a witness to a variant ancient Enochic gigantological tradition. The identity of the "Elioud" remains obscure. This may be a name given to "the men of renown" of Gen 6:4, as suggested by Nickelsburg, *1 Enoch 1*, 185 (following Charles). The view that *Jub.* 7:22 should be considered the source for this tradition is also endorsed by D. Bryan. Consult Milik, *The Books of Enoch*, 240; Delcor, "Le Myth de la chute des anges," 40; M. Segal, *The Book of Jubilees: Rewritten Bible, Redaction, Ideology and Theology* (JSJSup 117; Leiden: Brill, 2007), 148; W. Adler, *Time Immemorial: Archaic History and its Sources in Christian Chronography from Julius Africanus to George Syncellus* (DOP 26; Washington, D.C.: Dumbarton Oaks Research Library and Collection, 1989), 132–58; Larson, "The Translation of Enoch," 115–64; D. Bryan, *Cosmos, Chaos and the Kosher Mentality* (JSPSup 12; Sheffield: Sheffield Academic Press, 1995), 92; R. H. Charles, *The Ethiopic Version of the Book of Enoch: Edited from Twenty-Three MSS. Together with the Fragmentary Greek and Latin Versions* (Oxford: Clarendon, 1906), 17.

9 This extraordinary height should probably be understood as a narrative embellishment of the author. If one takes the height recorded in *1 Enoch* 7 literally, it becomes difficult to imagine the giants drowning in the flood, since, according to Gen 7:20, the height of the water reached (only) fifteen cubits above the mountain tops. According to *1 Enoch* 10 the giants die physically in a war against each another rather than perish in the flood, as discussed below. Given that many Second Temple works show familiarity with the trope that the offspring of the Watchers die in the flood (e. g., Bar 3:26–28; 3 Macc 2:4; Wis 14:6), it is reasonable to imagine that the author (or authors) of the relevant material in *Watchers* expanded and reformulated an older tradition about the giants in which they perish in the flood, embellishing the story to the point of changing key aspects of the tale. See also H. S. Kvanvig, "The Watcher Story and Genesis: An Intertextual Reading," *SJOT* 18 (2004): 163–83 (esp. 164).

10 The Ethiopic agrees with the Greek, using the verb "to eat" (*bal'a*).

11 גבריא is common in the *Book of Giants* (e. g., 4Q530 2 ii 3, 13, 15) but not prominent in the extant Aramaic of the *Book of the Watchers*.

12 The "toil" (עמל/κόπους) of *1 En* 7:3 of the humans which the giants consume is not specified. It presumably refers to agricultural produce, following the view that the consumption of meat did not begin until after the flood (Gen 9:4–5; but see 4:20). In Qoheleth the Hebrew עמל repeatedly refers to everything that a person produces during his or her lifetime and the effort therein involved (e. g., 2:18). The term signifies labor associated with eating and drinking (as in 3:13, 5:18 and 8:15). Qoh 6:7 could easily be applied to the giants: "All human toil is for the mouth, yet the appetite is not satisfied."

isfy their appetites. So, as suggested by G^{Pan}, they eat creatures from all categories of the animal kingdom – beings that fly, walk, creep and swim – and, their appetites still not sated, they proceed to eat one another. *Watchers* interprets Genesis in a way that expands the scope of the threat posed by the offspring of the sons of the Watchers.[13] They threaten all creatures of the world, including fish, which are (reasonably enough) not mentioned in the catalogue of animal life to be wiped out in the flood in Gen 6:7.[14] The consumption perpetrated by the giants threatens not only humankind but the entire natural order.[15] Not surprisingly, their appetites are a factor in their own destruction. The angels do not punish the giants by overpowering them militarily. Rather Gabriel is dispatched to instigate them to destroy one another in a "war of destruction" (קְרַב אבדן; 4QEn^{b} 1 iv 6; *1 En* 10:9). Since they were already eating one another, Gabriel's task does not seem particularly difficult. The destructive tendencies of the giants are inextricably linked to their appetites – they harm the world and each other because they cannot control their appetites. This has disastrous consequences for both them and the world.

The Crimes and The Appetite of the Giants in Other Enochic Texts

The destructive appetites of the giants are prominent in other Enochic texts that attest versions of the Watchers myth. This is the case, for example, in the *Book of Giants*.[16] 4Q531 1 5–6 attests the phrases "it did not suffice for them"

13 Nickelsburg, *1 Enoch 1*, 166–68; Bhayro, *The Shemihazah and Asael Narrative*, 258–59; J. C. VanderKam, "The Interpretation of Genesis in *1 Enoch*," in *The Bible at Qumran: Text, Shape, and Interpretation* (ed. P. W. Flint; Grand Rapids, Mich.: Eerdmans, 2001), 129–48.

14 Nickelsburg, *1 Enoch 1*, 186; Langlois, *Le premier manuscript du Livre d'Hénoch*, 361. Also see the discussion of 4Q531 2+3 below.

15 The universal scope of the threat posed by the giants is reflected in 4QEn^{a} 1 iii 18 (cf. *1 En* 7:3), which states that the giants consumed the toil of *all* humankind. The word "all" is not in the Greek. The term does, however, appear in the Ethiopic, but before "toil" instead of "humankind." The Aramaic does not endorse Charles' conjecture that the Ethiopic *k^{w}ello* was corrupt. See Knibb, *The Ethiopic Book of Enoch*, 1.18, 2.78; J. C. VanderKam, "The Textual Base for the Ethiopic Translation of 1 Enoch," in *From Revelation to Canon: Studies in the Hebrew Bible and Second Temple Literature* (Leiden: Brill, 2002), 380–95 (esp. 387); Charles, *The Ethiopic Version*, 16.

16 The main manuscripts of the composition are generally considered to be 1Q23, 1Q24, 2Q26, 4Q203, 4Q530, 4Q531, 4Q532, 4Q533, 4Q206a 2–3 and 6Q8. These texts are available in S. J. Pfann et al., *Qumran Cave 4.XXVI: Cryptic Texts and Miscellanea, Part 1* (DJD 36; Oxford: Clarendon, 2000), 8–94; É. Puech, *Qumrân Grotte 4.XXII: Textes Araméens, Première Partie (4Q529–49)* (DJD 31; Oxford: Clarendon, 2001), 9–115 (the relevant fragments in these volumes are edited, respectively, by Stuckenbruck and Puech). Major studies of the work include L. T. Stuckenbruck, *The Book of Giants from Qumran: Text, Translation, and Commentary* (TSAJ 63; Tübingen; Mohr Siebeck, 1997); J. C. Reeves, *Jewish Lore in Manichaean Cosmogony: Studies in the Book of Giants Traditions* (MHUC 14; Cincinnati: Hebrew Union College Press, 1992); F. García Martínez, *Qumran and Apocalyptic* (STDJ 9; Leiden: Brill, 1992), 97–115; Beyer, *ATTM*, 1.258–68; Milik, *The Books of Enoch*, 298–339.

and "they sought to consume much."[17] This text probably stated originally that the giants' excessive eating began just after they were born. Line 3 attests the word "they begat" (אולדו), presumably referring to the engendering of the giants (cf. 4Q203 7b i 3). Several commentators reasonably understand 4Q531 as the beginning of the composition or at least as the earliest part of the narrative that is extant.[18] As in *Watchers*, the impression is that soon after the giants appear on earth they begin to consume excessively.

Also as in *Watchers*, in the *Book of Giants* the giants' eating is associated with murder. Unfortunately, the key texts are highly fragmentary. In the line immediately after the reference to the birth of the giants (4Q531 1 3), there is the phrase "in its blood." The full context of this statement is not clear but, since lines 5–6 emphasize that the giants are not satisfied and eat much, it seems that the "blood" in line 4 is a reference to murder and perhaps anthropophagy, although this is never explicit in the *Book of Giants*. There is no surviving reference in the composition to the giants drinking blood. Nevertheless, 4Q531 1 provides an impression of the destructive rampages of the giants on the earth.[19] This is also evident in 1Q23 9+14+15 4: "they killed man[y."[20]

4Q532 1 ii + 2 associates the crimes of the giants with their eating, although the text is too fragmentary to provide a full narrative. Line 10 mentions that "they" did not find enough food to be satisfied, as in 4Q531 1.[21] This parallel and *1 Enoch* 7 strongly suggest that the antecedent is the giants. This is also

17 A form of the word "suffice" (שפק) is reasonably reconstructed by Milik, *The Books of Enoch*, 166, in the Aramaic of *1 En* 7:3 (4QEn^{b} 1 ii 22; cf. 4QEn^{a} 1 iii 18).

18 Stuckenbruck, *The Book of Giants*, 21, 152; Reeves, *Jewish Lore*, 62; Beyer, *ATTM*, 1.260. For a different arrangement, consult García Martínez, *Qumran and Apocalyptic*, 112. Note also L. T. Stuckenbruck, "The Sequencing of Fragments Belonging to the Qumran *Book of Giants*: An Inquiry into the Structure and Purpose of an Early Jewish Composition," *JSP* 16 (1997): 3–24.

19 Puech, *DJD 31*, 52, reconstructs the word מה[ומת(א) ("tur[moil") in 4Q531 1 4, as is suggested by Reeves, *Jewish Lore*, 73. This is possible and would suit the context. In this case it would be a parallel, as Puech notes, to *1 En.* 9:9, which states that the earth is full of "blood and violence" (G^{Pan}). However, not enough of the word survives to reconstruct it with full confidence. See also Stuckenbruck, *The Book of Giants*, 149–50; Beyer, *ATTM II*, 2.155 (who reconstructs מה[ימנין [which he translates as *Vertrauenswürdigen*, "those who are trustworthy"]).

20 That the antecedent of this phrase is the giants is suggested by the following line (l. 5), which includes the phrase "one hundred giants." Other references to the violence and the bloodshed of the giants include 4Q531 7 5–6; 4Q533 4 2; 4Q206a 1 i (= 4Q206 3 i) 6. Cf. 4Q531 28 1; 4Q531 32 2.

21 The text, following Puech, *DJD 31*, 100–03, is שפק להן למא[כל [לא. Instead of להן Stuckenbruck, *The Book of Giants,* 180, and Beyer, *ATTME*, 124, read לה. Examination of the original manuscript in June 2009 confirms without a doubt Puech's transcription. On the photo at this point the text is obscured by what appears to be a large smudge. This is not on the original. Rather, there is a hole in the manuscript that, presumably because of the lighting when the photograph was taken, looks like an ink spot. The key letters are thus obscured on the photo. Just below the hole on the original it is easy to discern the bottom of a final *nun*. This helps establish the view that the giants in general (not just one) did not find satisfaction when eating.

indicated by 4Q532 1 ii + 2 9 which states that "they" caused extensive damage: "great damage they inflicted on [the] ea[rth" (חֹבל רב חנבלו באֹ[רעא]) (cf. 4Q203 8 11). Line 8 mentions destruction and death. As Stuckenbruck has aptly argued, this fragment, while not preserving a full account, describes the violent activities of the giants.[22] Although little of the relevant text survives, the *Book of Giants* establishes a clear association between the violence of the giants and their appetites.[23]

The theme of the insatiable appetites of the giants is also attested, I suggest, in 1Q23 1+6+22.[24] The surviving portion of this composite text lists large quantities of animals and produce: "two hundred donkeys, [two] hundred wild asses … two hundred sheep, t[w]o hundred rams … field from every living creature, and thousands from a gr[apevine" (ll. 2–4). Reeves understands this text as referring to the cargo of Noah's ark.[25] No surviving portion of the composition, however, mentions Noah directly or gives an unambiguous account of the ark or its contents. Stuckenbruck, following Milik, suggests that the text refers to the "post-diluvian fertility to occur following the destruction of the giants" in the tradition of *1 Enoch* 10.[26] However, post-diluvian abundance is never unambiguously a theme of the *Book of Giants*. I propose that 1Q23 1+6+22 is a remnant of a list of the animals and produce that the giants consumed. The theme of excessive eating by the giants in the *Book of Giants* and *Watchers* makes it reasonable to understand 1Q23 1+6+22 in this way. Two later compositions support this interpretation. The late rabbinic compilation, "*The Midrash of Šemḥazai and 'Aza'el*," which is attested in the *The Chronicles of Jerahmeel* and other works, attests giant traditions found in the Qumran *Book of Giants*.[27] This work contains a list of animals that two giants, the

22 Stuckenbruck, *The Book of Giants*, 178–82.

23 Note the interesting but brief mention of "flesh" in 4Q532 1 ii + 2 2. The word is prefaced with the *bet* preposition. This is presumably *not* a reference to the cannibalism of the giants because generally the verb "to eat" is not accompanied by this preposition in Aramaic (e. g., Dan 4:30, 7:5, 23). The line could be a remnant of a reference to the giants' rampages against all humankind.

24 For the official edition, see Stuckenbruck, *DJD 36*, 49–52. For the original edition, consult D. Barthélemy and J. T. Milik, *Qumran Cave 1* (*DJD 1*; Oxford: Clarendon, 1955), 97–98.

25 Reeves, *Jewish Lore*, 122.

26 Stuckenbruck, *DJD 36*, 51–52; *idem*, *The Book of Giants*, 57; Milik, *The Books of Enoch*, 301.

27 The edition of this text in Milik, *The Books of Enoch*, 321–29, is primarily taken from a manuscript at the Bodleian Library at Oxford (Ms. Heb. d. ii. fol. 21^{v}), with variants recorded from other sources such as *Bereshit Rabbati* and the anthology *Yalqut Shimoni*. An English translation is also available in M. Gaster, *The Chronicles of Jerahmeel Or, The Hebrew Bible Historiale* (Whitefish, Mont.: Kessinger Publishing, 2007 [orig. pub., 1899]). Reed, *Fallen Angels*, 258–59, argues that "*The Midrash of Šemḥazai and 'Aza'el*" (*contra* Milik) is a late compendium of traditions regarding the Watchers that developed in the gaonic and early medieval periods. The affinity between this work and the Qumran *Book of Giants* suggests that it may preserve Early Jewish traditions regarding the Watchers as well. Reed aptly cautions that "*The Midrash of Šemḥazai and 'Aza'el*" should not be thought of as a composition preserved throughout much of rabbinic Judaism but as a late medieval effort to "narrativize" older traditions and legends into a single coherent account. For more on *Chronicles*,

brothers Heyya and Aheyya, would consume daily.[28] In the composition their father Šemḥazai says: "How shall my children live, and what shall become of my children, for each one of them eats daily a thousand camels, a thousand horses, a thousand oxen, and all kinds (of animals)?"[29] This list, which claims that the two brothers ate a total of 2,000 of several types of animals daily, can be understood as a later elaboration of an older tradition that is preserved in 1Q23 1+6+22, which enumerates a catalogue of smaller (but still large) numbers of animals that the giants consumed.[30] The fragmentary Manichean *Book of Giants* (*Kawān*) also contains traditions preserved in the Qumran *Book of Giants*.[31] Fragment l of the main text of this composition (M101) contains a list of several kinds of animals, two hundred in number, as in 1Q23 1+6+22.[32] It is not stated specifically, but the mention of wine in the passage suggests that the animals in the list are considered food. The evidence is not conclusive but 1Q23 1+6+22 can be reasonably interpreted as a remnant of a catalogue of the kinds (and amounts) of animals and produce consumed by the giants.[33]

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see H. Jacobson, "Thoughts on the *Chronicles of Jerahmeel*, Ps-Philo's *Liber Antiquitatum Biblicarum*, and their Relationship," *SPhil* 9 (1997): 239–63.

28 Two important giants in the *Book of Giants* are the brothers Hahyah and 'Ohyah.

29 The translation is from Milik, *The Books of Enoch*, 325, 328. See also *Chronicles of Jerahmeel* 25:8, in Gaster, *The Chronicles of Jerahmeel*, 53. The extraordinary amount of food and drink consumed by the Canaanite king Og, who is regarded as a giant (Deut 3:11), is described in the late rabbinic work *Tractate Sopherim* (43b; Soncino edition). See A. Kosman, "The Story of a Giant Story: The Winding Way of Og King of Bashan in the Jewish Haggadic Tradition," *HUCA* 73 (2002): 157–90 (esp. 171).

30 If the two brothers Heyya and Aheyya eat 2,000 of several kinds of animals daily in the midrash, then 1Q23 1+6+22, which mentions no giant by name, may describe Hahyah and 'Ohyah eating 200 of several kinds of animals daily.

31 J. T. Milik was the first to identify a connection between the Qumran *Book of Giants* and the Manichean *Kawān*, the original version of which is generally understood to have been written by Mani in the third century CE. See his "Turfan et Qumran: Livre des géants juif et manichéen," in *Tradition und Glaube: Das frühe Christentum in seiner Umwelt* (eds. G. Jeremias et al.; Göttingen: Vandenhoeck & Ruprecht, 1971), 117–27; *idem*, "Problèmes de la littérature hénochique à la lumière des fragments araméens de Qumrân," *HTR* 64 (1971): 333–78 (esp. 366–72); *idem*, *The Books of Enoch*, 298–303; W. B. Henning, "The Book of Giants," *BSOAS* 11 (1943–46): 52–74; Reeves, *Jewish Lore*, 30.

32 "You shall see the destruction of your children … wild ass, ibex … ram, goat (?), gazelle … oryx, of each two hundred, a pair … the other wild beats, birds, and animals … and their wine [shall be] six thousand jugs … of water (?) … and their oil [shall be …" See Henning, "The Book of Giants," 61.

33 It is also possible that the consumption of creatures is discussed in 4Q531 2+3. This, however, cannot be stated conclusively. The fragment relies on Genesis 1. The moon is mentioned in line 1 and "the gr[ea]t fish" in line 3 (נוניא רבֿ[בי]א), echoing Gen 1:21. The birds of heaven, plants and animal life of the earth are discussed, including creatures that creep (שרצֿאורעא) (ll. 4–7; cf. Gen 1:21). The phrase "male and female" in line 9 (דכר ונקבה) could refer to humankind or to the animals (cf. Gen 1:27; 6:19; 7:16). It is not evident from the fragmentary 4Q531 2+3 why it enumerates elements of the natural world. For Stuckenbruck, *The Book of Giants*, 144, the key to this text is line 7, which he translates as "And they burned all/every …" He transcribes אחרו, which he takes, following Beyer, *ATTME*, 119, as an *Af'el* of חרר ("to burn"), although he grants that the word could be the preposition אחרי.

The tropes of excessive eating and cannibalism are present but reformulated in the *Book of Jubilees*.[34] The text associates these themes not only with the giants but rather the creatures of the earth in general. *Jub* 5:2 reads: "And injustice increased upon the earth, and all flesh corrupted its way; man and cattle and beasts and birds and everything which walks upon the earth. And they all corrupted their way and their ordinances, and they began to eat one another" (cf. 11Q12 7; *Sib. Or.* 1.77–78, 154–56). The author of *Jubilees* 5, which shows extensive reliance on the *Book of Watchers* (in particular *1 Enoch* 10–11), presumably knew the Enochic motif of the giants' horrific acts of consumption and transferred it to animal life in general to legitimate the introduction of the flood.[35] Familiarity with the cannibalistic giants of the Watchers story is evident in *Jub* 7:22, in which the Watchers beget sons who eat one another.[36] In *Jubilees* the giants' propensity towards violence is a factor in how archangels punish the giants for their crimes, as in the *Book of Watchers*. One of the archangels (probably Gabriel; cf. *1 En* 10:9) sends his sword against the giants.[37] They are not destroyed, however, by being slain by the angel. Rather they kill one another and fall upon the sword (*Jub* 5:9). Reminiscent of the revelation of weapon-making in *1 En* 8:1, the introduction of the sword among the giants foments their own violent tendencies. They proceed to destroy one another.

The dangerous appetites of the giants also play a role in the allegorical formulation of the Watchers myth in the *Animal Apocalypse*. The giants are reconfigured as elephants, camels and asses (*1 En* 86:4; cf. 89:6).[38] In the *Animal*

The problem with this interpretation, as Puech, *DJD 31*, 56, recognizes, is that in the giants tradition pyromania is not among the crimes they commit. Puech transcribes אחרו. This makes sense. It is not clear that rampant burning would cause damage to the "great fish" or the birds. As mentioned above with regard to *1 Enoch* 7, the giants consume creatures in all categories of life on earth – animals that fly, swim, walk and creep. It is possible to understand 4Q531 2+3 in a similar way. The reliance of the fragment on Genesis 1 sharpens the perspective that the giants threatened the entire natural order and thus creation itself.

34 J.C. VanderKam, *The Book of Jubilees* (Sheffield: Sheffield Academic Press, 2001); J.T.A.G.M. van Ruiten, *Primeval History Interpreted: The Rewriting of Genesis 1–11 in the Book of Jubilees* (JSJSup 66; Leiden: Brill, 2000); *idem*, "The Interpretation of Genesis 6:1–12 in Jubilees 5:1–19," in *Studies in the Book of Jubilees* (eds. M. Albani, J. Frey and A. Lange; TSAJ 65; Tübingen: J.C.B. Mohr [P. Siebeck], 1997), 59–75.

35 So also Segal, *The Book of Jubilees*, 109 (see also 115–16). The theme of antediluvian cannibalism in *Jubilees* suggests that the spread of evil constitutes a disruption of the vegetarianism that characterized life in Eden (cf. 3:16).

36 This trope is here connected to the crimes of humans. They are portrayed not as victims of the giants but rather as accomplices who commit the same deeds as the giants. After describing the threefold division of the giants (discussed above), each generation of which kills the next, it states that men began to kill their neighbors. See VanderKam, *The Book of Jubilees*, 40. For further treatment of the different accounts of primordial history in *Jubilees* 5 and 7, see Segal, *The Book of Jubilees*, 145–54.

37 See the discussion of *1 En*. 88:2 below.

38 Milik, *The Books of Enoch*, 240, suggested (as did Charles before him), that each of the three kinds of animals corresponds to one of these three generations of giants described in G^{Sync} 7:2 and *Jub* 7:22 (see above). The elephants (**פילוא**), for example, correspond to the Nephilim (**נפילוא**). (Note the "kings, mighty and the exalted" in *1 En* 67:8 whose flesh is destroyed.)

Apocalypse the crime of the giants is not, ironically, that they consume the animals of the earth.[39] In a Freudian twist on the consumption trope, the text envisions a violent scene in which the giants fight with and eventually eat their fathers the Watchers, who are imagined as bulls once they descend to earth: "And all the bulls feared them [the elephants, camels and asses] and were terrified before them, and they began to bite with their teeth and devour and gore with their horns. And they began to devour those bulls, and look, all the sons of the earth began to tremble and quake before them, and to flee" (*1 En* 86:5–6). The motif of the fear of the angels towards their own children is not in *Watchers*.[40] Tiller understands the goring as carried out by the Watchers against the giants.[41] The violence is perpetrated by animals using their horns, he argues, and none of the three "giant" kinds of animals have horns, whereas bulls do. But in the passage the bulls are devoured.[42] This suggests that they are the victims, not the agents, of the goring. Moreover, the phrase "with their horns" (Eth. *ba'aqrentihomu*) in *1 En* 86:5 does not necessarily denote the horns of bulls (in which case the image would signify the Watchers). "Horn" in Ethiopic (*qarn*) is the word used for elephant tusks.[43] *Contra* Tiller, it is plausible to understand *1 En* 86:5–6 as describing the actions of the animals that represent the giants, committed against the Watchers. The camels and asses bite the bulls with their teeth and the elephants gore the bulls with their tusks ("horns"). Then the animals "began to gore one another and devour one another" (*1 En* 87:1). This corresponds to *1 En* 7:5 – the giants consume each other. They terrify the entire earth (86:6) but in terms of what they eat they stick to fare with a heavenly origin – the Watchers and themselves.

The *Animal Apocalypse* recounts an archangel giving a sword to the giants, with which they destroy one another: "And one of these [archangels] drew a sword and gave it to those elephants and camels and asses. And they began to strike one another, and the whole earth quaked because of them" (88:2). The animals' use of the sword strains the allegory of the text, suggesting that this is an image that was part of the tradition received and adapted by the author of the *Animal Apocalypse*, rather than an innovation on his part. This is also

Milik may be right, but certainty is difficult to achieve because it remains an unsolved problem as to why G^{Sync} *1 En* 7:2 makes this threefold distinction in the first place, as discussed above. See also P. A. Tiller, *A Commentary on the Animal Apocalypse of* 1 Enoch (SBLEJL 4; Atlanta: Scholars Press, 1993), 242–43; Bryan, *Cosmos, Chaos and the Kosher Mentality*, 81–97; R. H. Charles, *The Book of Enoch* (Eugene, Ore.: Wipf and Stock, 2002 [orig. pub., 1893]), 229.

39 The version of the Watchers story in the *Animal Apocalypse* also shows no interest in the theme of illicit revelation of secrets by the Watchers to their wives. See Tiller, *A Commentary on the Animal Apocalypse*, 86–87.

40 Nickelsburg, *1 Enoch 1*, 374.

41 Tiller, *A Commentary on the Animal Apocalypse*, 241.

42 Bryan, *Cosmos, Chaos and the Kosher Mentality*, 172.

43 This makes it difficult to sustain the viewpoint in Tiller, *A Commentary on the Animal Apocalypse*, 241, that "an elephant's tusks are not really horns." The Ethiopic for "ivory" and "elephant tusk" is *qarna nage* (literally, "the horn of the elephant"). See W. Leslau, *Comparative Dictionary of Ge'ez (Classical Ethiopic)* (Wiesbaden: Harrassowitz Verlag, 2006), 442.

indicated by *Jub* 5:9, which, as mentioned above, describes the reception of an angelic sword by the giants (cf. 4Q531 7 5).[44] The animals of the world perish in the flood (89:6) rather than because of the activities of the giants.[45] The reformulation of the theme of the giants' consumption in the *Animal Apocalypse* presents the crimes of the giants primarily as a supernatural issue, in that the harm they inflict is against the Watchers and each other. Their damage perpetrated against creatures of the earth is minimized.

The gargantuan appetite of the giants is most clearly evident in the G^{Pan} text of *Watchers* but is attested more broadly in other Early Jewish writings that recount the Watchers story. Despite the different ways they present this motif, the *Animal Apocalypse* and the *Book of Giants* connect the giants' rampages on the earth to their insatiable appetite. The *Book of Jubilees* shows familiarity with the trope that the giants caused destruction by eating but, in its reformulation of primordial history, associates cannibalism with antediluvian creatures in general rather than just the giants.

Blood, נפש and the Retribution against the Giants

The conception of blood in priestly law and the flood story is important for understanding the crimes of the giants in the *Book of the Watchers* and other Enochic texts. The consumption of blood is prohibited in Genesis 9. The universal importance of the ban on blood consumption is highlighted by its inclusion in the covenant given to Noah. It is, literally, the first law promulgated in the Hebrew Bible.[46] There is also a ban against the consumption of blood in Leviticus 17.[47] In both of these texts (and in Deuteronomy 12) the rationale for not ingesting the blood is its association with the "life" or נפש of a living being. Gen 9:4, for example, reads: "Only you shall not eat flesh with its life, that is, its blood" (אך בשר בנפשו דמו לא תאכלו). Lev 17:11 asserts: "the life of the flesh is

44 To explain why an angel gives the giants a sword with which they destroy each other in both *Jubilees* and the *Animal Apocalypse*, a key text, it seems, is *1 En.* 10:9. According to this text, as discussed above, Gabriel is to foment a "war of destruction" among the giants. But *1 Enoch* 10 is frustratingly vague. Basic issues such as how he does this and what kind of war it is are never explained. *Jubilees* and the *Animal Apocalypse* appear to appropriate the story now preserved in this chapter of *1 Enoch*. In *1 Enoch* 10, however, no archangel gives the giants a sword. I suggest that these two texts attest a tradition that developed to provide answers to questions left unanswered in *1 Enoch* 10 about the war. The sword in *Jub.* 5:9 problematizes the opinion of Tiller, *A Commentary on the Animal Apocalypse*, 254, that "the sword is original" to the *Animal Apocalypse*.

45 Tiller, *ibid.*, 264.

46 J. Milgrom, *Leviticus 1–16* (AB 3; New York: Doubleday, 1991), 705.

47 Cf. Lev 3:17; 7:26–27; Deut 12:16, 23–25. See D. Biale, *Blood and Belief: The Circulation of a Symbol Between Jews and Christians* (Berkeley: University of California Press, 2007), 9–43. Consult also J. Klawans, *Impurity and Sin in Ancient Judaism* (New York: Oxford University Press, 2000); H. K. Harrington, *The Impurity Systems of Qumran and the Rabbis: Biblical Foundations* (SBLDS 143; Atlanta: Scholars Press, 1993).

in the blood" (נפש הבשר בדם הוא; cf. Deut 12:23). In Genesis this prohibition is associated with retribution for murder, an unlawful spilling of human blood. The one who sheds human blood (שפך דם האדם) will have his own blood shed because people were created in the image of God (Gen 9:6). That element of the human being that is similar to God ("in his image") is that which demands retribution when the person is unjustly killed – the shedding of his blood and subsequent release of his נפש.[48] A similar mindset is at work in Lev 17:11, which, as Milgrom has argued, depicts killing for food "as a capital, nonexpiable crime" with God conceding that it is allowable if the life (נפש) in the animal's blood is drained upon the altar, a ransom for the charge of murder.[49] Animal flesh may be consumed once the blood has been drained, the "life" of the creature having been returned to its source, God.[50] Blood, so understood, has a mythological power or force – it contains divine potency and its shedding constitutes a transgression not just against the victim but against God, who endowed him with life by giving him a נפש.[51] This attitude towards blood is evident elsewhere in the primeval history of Genesis. When God confronts Cain about the murder of his brother he points to the blood of Abel, "crying out to me from the ground" (Gen 4:10). The subsequent curse of Cain comes "from the ground" which has received the blood of his brother.[52] The text does not state so directly, but it seems that the נפש of Abel is exposed in the blood on the ground, crying out for justice.

48 The connection between the creation of humankind and their endowment with a נפש is evident in Gen 2:7. When God blows into the dust, he makes the first human a "living being" – a נפש חיה (cf. 9:10).

49 J. Milgrom, *Leviticus 17–22* (AB 3A; New Haven: Yale University Press, 2000), 1477–78. He understands Leviticus 17 (commonly ascribed to H), and its stipulation that the blood is to be drained on the altar, as an innovation and reformulation of the position of P on the subject, as exemplified by Genesis 9. M. Douglas aptly attributes the presentation of blood in the Hebrew Bible to a "feudal" conception of the relationship between God and his creation – he 'owns' the world and its contents, and thus people are not allowed to harm each other or other creatures, being God's property. See her *Leviticus as Literature* (New York: Oxford University Press, 2000), 136. Consult also Biale, *Blood and Belief*, 17–28; B. J. Schwartz, "The Prohibitions Concerning the 'Eating' of Blood in Leviticus 17," in *Priesthood and Cult in Ancient Israel* (eds. G. A. Anderson and S. M. Olyan; JSOTSup 125; Sheffield: Sheffield Academic Press, 1991), 34–66; J. Milgrom, "A Prolegomenon to Leviticus 17:11," *JBL* 90 (1971): 149–56. See also V. Noam, "Corpse-Blood Impurity: A Lost Biblical Reading?" *JBL* 128 (2009): 243–51.

50 Milgrom, *Leviticus 17–22*, 1470.

51 It is possible that the prohibition against the consumption of blood developed because this act played a role in divination. Divination and the consumption of blood are banned together in Lev 19:26 (cf. 1 Sam 14:31–35). See Milgrom, *Leviticus 17–22*, 1490–93; Biale, *Blood and Belief*, 21–23; Wright, *The Origin of Evil Spirits*, 148. Consult also P. T. Reis, "Eating the Blood: Saul and the Witch of Endor," *JSOT* 73 (1997): 3–23.

52 Gen 4:11 depicts the spilling of Abel's blood on the earth as if the earth is 'eating' the blood. This key part of this verse can be translated: "the ground, which opened its mouth to take the blood of your brother." See Biale, *Blood and Belief*, 14.

Early Jewish literature likewise attests a "dread of blood" – a respect and fear for its potency as containing the life given by God.[53] This is evident, for example, in the *Temple Scroll's* retelling of Deuteronomy 12. This chapter allows one to pour out the blood of a slaughtered animal on the ground like water when the killing occurs far from the sanctioned altar of God. In the *Temple Scroll's* rendering of this text, when one pours out the blood it is to be covered (11QT 53:5–6) – an addition that harmonizes Deuteronomy 12 with Leviticus 17, according to which one must cover the blood (v. 13; cf. Deut 12:24, 27).[54] The intent is not simply to prevent contact with blood. The נפש in the blood would cry out for atonement.[55] This awkward problem is solved by covering the blood, an act that smothers the complaint of the נפש. *Jubilees* also highlights the theme of blood pollution in its retelling of Genesis along the lines of Leviticus 17.[56] *Jubilees* expands the universality of the prohibition against drinking blood, even though the giants themselves are never depicted as drinking any. In an embellishment of the Genesis story, after God gives Noah and his sons commandments they swear not to eat blood.[57] There is also an aside to Moses explaining that this story in the Torah was written so that he could enjoin the children of Israel not to eat the blood of animals (6:10–14; cf. l. 7; 1QapGen 11:17). In Noah's death-bed testament, he urges his sons to neither shed nor ingest blood (7:27–33). The mindset of the book towards blood is well expressed in Abraham's death-bed statements to Isaac: "Be careful, my son, be extremely careful of blood. Cover it in the earth" (21:17; cf. 7:31). The *Aramaic Levi Document* similarly stresses that one should cover the spilled blood of an animal before it is consumed so that one does not eat "in the presence of blood" (10:9).[58] Presumably because of the flood story, this commandment is legitimated by an appeal to a "book of Noah concerning the blood" (l. 10).[59]

This "dread of blood" evident in Early Jewish literature, shaped by the view that the נפש resides in the blood, operates in *Watchers*, even though the word

53 This apt phrase is from C. Werman, "The Rules of Consuming and Covering the Blood in Priestly and Rabbinic Law," *RevQ* 16 (1995): 621–36 (esp. 635).

54 Werman, "The Rules of Consuming and Covering the Blood," 635. See also Isa 26:21; Ezek 24:7. For rabbinic literature on the covering of blood (e.g., *m. Ḥul.* 6:1), consult *ibid*., 623–35; Biale, *Blood and Belief*, 21.

55 Werman, "The Rules of Consuming and Covering the Blood," 628.

56 Milgrom, *Leviticus 17–22*, 1503.

57 VanderKam; *The Book of Jubilees*, 40; van Ruiten, *Primeval History Interpreted*, 219–46. Note also D.M. Peters, *Noah Traditions in the Dead Sea Scrolls* (SBLEJL 26; Atlanta: Society of Biblical Literature, 2008), 73–93; Segal, *The Book of Jubilees*, 183; W.K. Gilders, "Blood and Covenant: Interpretative Elaboration on Genesis 9:4–6 in the Book of Jubilees," *JSP* 15 (2006): 83–118; *idem*, "Where Did Noah Place the Blood? A Textual Note on *Jubilees* 7:4," *JBL* 124 (2005): 745–49.

58 J.C. Greenfield, M.E. Stone, and E. Eshel, *The Aramaic Levi Document* (SVTP 19; Leiden: Brill, 2004), 90–91, 180. See also Milgrom, *Leviticus 17–22*, 1483.

59 There is an extensive literature on a putative Book of Noah, which is to some degree attested in extant ancient compositions. See, for example, M.E. Stone, "The Book(s) Attributed to Noah," *DSD* 13 (2006): 4–23.

is never explicit in the text.[60] It is reasonable to understand the giants drinking blood as an exegetical expansion of Genesis. *Watchers* provides an answer as to why Genesis 9 bans the consumption of blood – it is one of the heinous crimes that the giants committed before the flood.[61] Since *Watchers* assumes that ingesting blood is a deplorable act, this presumably reflects some understanding of the treatment of blood in biblical law. To comprehend the perspective in *Watchers* it is important to understand the blood as the seat of the נפש. Drinking it is not simply a social taboo nor is its ingestion just a heinous act that accompanies murder. It is a violation of the natural order established by God and thus constitutes a challenge against his dominion.[62]

Blood plays an important role in God's retribution against the giants. According to G^{Pan}, after the transgressions of the Watchers' children in *1 En* 7:3–5, v. 6 states: "then the earth brought an accusation against the lawless ones."[63] The angels learn of the injustice by hearing the cry of humans as they are murdered (8:4).[64] It is not explicit in the text, but it can be understood as stating that the נפש in the spilled blood of the murdered victims is crying out.[65] This would explain why the earth brings the accusation in *1 En* 7:6 – it has been defiled by the נפש in the blood, not unlike Genesis 4 (cf. *1 En* 10:20).[66] It is possible that it is not the earth *per se* making the accusation but rather the 'souls' of the victims that have been spilled on the land. In *Watchers* there is a connection between the cries of the victims and the spilled blood. The Aramaic of 9:1 does not emphasize that the angels hear the cry (8:4) but rather that they look down from heaven and *see* the blood ($4QEn^a$ 1 iv 6–7). They discern that "much blood [wa]s spil[led upon [the] ear]th" and that "all [the earth] was filled with the wi[ckedness and] violence (חמסה) that was [comm]itted (lit. "sinned") against it" (ll. 7–8).[67] The violence (חמס) that fills the earth in Genesis 6 is understood

60 The word נפש is reconstructed several times in the Aramaic texts of *Watchers* (e.g., $4QEn^a$ 1 iv 11; $4QEn^c$ 1 vi 1) but is not once unambiguously attested (see below the discussion of $4QEn^b$ 1 iii 11). In the *Book of Giants* the term נפש is used in reference to the giants (4Q530 2 ii 1, 2). The composition never explicitly attests the trope that the נפש is in the blood.

61 Nickelsburg, *1 Enoch 1*, 186.

62 The *Damascus Document* associates the drinking of blood with turning away from God. The text recounts the wickedness of the Israelites in Egypt, claiming that they drank blood and committed other heinous acts (3:6).

63 This statement is preserved in a somewhat different form in $4QEn^b$ 1 ii 25. See Milik, *The Books of Enoch*, 166; Nickelsburg, *1 Enoch 1*, 183.

64 G^{Pan} reads: τῶν οὖν ἀνθρώπων ἀπολλυμένων ἡ βο[ὴ] εἰς οὐρανοὺς ἀνέβη. Note $4QEn^b$ 1 iii 6: "And the cry [went up before] he[aven]" (cf. $4QEn^a$ 1 iv 5–6).

65 The word, according to Milik, *The Books of Enoch*, 171, occurs in $4QEn^b$ 1 iii 11 (*1 En* 9:3), in which it refers to the נפש of the victims making an accusation against the giants. It is reasonable to posit that the term is in this line on semantic grounds but the poor physical condition of the line prevents conclusive readings. Milik transcribes נ֯פ֯ש֯[ת].

66 Note *1 En* 22:5–7, in which the spirit of the slain Abel complains against Cain. See Nickelsburg, *1 Enoch 1*, 305.

67 G^{Pan} 9:1 emphasizes that the angels look down upon the earth, as does G^{Sync}, which also stresses that the angels hear the cry. See Bhayro, *The Shemihazah and Asael Narrative*, 78; Knibb, *The Ethiopic Book of Enoch*, 2.84.

not simply as the crimes of the giants (vv. 11, 13; cf. *1 En* 93:4) but also as the defiled, blood-stained condition of the earth as a result of their conduct.[68]

The motif of the earth bringing an accusation is also in the *Book of Giants*. This is most clearly attested in 4Q203 8: "through your fornication on the earth and it has [risen up ag]ainst y]ou … raising an accusation against you [and ag]ainst the activity of your sons" (ll. 9–10). The feminine form of the participle קבלה in line 10 suggests that its subject is "earth," as Stuckenbruck has argued.[69] 4Q203 8 purports to be a copy of a proclamation written by Enoch to the giants that recounts their judgment (ll. 3–4). The text directly addresses the Watchers. Their sons the giants are invoked as well. The particular charges against the giants are not specified, but obvious references address their violent crimes on the earth. 4Q530 1 4 reads "the souls of those kil]led are complaining against their murderers and crying out …" (cf. 4Q531 22 8). In the *Book of Giants* the cry of the earth, and the accusation that is made, cannot be separated from the complaints of the murdered humans. The victims, presumably in the form of their "souls" (נפש) that reside in the spilled blood, plead for retribution. Their cry comes from the earth in 4Q203 8. The cry of the earth should probably be understood as that of the souls lying on the ground in the blood, in this text and *1 En* 7:6 (and Genesis 4 as well).[70] Bloodshed is a major element of the crimes of the giants. Not surprisingly, the shed blood plays an important role in how the angels learn of their rampages on earth and their decision to stop them.

68 Nickelsburg, *1 Enoch 1*, 186; Wright, *The Origin of Evil Spirits*, 144; Kvanvig, "The Watcher Story and Genesis," 176.

69 Stuckenbruck, *DJD 36*, 33. This may also be the case with the perfect הות ("it/she was") in line 9, which is read by Stuckenbruck and others (Beyer, *ATTM*, 1.261; Reeves, *Jewish Lore*, 59). This transcription may be correct but I have less confidence than Stuckenbruck that the final *tav* can be read. A hole in the manuscript makes it very hard to discern any trace of the bottom leftward hook that is characteristic of this letter. This is, presumably, why Milik, *The Books of Enoch*, 315, reads הוה ("it/he was"). It is plausible on semantic grounds to read הות with Stuckenbruck and thus to reconstruct line 9 as stating that the earth was rising up against you (or something else to that effect). But I do not see enough physical evidence to confirm this reading. Also note that the term "earth" occurs a great deal in the *Book of Giants*, although often in highly fragmentary contexts (e. g., 1Q23 9+14+15 3; 1Q23 19 1; 1Q23 25 5; 1Q24 2 2; 4Q533 4 1).

70 The similarities regarding blood in *1 Enoch* 7 and Genesis 4 problematize the view of Kvanvig, "The Watcher Story and Genesis," 179, that "all the correspondences between *Enoch* and Genesis can be explained on the basis of the P source," if one follows the traditional view that the Cain and Abel story should be assigned to the Yahwist source. Paul Hanson regards *1 En*. 8:4 as paraphrasing Gen 4:10. See his "Rebellion in Heaven, Azazel, and Euhemeristic Heroes in 1 Enoch 6–11," *JBL* 96 (1977): 195–233 (esp. 200); cf. Nickelsburg, *1 Enoch 1*, 186–87. The idea that the blood defiles the earth is also important in the *Book of Jubilees*. Like in Genesis, in *Jubilees* God responds to the crimes of the giants (and the humans) after seeing that the earth was corrupt (5:3). People shed blood, a detail not in Genesis 6 itself, and this fills the earth with injustice (7:23). Drawing on Genesis 9, *Jubilees* affirms that when blood has been poured on the land only the spilling of the murderer's blood upon the earth will restore it (7:33). See van Ruiten, *Primeval History Interpreted*, 299; Segal, *The Book of Jubilees*, 146–54.

Death Eating Life

The giants are not just murderers – they eat people and drink their blood. One reason for this is exegetical, as mentioned above. Positing such gruesome antediluvian crimes explains why the flood narrative ends with prohibitions against murder and the consumption of blood. This is a valid view but should not be understood as the only reason for the inclusion of this motif in the *Book of Watchers* or the *Book of Giants*. Neither text, in contrast to *Jubilees*, includes a retelling of the prohibition regarding blood that is given to Noah. Also, appealing to Genesis itself does not explain the motif of anthropophagy. This trope is not in the biblical flood story.[71] One must look beyond Genesis to explain the trope of cannibalism in *Watchers* and other Enochic texts.

The literary combination of murder and consumption of human beings can be understood as an elaboration of an older tradition, attested in the Bible and the ancient Near East, of describing violence and death with language of eating. There is a tradition in the ancient Near East of depicting death as a force that 'eats' life. Môtu is the Canaanite god of death and the netherworld.[72] In the Ugaritic *Ba'lu Cycle* the regular extinguishment of life on earth is attributed to him.[73] This theme is expressed by his insatiable appetite. He wants to eat virtually everything that is alive:

My throat is the throat of the lion in the wasteland,
and the gullet of the 'snorter' in the sea;
And it craves the pool (as do) the wild bulls,
(craves) springs as (do) the herds of deer;
And indeed, indeed,
my throat consumes heaps (of things),
yes indeed, I eat by double handfuls;
And my seven portions are in a bowl,
and they mix (into my) cup a (whole) river (CTA 5 i 9).[74]

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71 However, if one understands the blood as containing the נפש of a person, eating the blood could in a sense be understood as a form of anthropophagy. Note *Jub* 7:27–28, which elides the shedding of blood and the consumption of blood (cf. 6:7–8). Consult van Ruiten, *Primeval History Interpreted*, 300–01; Werman, "The Rules of Consuming and Covering the Blood," 622; Segal, *The Book of Jubilees*, 183.

72 S. U. Gulde, *Der Tod als Herrscher in Ugarit und Israel* (FAT 2.22; Tübingen: Mohr Siebeck, 2007); M. Dietrich and O. Loretz, "*mt* 'Môt, Tod' und *mt* 'Krieger, Held' im ugaritischen," *UF* 22 (1990): 57–65; J.-L. Cunchillos, "Le dieu Mut, Guerrier de El," *Syria* 62 (1985): 205–18; U. Cassuto, "Baal and Mot in the Ugaritic Texts," *IEJ* 12 (1962): 77–86.

73 This is in contrast to Ba'lu, who is associated with the rain and the fertility of the earth. See M. S. Smith, *The Ugaritic Baal Cycle, Volume 1: Introduction with Text, Translation and Commentary of KTU 1.1–1.2* (VTSup 55; Leiden: Brill, 1994), 19; B. Margalit, *A Matter of 'Life' and 'Death': A Study of the Baal-Mot Epic (CTA 4–5–6)* (AOAT 206; Neukirchen-Vluyn and Kevelaer: Neukirchener Verlag and Verlag Butzon & Berker, 1980), 102.

74 This translation is from W. W. Hallo and K. L. Younger, Jr., eds., *The Context of Scripture: Canonical Compositions from the Biblical World* (3 vols.; Leiden: Brill, 2003), 1.265. For other treatments of the Watchers story in relation to older literature of the ancient Near East,

This text is from a passage in which Môtu tauntingly asks Ba'lu to invite him to a banquet. The metaphor of consumption also describes Ba'lu's descent into the netherworld: "(So) you must (for your part) descend into the throat of Môtu, son of 'Ilu, into the watery depths of the beloved warrior of 'Ilu."[75] Môtu also roams the earth, looking for humans to devour.[76]

The presentation of death as gluttonously devouring life appears in the Hebrew Bible as well. Hab 2:5 describes wealthy and arrogant people, for example, by asserting: "They open their throats wide as Sheol; like Death they never have enough."[77] Psalm 73 describes the violence of the wicked by depicting them, like Môtu, as devouring the entire cosmos: "They set their mouths against heaven, and their tongues range over the earth" (v. 9). Numbers 16, which recounts the earth swallowing up the rebels of Korah in the wilderness, can be understood as a variation on this theme of death consuming life.

There is also extensive biblical imagery that depicts military violence as a form of eating. Killing people with swords is commonly referred to in the Bible (more than 70 times) as slaying "with the edge of the sword" or literally "with the mouth of the sword" (לפי חרב).[78] While this root meaning of the preposition might not necessarily have been alive in the mind of Early Jewish authors, they had ample biblical tradition to draw from that construes violence with 'mouth' terminology and metaphors of eating. A double-edged sword is described as having "two mouths" (e.g., Judg 3:16).[79] The image of the 'mouthed' sword appears in Prov 5:4. This is explained by Michael Fox, who writes: "The blade of the sword is thought of as a 'mouth' that 'eats' its victims."[80] The Hebrew Bible also contains metaphors that depict military vio-

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see, *inter alia*, Hanson, "Rebellion in Heaven," 202–18; H. S. Kvanvig, *Roots of Apocalyptic: The Mesopotamian Background of the Enoch Figure and of the Son of Man* (WMANT 61; Neukirchen-Vluyn: Neukirchener Verlag, 1988); J. C. VanderKam, *Enoch and the Growth of an Apocalyptic Tradition* (CBQMS 16; Washington, D.C.: The Catholic Biblical Association of America, 1984).

75 CTA 5 ii includes "[He puts (one) lip to the] earth, (the other) lip to the heavens … (his) tongue to the stars. Ba'lu will enter his insides, (will go down) his mouth like a roasted olive." See S. B. Parker, ed., *Ugaritic Narrative Poetry* (Atlanta: Scholars Press, 1997), 143; Gulde, *Der Tod als Herrscher*, 115–17; Hallo and Younger, *The Context of Scripture*, 1.266.

76 "I went searching every mountain to the heart of the earth, every hill to the heart of the fields. There were no humans for me to swallow, no hordes of the earth to swallow" (CTA 6 ii); "Now I eat [men], I finish off the hordes [of the earth]" (CTA 6 v).

77 Gulde, *Der Tod als Herrscher*, 130–33.

78 The expression is often used with the verb להכות ("to smite"). E.g., Josh 8:24; 19:47; Judg 1:8.

79 J. Berman, "The 'Sword of Mouths' (Jud. III. 16; Ps. CXLIX 6; Prov. V 4): A Metaphor and Its Ancient Near Eastern Context," *VT* 52 (2002): 291–303.

80 M. V. Fox, *Proverbs 1–9* (AB 18A; New York: Doubleday, 2000), 192. See also Berman, "The 'Sword of Mouths,'" 293, 300. For another view consult Meek, who argued that the "mouth" refers to carvings (of a lion head) that have been found on sword hilts from Israel and elsewhere in the ancient Near East. Note also Prov 30:14: "there are those whose teeth are swords, whose teeth are knives, to devour the poor from off the earth." See T. J. Meek, "Archaeology and a Point in Hebrew Syntax," *BASOR* 122 (1951): 31–33; M. V. Fox, *Proverbs 10–31* (AB 18B; New Haven: Yale University Press, 2009), 509–10.

lence as a form of consumption. A clear example is in Daniel 7. The second beast of this chapter is a ferocious bear with large teeth who is told (by God, presumably): "Arise, devour many bodies" (7:5). As is well-known, this was not intended to be understood literally but rather as a symbolic depiction of the second kingdom in the book's four kingdom sequence. The bear is usually interpreted as a reference to the Median kingdom, which is urged to conquer Babylon.[81] Its consumption of humans is a metaphor for the military violence carried out by this kingdom. The violence and power of the fourth beast is also conveyed by eating: "It had great iron teeth and was devouring, breaking in pieces and stamping what was left with its feet" (v. 7). The beast eats with its powerful iron teeth.[82] Zechariah 9 also contains a good example of violence described as consumption. In this text God is the divine warrior who marches into battle. He sounds the trumpet and appears against the assembled Gentile enemies (vv. 13–14). While he is on the battlefield, his people "shall devour and tread down the slingers; they shall drink their blood like wine, and be full like a bowl, drenched like the corners of the altar" (v. 15).[83] In Daniel and Zechariah images of eating flesh and drinking blood convey the totality of destruction that is inflicted by an army.[84]

Texts such as Daniel 7 and Zechariah 9 place the consumption of the giants in *Watchers* and the *Book of Giants* in a broader literary context. The ferocious consumption in these chapters is to be understood as a metaphor, as mentioned above, that denotes military violence. In *Watchers* and the *Book of Giants* the violence of the giants is not explicitly intended to signify the violence of an actual army, although it could be understood in this way.[85] The cannibalism and blood drinking were intended to be interpreted in a much more literal way – the giants' crimes are not described *as if* they were eating bodies and drinking blood. Rather that is the form their violence takes. These narratives contain stories about what 'actually' happened in the primordial period. The Enochic depiction of the giants as ravenous murderers and cannibals can be reasonably understood as an intensification of a trope attested in ancient Israel of construing violence as a form of eating. This embellishment of an older

81 J. J. Collins, *Daniel* (Hermenia; Minneapolis: Fortress, 1993), 295.

82 This can be reasonably understood as a reference to the violence of the Seleucid kingdom, expressed to no small degree with swords.

83 The book of Revelation construes Roman violence against Christians as the whore of Babylon drinking blood (17:2–6; cf. 16:6). See also Isa 9:19; Ezek 33:25–26; 39:17–20; Zech 11:16; 12:6; Jud 6:4. See further F. King, "Travesty or Taboo? 'Drinking Blood' and Revelation 17:2–6," *Neot* 38 (2004): 303–25.

84 Note the later Early Jewish tradition that the ultimate defeat of evil in the final judgment involves the consumption of Leviathan and Behemoth by the righteous (*1 En* 60:7–9, 24; *2 Bar* 29:4; 4 Ezra 6:49–52). K. W. Whitney refers to this as the "Combat-Banquet" tradition. See his *Two Strange Beasts: Leviathan and Behemoth in Second Temple and Early Rabbinic Judaism* (HSM 63; Winona Lake: Eisenbrauns, 2006), 31–58.

85 So Nickelsburg, *1 Enoch 1*, 170; *idem*, "Apocalyptic and Myth in 1 Enoch 6–11," *JBL* 96 (1977): 383–405 (esp. 391). Note also J. J. Collins, "The Apocalyptic Technique: Setting and Function in the Book of Watchers," *CBQ* 44 (1982): 91–111 (esp. 98).

literary trope produces a gruesome tale of cannibalism that gives the story of the giants more appeal as a narrative. The biblical tradition may itself derive from older West Semitic conceptions of imagining death as insatiably hungry to consume life. The destructive consumption of the giants can be considered an example of the recrudescence of ancient Near Eastern tradition in Early Jewish literature.[86]

There is another reason, I would suggest, that the Enochic giants eat flesh and drink blood. As discussed above, the insatiability of their appetites drives their violence and destructiveness. I have also argued that the trope in the biblical flood story and priestly law that blood should not be consumed because it is the seat of life (נפש) is important in both *Watchers* and the *Book of Giants*, even though neither of these texts states that the נפש resides in the blood. The meaning of נפש as "life" or "soul" is related to its signification of "throat" or "appetite."[87] Prov 27:7 reads, for example, "The sated appetite (נפש שבעה) spurns honey, but to a ravenous appetite (נפש רעבה) even the bitter is sweet."[88] This double use of the term as the 'life' that resides in the blood and as appetite is never explicit in *Watchers* or the Book of the Giants. Yet the characterization of the giants as ravenous for blood can be easily understood as additional evidence of the literary creativity of the author of *1 Enoch* 7. At some point in the transmission of the *Book of the Watchers*, an author exploited and developed, it seems, the linguistic connection between נפש as the life of a person that resides in the blood and נפש as appetite.

The Appetite of the Giants and their Recompense

The punishment of the giants fits the crime. As is well known, they physically die but continue to exist as spirits. They remain on the earth as "evil spirits" (πνεύματα πονηρά) which came forth from their bodies, presumably after they have been killed.[89] The G^{Pan} of *1 En* 15:9 explains that these spirits arise because "from above (ἀπὸ τῶν ἀνωτέρων) they were created; from the holy Watchers was the origin of their creation and the origin of [their] foundation." For ἀπὸ τῶν ἀνωτέρων, G^{Sync} reads ἀπὸ τῶν ἀνθρώπων. Following the latter variant the verse explains the spirits of the giants as a product of their human and angelic

86 F.M. Cross, *Canaanite Myth and Hebrew Epic* (Cambridge: Harvard University Press, 1973), 343–46; J.J. Collins, *The Apocalyptic Imagination* (2nd ed.; Grand Rapids, Mich.: Eerdmans, 1998 [orig. pub., 1984]), 18–19.

87 Milgrom, *Leviticus 17–22*, 1472, writes "Since the throat contains both the esophagus and the trachea, one can readily understand that *nepeš* denotes both 'appetite' … and 'breath, life.'"

88 Cf. Ps 107:9; Prov 10:3; Qoh 6:2. For the meaning "throat," see, for example, Jon 2:6; Ps 69:2. Note also Fox, *Proverbs 10–31*, 509–10.

89 G^{Pan} *1 En* 15:8, unlike the Ethiopic, also states that they are "powerful spirits" (πνεύματα ἰσχυρά; cf. G^{Sync} 16:1). See Knibb, *The Ethiopic Book of Enoch*, 1.59.

parents. This reading is favored by Nickelsburg.[90] But the former is supported by the Ethiopic (*'em-mal'elt*) and expresses more clearly the viewpoint that Nickelsburg and others have articulated – the "spirit" of the giants comprises the part of their being that originates from their angelic fathers.[91] Their flesh was a consequence of their fathers' sleeping with human women. Their physical bodies are destroyed, but their angelic "spirit" remains.[92] The *Book of Giants* does not provide a full narrative on this issue but also attests the idea that the giants will perish physically but remain in spiritual form. 4Q531 19 2–4 reads, for example, "many [dee]ds of violence on the dry land … n[ot] bones are we and not flesh … and we shall be wiped out from our form."[93] If the spirits of the giants represent the non-corporeal part of their being, acquired from their angelic fathers, their spirit should not be understood as נפש, since this term generally signifies the 'spirit' or lifeforce of a human being. It seems rather that the spirits of the giants would have been denoted by רוח, signifying that these spirits are in continuity with their heavenly fathers rather than their earthly mothers. The word רוח, however, is never clearly attested with this usage in the extant Aramaic Enoch texts (or the *Book of Giants*).[94] That an early version of *Watchers* employed the term in this way is suggested by 4QSongs of the Sage, which consistently refers to "the spirits of the bastards" (רוחות ממזרים) to describe the spirits of the giants (e. g., 4Q510 1 5; 4Q511 35 7).[95]

90 Nickelsburg, *1 Enoch 1*, 267–68.

91 *Ibid*., 272; Wright, *The Origin of the Evil Spirits*, 154; P. S. Alexander, "The Demonology of the Dead Sea Scrolls," in *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment* (2 vols.; eds. P. W. Flint and J. C. VanderKam; Leiden: Brill, 1999), 2.331–53 (esp. 339). Consult also M. Hutter, "Demons and Benevolent Spirits in the Ancient Near East: A Phenomenological Overview," in *Angels: The Concept of Celestial Beings – Origins, Development and Reception* (DCLY 2007; eds. F. V. Reiterer, T. Nicklas and K. Schöpflin; Berlin: de Gruyter, 2007), 21–34; J. Z. Smith, "Towards Interpreting Demonic Powers in Hellenistic and Roman Antiquity," *ANRW* 2.16.1 (1978): 425–39; Charles, *The Ethiopic Version*, 42.

92 *1 En* 10:15 (4QEn^{c} 1 v 2–3) preserves a viewpoint regarding the spirits of the giants that is different from that of chapter 15. Whereas *1 Enoch* 15 depicts the giants as continuing to live on the earth in spirit form, in 10:15 the archangel Michael is commissioned to "destroy all the spirits of the half-breeds and the sons of the Watchers." Nickelsburg, *1 Enoch 1*, 225, suggests that this verse is from an older stage of the text. *1 En* 10:15 is also somewhat at odds with vv. 9–10, in which, as part of Gabriel's commission, the giants (not the spirits of the giants) are to be destroyed and not receive eternal life. "Half-breed" is a pejorative term for the giants that reflects their mixed heavenly and worldly origins. The Greek in 10:15 for this term is κιβδήλων (cf. 9:9 [G^{Sync}]). Note also μαζηρέους in 10:9, which derives from ממזרין, a word not in any extant text of the Aramaic Enoch manuscripts.

93 Stuckenbruck, *The Book of Giants*, 159–60.

94 רוח is reasonably reconstructed in reference to the giants in 4QEn^{c} 1 v 2 (*1 En* 10:15) and 4QEn^{e} 1 vii 28 (15:11; cf. 4QEn^{e} 1 xxii 3–4).

95 G. Ibba, "The Evil Spirits in Jubilees and the Spirit of the Bastards in 4Q510 with Some Remarks on other Qumran Manuscripts," *Hen* 31 (2009): 111–16. The word that denotes the spirits of the giants in both G^{Pan} and G^{Sync} is πνεύμα. This term commonly renders רוח (e. g., Gen 6:3). The only instance in ancient Jewish literature of נפש being translated with πνεύμα of which I am aware is Sir 38:23. נפש is usually translated in Greek with ψυχή, not unlike נפש. It is a complicated subject, but the word ψυχή often signifies that part of a human be-

As Wright and others have stressed, *Watchers* presumes the existence of evil spirits who harm humankind and *1 Enoch* 15 provides an etiology of their origins.[96] The activities of the spirits of the giants resemble the evil deeds they committed in physical form. They, for example, commit iniquities (ἀδικοῦντα), destroy (ἀφανίζοντα), and wrestle (συνπαλαίοντα).[97] There is, however, one key difference between their actions as spirits and the crimes they committed before their bodies were destroyed. They cannot eat: "They eat nothing but rather fast and are thirsty" (μηδὲν ἐσθίοντα ἀλλ᾽ ἀσιτοῦντα καὶ διψῶντα) (15:11). The opinion that divine spirits cannot eat is attested in Early Judaism.[98] This is evident from the Book of Tobit. The angel Raphael explains that when in the guise of a human being (Azariah), he appeared to be eating and drinking but actually did not.[99] In a similar way, in the *Testament of Abraham*, God

ing that denotes his vitality and animation, in a sense restricted to creaturely existence, whereas πνεύμα denotes affinity with the heavenly realm. I engage this topic further in "Genesis 1–3 and Conceptions of Humankind in 4QInstruction, Philo and Paul," in *Early Christian Literature and Intertextuality* (eds. C. Evans and H. D. Zacharias; London: T &T Clark, 2009), 114–25. Also note that the Ethiopic uses the terms *nafs* and *manfas*, cognate with the Hebrew נפש, to denote the "spirits" of the giants. The semantic range of this root in Ethiopic is very broad. The root can signify, for example, breath, soul, wind, the body as a whole or the penis. Use of this root does not necessarily mean that the nature of the "spirit" of the giants in the Ethiopic should be equated with נפש. See Knibb, *The Ethiopic Book of Enoch*, 2.101; Leslau, *Comparative Dictionary of Ge'ez*, 389.

96 The emphasis of this text on explaining the existence of malevolent powers in this world indicates that the theme of evil in *Watchers* should not only be understood in terms of its origins in the primordial period. Alexander, "The Demonology of the Dead Sea Scrolls," 338, has argued that *1 En* 15:11–16:1 "offers one of the most remarkable aetiologies of demons in the history of demonology." He argues that the passage attests "a significant rationalization of the demonic world" by organizing different terminology for various demons (those who destroy, those who wrestle, etc.) into a single taxonomic category – they are all the spirits of the offspring of the Watchers (cf. *T. Sol.* 5:3). Consult also L. T. Stuckenbruck, "Giant Mythology and Demonology: From the Ancient Near East to the Dead Sea Scrolls," in *Die Dämonen – Demons: Die Dämonologie der israelitisch-jüdischen und frühchristlichen Literatur im Kontext ihrer Umwelt – The Demonology of Israelite-Jewish and Early Christian Literature in Context of their Environment* (eds. A. Lange et al.; Tübingen: Mohr Siebeck, 2003), 313–38; and in the same volume, J. C. VanderKam, "The Demons in the Book of Jubilees," 339–64; J. van Ruiten, "Angels and Demons in the Book of *Jubilees*," in *Angels*, 585–609.

97 These terms are in both G^{Pan} and G^{Sync}. The image of the spirits "wrestling" with humankind has been understood as a reference to illness, in particular seizures (cf. *Jub* 10:12–13). The reference in *1 En* 15:12 to the spirits rising up against women "for they have come forth from them" can be understood as a demonological explanation of problems during childbirth. See also Nickelsburg, *1 Enoch 1*, 268. Note this intriguing passage from the medieval *Book of Asaph the Physician*, which, Segal, *The Book of Jubilees*, 171, argues is reliant on *Jubilees* 10: "In those days [after the flood] the spirits of the bastards began to attack Noah's children, to lead them astray and to cause them to err, to injure them and to strike them with illness and pains and with all kinds of diseases that kill and destroy human beings" (as cited from Segal, *ibid*., 171).

98 K. P. Sullivan, *Wrestling With Angels: A Study of the Relationship between Angels and Humans in Ancient Jewish Literature and the New Testament* (AGJU 55; Leiden: Brill, 2004), 179–95; D. Goodman, "Do Angels Eat?" *JJS* 37 (1986): 160–75.

99 "Although you were watching me, I really did not eat or drink anything – but what you saw was a vision" (12:19; cf. 6:6). The version of this verse in the Vulgate states that Raphael ate

makes it seem as if the archangel Michael eats human food when in fact he does not.[100] A similar viewpoint pervades the Gospel of Luke. In the appearance story that concludes this gospel, the disciples think they see a πνεύμα (NRSV: "ghost"). To prove to them that he is not, the resurrected Jesus eats fish in front of them (24:36–43). The *Book of Watchers* in *1 Enoch* 15 takes the idea that spiritual beings do not eat physical food and turns it, fittingly, into part of the punishment allocated to the giants, whose insatiable appetites are a key factor in their crimes. The text never states that their appetite for human flesh has been removed. The spirits of the giants should be understood as hungry, although this is not stated directly in *1 En* 15:11.[101] The fact that they are thirsty implies that they have a desire to drink that is not being satisfied.[102] This suggests not that the spirits of the giants willfully abstain from food but rather that they have an urge to eat that they cannot appease.[103] Given their crimes on earth, this is an appropriate punishment.

The giants' lack of contentment as spirits is conveyed elsewhere in *1 En* 15:11, I suggest, although the text is not fully clear on this point. Just before it states that they do not eat, the Greek has an enigmatic phrase – "they make races" (δρόμους ποιοῦντα). Nickelsburg does not find a clear sense in this passage, suggesting that it translates מרוצה which can mean "running" but also "oppression."[104] He speculates further that the word מרוצה of the *Vorlage* was itself a corruption of מרועה ("illness"), which he then cautiously uses in his translation of 15:11. The Ethiopic does not seem to translate directly either G^{Pan} or G^{Sync} – rather it has the verb *ḥazana*, "to sadden." Knibb thus translates "cause sorrow," adding that the references to running in the Greek "make no

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some sort of heavenly food as opposed to the kind that humans eat. Compare *JosAs* 16:15, in which an angel eats a honeycomb that he created himself. See C. A. Moore, *Tobit* (AB 40A; New York: Doubleday, 1996), 272–73; Sullivan, *Wrestling With Angels*, 186–87; B. Ego, "The Figure of the Angel Raphael According to his Farewell Address in Tob 12:6–20," in *Angels*, 239–53 (esp. 249).

100 Michael says: "Lord, all the heavenly spirits are incorporeal, and they neither eat nor drink. Now [Abraham] has set before me a table with abundance of all the good things that are earthly and perishable. And now, Lord what shall I do? How shall I escape his notice while I am sitting at one table with him? The Lord said 'Go down to him, and do not be concerned about this. For when you are seated with him I shall send up on you an all-devouring spirit, and, from your hands and through your mouth, it will consume everything which is on the table" (4:9–10). See further Goodman, "Do Angels Eat?" 168–72.

101 Since the *Book of Giants* states that the giants will exist as spirits, it stands to reason that in spirit form they do not eat. But this is not explicit in any extant portion of the composition.

102 The Ethiopic states that the spirits do *not* thirst, whereas neither G^{Pan} nor G^{Sync} include a negation. It seems that the negation is an addition that developed in the Ethiopic textual tradition, perhaps to convey the idea that the spirits do not need to drink. See Knibb, *The Ethiopic Book of Enoch*, 1.61, 2.102; Charles, *The Book of Enoch*, 84–85.

103 Charles, *The Ethiopic Version*, 45, offers a similar understanding of *1 En* 15:11, arguing that the verse is similar to an Arabic tradition that the Jinns endure intense hunger but cannot eat.

104 Nickelsburg, *1 Enoch 1*, 268.

sense."[105] I tentatively suggest that δρόμους ποιοῦντα is an authentic text and should be understood as a *lectio difficilior* which was not reproduced in the Ethiopic because its sense was not understood. The word δρόμος does not exclusively signify athletic contests but can signify running or swift movement in general (e. g. Hdt 3:77; 9:59). Wright asserts but does not examine the opinion that *1 En* 15:11 depicts the spirits of the giants as roaming and wandering.[106] I agree and think that this imagery is conveyed by the phrase δρόμους ποιοῦντα.[107] The expression signifies the constant movement of the spirits of the giants. Unlike the Watchers, who are bound and imprisoned in the "valleys of the earth" to await judgment (10:12), there is no suggestion in *1 Enoch* 15 that the spirits of the giants are fixed to a single location. The activities they are to conduct as spirits indicate that their movement is not restricted. The idea that they roam the earth accords well with the view that they are hungry.[108] They are restless spirits. Their retribution for eating humans and other creatures of the earth, it seems, is that they must remain eternally hungry. This lack of contentment helps explain their wandering and their disagreeable state, producing a willingness to disturb the affairs of humankind.

In spirit form the giants can no longer consume blood. It is not emphasized in the text, but this is an important consequence of this punishment. The recompense addresses the complaint of the victims, whose blood cried out from the ground. The spirits of the giants can still trouble humankind, but they cannot spill or defile the נפש in the blood. Above I argued that the crime of drinking blood should be understood not only as a heinous act but also a direct flouting of God's authority, since the blood is the seat of the נפש. The spirits of the giants are rooted in the human realm, the earth. There is no sense that they can ascend to heaven or have the ability to challenge God's dominion. The goal of the text is not only to explain the continuing presence of malevolent divine forces in operation on the world. It is also to indicate that they no longer pose a threat to God. That the giants, in spirit

105 Knibb, *The Ethiopic Book of Enoch*, 2.102. Charles, *The Book of Enoch*, 84, translates the phrase "[they] work affliction." See also *idem*, *The Ethiopic Version*, 44; J. Barr, "Aramaic-Greek Notes on the Book of Enoch (II)," *JJS* 24 (1979): 179–92 (esp. 185–86).

106 Wright, *The Origins of Evil Spirits*, 154. See also Alexander, "Demonology," 339.

107 Luke 11:24 attests the idea that when wicked spirits are not inhabiting a body they wander the earth restlessly: "When the unclean spirit has gone out of a person, it wanders through waterless regions looking for a resting place, but not finding any, it says 'I will return to my house from which I came.'" *Watchers* depicts the angels as moving around a great deal but in the heavenly world, whereas the spirits of the giants walk the earth. This motion of the angels is evident in the tours of the cosmos they give Enoch and perhaps based exegetically on the *Hithpael* of the verb in Gen 5:24, a central text for *Watchers*: ויתהלך חנוך את האלהים ("Enoch walked *to and fro* with the angels"; cf. Ezek 1:13–14; Job 1:6–7).

108 They are divine beings who are not housed in temples that have sacrificial cults. The sacrifices offered at temples were often understood in the ancient world as a form of sustenance which the gods needed. This is classically expressed in the *Atrahasis* epic, when after the flood the hungry deities swarm upon the sacrifice like flies. By comparison, the spirits of the giants are 'homeless' divine beings without a regular source of food.

form, can no longer consume blood is an important way that the text conveys this point.

Conclusion

The spread of evil on the earth in the primordial age has been a focal point in scholarship on the *Book of Watchers*. In this article I have attempted to explore how ancient Enochic texts recount the crimes of the offspring of the Watchers on earth and their recompense. The evil that increases on the earth takes the form of the giants murdering and consuming creatures of the earth. Not unlike their angelic fathers, who cannot restrain their sexual desire for the women of earth, the giants cannot control their appetites for the food of the earth. Their insatiability drives their actions and has disastrous consequences for the earth and themselves. The role of their appetite in their crimes is reflected in the form of the punishment they receive. They are forced to remain on earth as spirits that cannot eat. This should be interpreted, I have suggested, as meaning that they are punished by being hungry and yet be unable to sate that hunger. The themes of consumption, as well as murder, anthropophagy and the drinking of blood, are prominent in the *Book of Watchers* and in other Enochic texts such as *Jubilees*, the *Animal Apocalypse* and the *Book of Giants*. All of these texts reformulate the Watchers myth. Despite their differences, they all prominently appropriate the themes of appetite and consumption. The monstrous appetites of the giants are critical for understanding the consequences of the Watchers' descent and sexual activities on earth.

"Hear, O Israel" in Gold

An Ancient Amulet from Halbturn in Austria*

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Summary

This article presents a recently discovered gold amulet, dated to the 3rd century C.E. and inscribed with the Hebrew text of the "Shema'" (Deut 6:4) in Greek characters. The amulet was found in 2000, in excavations of a cemetery in Halbturn, Austria. This discovery sheds new light on the history of the Jews in Roman Pannonia and illuminates how the Shema' was used and understood by Jews of late antiquity. In addition to a line-by-line commentary of the amulet, we also discuss the interpretive history of Deut 6:4 and the use of *mezuzot* and amulets in ancient Judaism.

In 2000, during excavations directed by Falco Daim, an amulet was found in grave 147 of a necropolis situated close to the Austrian city of Halbturn not far away from the Austro-Hungarian border.[1] The amulet was identified by Nives Doneus in 2007 and deciphered by Hans Taeuber.[2] In addition to the amulet and the skeleton of a child which was placed in a wooden coffin, grave 147 contained a coin that may be identified by its weight of 20.23 grams as a sestertius from the years 161–251 C.E.[3] Other burial objects included an oil lamp, a Roman indented beaker, and remnants of a glass vessel.[4] The amulet consisted of a silver capsule that contained a small golden scroll. Unrolled, the

* We are grateful to Dr. Gideon Bohak, Dr. Nives Doneus, Dr. Yuval Harari, Dr. Shani Tzoref, and Prof. Dr. H. Taeuber for their helpful suggestions and support.

1 F. Daim and N. Doneus (eds.), *Halbturn: Das kaiserzeitliche Gräberfeld und die Villa von Halbturn, Burgenland: Naturräumliche Voraussetzungen, Prospektion und Vorbericht* (Monographien zur Frühgeschichte und Mittelalterarchäologie 10; Innsbruck: Universitätsverlag Wagner, 2004).

2 H. Taueber, "Das Goldblech in Grab 147: Ein jüdisches Amulett,'" in N. Doneus (ed.), *Halbturn I: Das kaiserzeitliche Gräberfeld von Halbturn, Burgenland* (Monographien zur Frühgeschichte und Mittelalterarchäologie; Innsbruck: Wagner; forthcoming). For a prepublication of the amulet, see A. Lange and H. Taeuber, "Ein jüdisches Amulett," in *Die Bernsteinstraße: Evolution einer Handelsroute* (eds. J. Tiefenbach and E. Fertl; Wissenschaftliche Arbeiten aus dem Burgenland 123; Eisenstadt: Burgenländische Landesregierung, 2008), 177–79. For a first discussion of the text, see M. Bar Asher, "The Verse 'Shema Israel' in a Greek transliteration, found in an Ancient Amulet," *Aqadem* 36 (2008): 3, 6–7 [Hebrew]."

3 See the numismatic analysis by H. Winter and K. Vondrovec in *Halbturn I.* Our colleague H. Taeuber from the Institute for Ancient History at the University of Vienna thinks that the coin might have been minted in the years 180–235 B.C.E.

4 For the burial objects in grave 147, see Doneus, *Halbturn I.*

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golden leaf is 2.1 cm wide and 2.5 cm high. There are no indications that this leaf was any larger in antiquity although line 6 contains only the upper halves of its two characters. The amulet was found in situ in the silver capsule mentioned above. It is highly unlikely that the capsule was opened again after the magician who produced it put the small golden scroll inside. It is more probable that the magician ran out of space when he incised the last two characters of the amulet on the leaflet and could fit only their upper halves on it. In his unpublished *editio princeps*,[5] Taeuber dates the amulet paleographically to the 3rd century C. E. Taken together with the date of the coin, this suggests a date for the amulet no later than the middle of the 3rd cent. C. E.

The amulet carries a Hebrew inscription written in Greek characters, which can be identified as Deut 6:4.[6]

ΣΥΜΑ	Hear
ΙΣΤΡΑΗ	Istrae
Λ ΑΔΩ	l, the Lor
ΝΕ ΕΛΩ	d is Go
Η ΑΔΩ	d, the Lor
Ν Α	d is 1

The aim of this article is to understand the Halbturn amulet in the wider context of ancient Judaism. For this purpose, the first part of our article will focus on Deut 6:4. After some preliminary remarks about Deut 6:4 itself, we will discuss the use of the Shema‘ in ancient *mezuzot* and phylacteries, the textual history of the verse in the Second Temple period, and its exegesis in ancient Jewish and rabbinic writings. In the second part of our article, we will discuss the Halbturn amulet in the context of ancient Jewish amulets as well as ancient Jewish magic and provide a line by line commentary of its text. In the third part, we will attempt to explain how a Jewish amulet arrived in the area of today's Austro-Hungarian border, in the 3rd cent. C. E.

1. Deut 6:4 and Its Later Interpretations

For a study of the Halbturn amulet, Deut 6:4 and its reception in ancient Judaism are of key importance. Therefore the first part of our article will investigate the original meaning of the Shema‘ Israel and the post-biblical treatment of the verse.

1.1. Deut 6:4

Deut 6:4 is one of the more extensively discussed lines of the Hebrew Bible. While most interpreters agree that the first line of the Shema‘ Israel is not a

5 See note 2.

6 This identification was first made by Sophie Kovarik, an MA student of Vienna University.

monotheistic statement, the meaning of the word אחד in Deut 6:4 remains controversial. In our opinion, Deut 6:4 should be translated as "Hear, O Israel! The Lord is our God, the Lord alone." J. Tigay describes the henotheistic intent of אחד as follows: "this is not a declaration of monotheism … though other peoples worship various beings and things they consider divine … Israel is to recognize YHVH alone."[7] While early inscriptions from Kuntillet ʿAjrud could suggest that Deut 6:4 argued originally against multiple local version of YHWH such as יהוה תימן ("YHWH of Teman") and יהוה שמרן ("YHWH of Samaria"),[8] it needs to be emphasized that these local forms of YHWH are attested only in relatively few early inscriptions. It seems more probable that Deut 6:4 argues in a positive way against Israelite polytheism, which is criticized by many Deuteronomistic texts. Israel is reminded: Only YHWH and YHWH alone is its God and no other. Deut 6:4 would thus be a monolatric statement that emphasizes Israel's exclusive relationship with its God while not denying the existence of other deities.[9]

1.2. Deut 6:4 in Inscriptions, Phylacteries, and Mezuzot

In addition to the meaning of Deut 6:4 itself, its use in inscriptions, phylacteries, and *mezuzot* is of great importance for the understanding of the amulet from Halbturn. Deut 6:8–9 commands the Israelites to "bind them as a sign on your hand, and let them serve as a symbol on your forehead, inscribe them on the doorposts of your house and on your gates."[10] While the first instruction could be understood as referring to some form of phylacteries that allow carrying written texts on forehead and hands, another possibility could be inscribed objects such as jewels.[11] Jewels inscribed with the Shemaʿ might even have functioned as amulets.[12] The second instruction clearly legislates that God's commands should be written on doorposts and gates. This is a custom that the Samaritans still practice today. Thirty Samaritan stone inscriptions from various places in Israel, which include scriptural quotations mainly from the Pentateuch, suggest that this Samaritan custom dates back to the Late Roman period. It has been proposed that these inscriptions originate from Samaritan synagogues, but none of the buildings in which the inscriptions were

7 J. H. Tigay, *Deuteronomy* דברים (The JPS Torah Commentary; Philadelphia and Jerusalem: Jewish Publication Society, 1996), 76; *Ibid*., "Excursus 10: The Shema (6:4)," 438–41.

8 For the inscriptions from Kuntillet ʿAjrud, see S. Ahituv, *Echoes from the Past: Hebrew and Cognate Inscriptions from the Biblical Period* (Jerusalem: Cartha, 2008), 315–19; S. Ahituv, E. Eshel, and Z. Meshel, *Horvat Teman – Final Report* (forthcoming).

9 See J. G. Janzen, "On the Most Important Word in the Shema (Deuteronomy vi 4–5)," *VT* 37 (1987): 280–300; see also J. A. Emerton, "New Light on Israelite Religion: The Implications of the Inscriptions from Kuntillet ʿAjrud," *ZAW* 94 (1982): 2–20.

10 Translation according to Tigay, *Deuteronomy*, 76.

11 For a similar practice concerning sapiential instructions, cf. Prov 6:20–22.

12 Cf. M. Weinfeld, *The Decalogue and the Recitation of 'Shema': The Development of the Confessions* (Tel Aviv: Hakibbutz Hameuchad, 2001), 141–43 [Hebrew].

found displays the characteristics of a synagogue. Therefore, J. Naveh thinks that most of these inscriptions should be identified as *mezuzot*, which were engraved into the walls of Samaritan private houses next to their doorposts to protect them from evil forces.[13] A Hebrew inscription from Palmyra, which is dated to the 3rd cent. C. E., suggests that a similar custom of inscribing the Shema' and other texts on Jewish doors existed in Jewish tradition until early rabbinic times.[14]

Another Samaritan usage of the Shema' is in inscriptions that write יהוה אחד in Samaritan script or ΕΙΣ ΘΕΟΣ in Greek. These inscriptions can be dated to the end of the Roman period and to the Byzantine period. They were incised on bronze amulets or rings, usually together with other biblical verses (e. g. Exod 15:3, Num 10:35, 33:26).[15]

In Jewish tradition, at the latest by the late Second Temple period, Deut 6:8–9 was understood as referring to capsules that were worn on the forehead and the hands and that were affixed to doorposts and gates. The earliest known examples of such phylacteries are the *tefillin* and *mezuzot* found in Qumran, Wadi Murabba'at, Nahal Hever, and Wadi Seiyal.[16] Both the phylacteries and the *mezuzot* are leather capsules that contain various parts of the Pentateuch. The lists below show which texts were included in Second Temple phylacteries

13 J. Naveh, "Did Ancient Samaritan Inscriptions Belong to Synagogues?" in *Ancient Synagogues in Israel* (ed. R. Hachlili; BAR International Series 499; Oxford: British Archaeological Reports, 1989), 61–63. To the 25 inscriptions mentioned by Naveh, one should add four inscriptions discovered on Mt. Gerizim, see: Y. Magen, H. Misgav, and L. Tsfania, *Mount Gerizim Excavations I: The Aramaic, Hebrew and Samaritan Inscriptions* (Judea and Samaria Publications 4; Jerusalem: Israel Exploration Society, 2004), 261–64, nos. 392–95. Another inscription of the same type was found in Yavneh, see E. Eshel and H. Eshel, "A Fragment of a Samaritan Inscription from Yavne (Jamnia)," *Tarbiz* 74 (2005): 313–16 [Hebrew]; English summary in p. VII.

14 E. Mittwoch, "Hebräische Inschriften aus Palmyra," *Beiträge zur Assyriologie* 4 (1902): 203–06.

15 Five such amulets and rings are currently known. Three carry inscriptions written in Samaritan script and two inscriptions written in Greek. The Samaritan inscriptions include three oval bronze amulets: one originated presumably from Damascus (see R. Pummer, "Samaritan Amulets from the Roman-Byzantine Period and their Wearers," *RB* 94 [1987]: 260, no. 1); one was found in Tel Baruch, Tel Aviv (see *ibid.*, no. 7); and the third was found in Genin (see R. Reich, "Samaritan Amulets from the Late Roman and Byzantine periods," in *The Samaritans* [eds. E. Stern and H. Eshel; Jerusalem: Yad Ben-Zvi, 2002], 303–04, no. 19 [Hebrew]). The two Samaritan bronze rings were found in Nablus (see Pummer, "Samaritan Amulets," 262, no. 15, and Reich, "Samaritan Amulets," 302–03, no. 18). The two Greek inscriptions include one Hametite amulet found in the Schechem area (see Pummer, "Samaritan Amulets," 260 no. 2); and a bronze bracelet, which was found in Caesarea (Pummer, "Samaritan Amulets," no. 4). For a collection of all the inscriptions with εἷς θεός found in Palestine, discussing their origin and significance, see L. Di Segni, "Εἷς θεός in Palestinian Inscriptions," *Scripta Classica Israelica* 13 (1994): 94–115.

16 See Y. B. Cohn, "Were *Tefillin* Phylacteries?," *JJS* 59 (2008): 39–61, who argues that there was no distinction made between *tefillin* and amulets, that is, that *tefillin* were used as protective amulets. He also doubts that any real distinction was made between *tefillin* and *mezuzot*.

and *mezuzot* and which were not. Phylacteries and *mezuzot* which still contain Deut 6:4 are highlighted in gray.

Table 1 The Phylacteries from Qumran, Wadi Murabbaat, Nahal Hever, and Wadi Seiyal

1QPhyl (1Q13)	Deut 5:1–9, 11, 13–18, 21–25, 27; 10:17–18, 21–22; 11:1, 8–12; Exod 13:2–3, 7–9
4QPhyl A (4Q128)	Deut 5:1, 3, 5, 8–10, 12, 14, 27–28, 30–32; 6,2–3; 10:12–15, 17–22; 11:1–21; Exod 12:43–51; 13:1–7
4QPhyl B (4Q129)	Deut 5:1–2, 4–11, 13–29, 31; 6:2–3, 5; Exod 13:16, 9–15
4QPhyl C (4Q130)	Exod 13:1, 3–16; Deut **6:4–9**; Exod 11:13–21
4QPhyl D (4Q131)	Deut 11:13–14, 16–17, 19, 21
4QPhyl E (4Q132)	Exod 13:1–2, 5–9
4QPhyl F (4Q133)	Exod 13:11–16
4QPhyl G (4Q134)	Deut 5:1–21; Exod 13:11–12
4QPhyl H (4Q135)	Deut 5:22–33; **6:1–5**; Exod 13:14–16
4QPhyl I (4Q136)	Deut 11:13–15, 17–19, 22; Exod 12:44–45, 47–51; 13:1, 3–10; Deut 6:6–7
4QPhyl J (4Q137)	Deut 5:1–16, 20–25, 30, 26–32; 6:2–3
4QPhyl K (4Q138)	Deut 10:12–22; 11:1–12
4QPhyl L (4Q139)	Deut 5:7–9, 11–18, 21–24
4QPhyl M (4Q140)	Exod 12:44, 46, 48–51; 13:1–10; Deut 5:33; **6:1–5**
4QPhyl N (4Q141)	Deut 32:14–20, 32
4QPhyl O (4Q142)	Deut 5:1, 4–5, 8–9, 11, 13–16; 6:7–9
4QPhyl P (4Q143)	Deut 10:22; 11:1; 10:22; 11:1–3, 18–20
4QPhyl Q (4Q144)	Deut 11:4, 13, 15–18; Exod 13:4–9
4QPhyl R (4Q145)	Exod 13:1–10
4QPhyl S (4Q146)	Deut 11:19–21
4QPhyl T (4Q147)	Unidentified text
4QPhyl U (4Q148)	Unidentified text
5QPhyl (5Q8)	Unidentified text
8QPhyl (8Q3)	Exod 13:1–16; Deut 11:13–21; **6:4–9**; 6:1–3; 10:20–22; 10:12–17, 19; Exod 12:43–51; Deut 5:1–14; Exod 20:11; Deut 10:13?; 11:2 + 10:13?; 11:2, 3?; 10:21–22; 11:1, 6–12
XQPhyl 1 (XQ1)	Exod 12:43–51; 13:1–10; Deut 10:12–19
XQPhyl 2 (XQ2)	Deut 5:22–33; **6:1–9**
XQPhyl 3 (XQ3)	Deut 5:1–21; Exod 13:11–16
XQPhyl 4 (XQ4)	Exod 13:1–10
MurPhyl (Mur 4)	Exod 13:1–10, 11–16; Deut 11:13–21; Deut **6:4–9**
XHev/SePhyl (XHev/Se 5)	Exod 13:1–16; Deut **6:4–9**; 11:13–21
34SePhyl (34Se 1)	Exod 13:2–10, 11–16

Table 2 The Mezuzot from Qumran and Wadi Murabbaat

4QMez A (4Q149)	Exod 20:7, 9–12
4QMez B (4Q150)	Deut 6:5–6; 10:14, 16, 18, 20, 22; 11:1
4QMez C (4Q151)	Deut 5:27–29, 31, 33; 6:1, 3, 5, 7, 9; 10:12, 15–18, 20
4QMez D (4Q152)	Deut 6:5–7
4QMez E (4Q153)	Deut 11:17–18
4QMez F (4Q154)	Exod 13:1–4
4QMez G (4Q155)	Exod 13:11–16
8QMez (8Q4)	Deut 10:12–22; 11:1–4, 6–17, 19–21
MurMez (Mur 5)	Unidentified text

Interestingly enough, Deut 6:4 is attested only in five of the 28 phylacteries from Qumran (4QPhyl C [4Q130], 4QPhyl H [4Q135], 4QPhyl M [4Q140], 8QPhyl [8Q3], XQPhyl 2 [XQ2]) and in none of the preserved *mezuzot*. But it is included in two of the three phylacteries from the Bar Kokhba revolt (MurPhyl [Mur 4], XHev/SePhyl [XHev/Se 5]). In some cases, the absence of Deut 6:4 is due to manuscript deterioration (e. g. 4QPhyl B; 4QMez B-D) while in others the verse was never included (cf. e. g. 4QPhyl A).

That Deut 6:4 was once included in 4QMez B-D shows that since the 1st cent. B. C. E. the text of Deut 6:4 was understood as a powerful protection for the houses of Jewish families. Already in the late Second Temple period, that is, *mezuzot* containing the Shema' Israel were used for apotropaic purposes.[17]

Later on, such an apotropaic understanding of *mezuzot* is also attested in rabbinic literature. A good example is *yPe'ah* 1:1 (15d):

> Artaban (= Artaban III, the last ruler of the Parthian empire) sent a priceless precious pearl to our holy teacher and said to him: Send me a thing of equal value. He sent him a *mezuzah*. He [Artaban] said to him: I sent you a priceless thing and you send me something worth a follis! [= a small copper coin of the late Roman empire]. He said to him, your possessions and mine together are not equal to it! Not only that, but you sent me something that I have to watch over and I sent you something that watches over you while you are sleeping, as it is written (Prov. 6:22) "I will make you rest when you are rambling."[18]

17 For the paleographic date of 4QMez B-D, see J. T. Milik, "II. Tefillin, Mezuzot et Targums (4Q128–157)," in R. de Vaux, and J. T. Milik, *Qumran Grotte 4:II* (DJD 6; Oxford: Clarendon, 1977), 81–82.

18 Translation according to H. W. Guggenheimer, *The Jerusalem Talmud, First Order: Zeraïm, Tractates Peah and Demay* (New York: Walter de Gruyter, 2000), 40–41. See further *bAvoda Zara* 11a: "[When] Onqelos the son of Kalonymus became a proselyte, the Emperor sent a contingent of Roman [soldiers] after him, but he enticed them by [citing] scriptural verses and they became converted to Judaism … Again he sent another cohort ordering them not to enter into any conversation whatever with him. So they took hold of him; and as they were walking on he saw the *mezuzah* which was fixed on the door-frame and he placed his hand on it saying … 'Now what is this?' and they replied: 'You tell us then.' Said he, 'According to universal custom, the mortal king dwells within, and his servants keep guard on him without; but [in the case of] the Holy One, blessed be He, it is His servants who dwells

1.3. The Text of Deut 6:4 in the Late Second Temple Period

In addition to offering evidence for an apotropaic use of the Shema' Israel in Israel, the phylacteries and *mezuzot* among the Dead Sea Scrolls are also important as text-critical witnesses. Together with the Nash Papyrus, 4QDeut^{p}, and the LXX, they preserve early variant readings to the MT text of Deut 6:4.[19] These variant readings provide crucial information for the interpretive history of Deut 6:4 and for the understanding of the Halbturn amulet. The table below lists the text of Deut 6:4 as attested by the MT, the LXX, 4QDeut^{p}, and various phylacteries and *mezuzot*. The extant variants from the MT are highlighted in gray.

MT: שְׁמַע יִשְׂרָאֵל יְהוָה אֱלֹהֵינוּ יְהוָה אֶחָד
4QDeut^{p}: אלה]ינו יהוה אחד

4QPhyl C (4Q130): שמע ישׂ[ראל יה]וה אלהינו יהוה אחד
4QPhyl H (4Q135): שמעה ישראל יהוה אלה]ינו יהוה אחד
4QPhyl M (4Q140):]ישראל יהו[ה
8QPhyl (8Q3): יהו[ה] אח[ד
XQPhyl 2 (XQ2): שמע ישראל יהוה אלהינו יהוה אחד
MurPhyl (Mur 4): שמע ישראל יהוה אלהינו יהוה אחד
XHev/SePhyl (XHev/Se 5): שמע ישראל יהוה אחד

Nash Papyrus: שמ[ע ישרא]ל יהוה אלהינו יהוה אחד הוא

LXX: Ἄκουε, Ισραηλ· κύριος ὁ θεός ἡμῶν κύριος εἷς ἐστιν

In the phylacteries from Qumran and the other sites in the Judean Desert, the text of Deut 6:4 is close to MT. Only few variant readings can be found. Most importantly, 4QPhyl H reads שמעה as opposed to the שְׁמַע in MT. The שמעה of 4QPhyl H compares well with the ΣΥΜΑ of the Halbturn amulet (see our commentary to the text of the amulet below).

In XHev/SePhyl (XHev/Se 5), the scribe abbreviates Deut 6:4 to שמע ישראל יהוה אחד. The abbreviation was probably due to lack of space but hints at an altered understanding of אחד (*'echad*) as compared to Deut 6:4 itself. For the scribe of XHev/SePhyl, יהוה אחד was not an explanation of the preceding יהוה אלהינו but the central statement of Deut 6:4. For him the phrase יהוה אחד meant "the Lord is one" and not that the Lord alone is the God of Israel. Hence, Deut 6:4 becomes a monotheistic statement in XHev/SePhyl (XHev/Se 5).

A similar meaning is expressed by the additional הוא of the Nash Papyrus at the end of Deut 6:4. As a copula, it turns the phrase יהוה אחד into an indepen-

within whilst He keeps guard on them from without; as it is said: *The Lord shall guard thy going out and thy coming in from this time forth and for evermore*'. Then they, too, converted to Judaism. He sent for him no more." Translation according to A. Mishcon and A. Cohen, "Abodah Zarah," in *The Babylonian Talmud: Seder Neziḳin*, (8 vols.; ed. I. Epstein; London: Soncino, 1935), 7.55–56.

19 4QDeut^{p} is dated to c. 75–50 C. E., see J. A. Duncan, "43. 4QDeut^{p}," in E. Ulrich et al., *Qumran Cave 4: IX* (DJD 14; Oxford: Clarendon, 1995), 135–36, Pl. XXXLI.

dent clause, which means "the Lord is one." Like XHev/SePhyl (XHev/Se 5), the Nash Papyrus understands Deut 6:4 as a statement of monotheism.

The additional הוא of the Nash Papyrus could preserve the Hebrew *Vorlage* of the LXX's ἐστιν. This is all the more likely as the Nash papyrus contains an additional introduction to Deut 6:4 which is also attested by the LXX.[20] The Deut-LXX translates אחד with the numeral εἷς ("one"). This rendering agrees well with the transcription of אחד in the Halbturn amulet with the numerical sign α. Εἷς is not an unusual translation of אחד in the Deut-LXX (cf. Deut 17:6; 18:6; 19:15; 25:5, 11; 28:55; 32:30). Nevertheless it introduces a monotheistic meaning to Deut 6:4 that was not intended by the book of Deuteronomy itself. The Deut-LXX, which was produced some time in the 3rd cent. B.C.E., is hence the earliest known witness to a monotheistic understanding of Deut 6:4. But this monotheistic understanding of Deut 6:4 should not be viewed as an invention of the Deut-LXX. The Nash papyrus indicates that the Deut-LXX is in turn based on a Hebrew *Vorlage*, which might even predate the 3rd cent. B.C.E.

1.4. "God is One" in Ancient Judaism

The numerical understanding of אחד in Deut 6:4 by the Deut-LXX and its *Vorlage* originated an interpretive tradition in Greek Jewish literature that made the monotheistic understanding of the Shema' dominant in ancient and rabbinic Judaism.

In late Second Temple times, Deut 6:4 began to enjoy more significant attention in Jewish literature. Bar 3:9 and LAB 23:2 introduce their deliberations about the law with the "Hear, O Israel," from Deut 6:4. But no references to the latter parts of Deut 6:4 can be found in Bar 3:9 and LAB 23:2. As far as we can see, pre-rabbinic allusions to and quotations of the statement "the Lord is one" can be found only in Greek Jewish texts.

At the beginning of the 1st cent. B.C.E., in his work *On Abraham (and the Egyptians)* (Clement of Alexandria, *Stromata* 5.14.113.1–2), Pseudo-Hecataeus merges the rhetoric of Deut 6:4 with ideas from Mal 2:10 and Job 31:15 and puts them into the mouth of the famous tragedian Sophocles:

(1) In fact, as Hecataeus, the composer of histories, reports in his book *According to Abraham and the Egyptians*, Sophocles exclaims plainly on the stage: (2) One, in truth indeed, God is one (εἷς ἐστι[ν] θεός), who made both the heaven and the far-stretching earth, the Deep's blue billow, and the might of winds. But as most mortals, having erred in heart, we have established, as solace for our woes, images of gods – of stone,

20 W.F. Albright, "A Biblical Fragment from the Maccabaean Age: The Nash Papyrus," *JBL* 56 (1937): 145–76; cf. S.A. Cook, "A Pre-Masoretic Biblical Papyrus," *Proceedings of the Society of Biblical Archaeology* 25 (1903): 34–56, 43–44; F.C. Burkitt, "The Hebrew Papyrus of the Ten Commandments," *JQR* 15 (1903): 392–408, 399; N. Peters, *Die älteste Abschrift der zehn Gebote, der Papyrus Nash* (Freiburg i.Br.: Herdersche Verlagsbuchhandlung, 1905), 40–41.

or of brass, or statues wrought of gold or ivory; and to these, sacrifices and immoral festivals appointing, we thus reckon ourselves religious.[21]

Another reference to Deut 6:4 can be found in a Jewish Pseudo-Orphic fragment attributed to the famous Greek seer Musaios (Eusebius, *Praeparatio Evangelica* 13.12.5). It states:

An ancient saying sheds light on this matter: 'There is one (Εἷς ἔστ' Deut 6:4) who is complete in himself, but all things are completed by him, and he himself moves about in them.'[22]

In his allegorical commentary to the Pentateuch, Aristobulus refers to this Pseudo-Orphic text in order to demonstrate how even the founders of Greek culture were guided by Moses in their ideas (Eusebius, *Praeparatio Evangelica* 13.12.4):

Now since Pythagoras, Socrates, and Plato investigated everything thoroughly, they seem to have followed him in saying that they hear God's voice by reflecting on the cosmic order as something carefully created by God and permanently held together by him. Moreover, Orpheus, in verses taken from the collection of sayings attributed to him entitled 'Concerning the Holy Word,' also expounds in this way about everything being governed by the power of God, about the origin of what has come to be, and about God's being over everything.[23]

All three references are apologetic. They try to demonstrate that Jewish law developed the idea of the one God first, before such Greek philosophical monotheists as Xenophanes of Rhegion.[24] The encounter with Greek thought and the apologetic needs that arose from it together led to the increased prominence of Deut 6:4 in Second Temple times. A new articulation of Deut 6:4 as a claim that the Lord is unique, i.e. one, allowed Jews to argue that Jewish thought and especially Moses were the parents of Greek culture. Perhaps influenced by the Septuagint translation of Deut 6:4, which renders יהוה אחד הוא as κύριος εἷς ἐστιν, the explicit articulation of a Jewish monotheism may, in turn, have allowed for the claim that Greek philosophers were influenced by Moses when they developed their own ideas about monotheism. It is from Moses that they learned that God is one and complete in himself.

Philo's only reference to Deut 6:4 is comparable to this monotheistic interpretation although it does not refer explicitly to Greek monotheistic philosophy or to Greek philosophy at all for that matter. In Spec. 1.28–31, Philo argues against the polytheism and idolatry of his world in favor of serving the one

21 Quoted according to C. R. Holladay, *Fragments from Hellenistic Jewish Authors*, vol. 1: *Historians* (Chico, Calif.: Scholars Press, 1983), 318–19.

22 Quoted according to C. R. Holladay, *Fragments from Hellenistic Jewish Authors*, vol. 3: *Aristobulus* (Atlanta: Scholars Press, 1995), 166–67.

23 *Ibid*., 162–65.

24 For Greek philosophical monotheism, see e. g. P. Athanassiadi and M. Frede (eds.), *Pagan Monotheism in Late Antiquity* (Oxford: OUP, 1999).

God who is the framer and maker of all things (1.30), the most ancient cause of all (1.31):

καὶ συνεχῶς ἐπάδει ποτὲ μὲν λέγων ὅτι θεὸς εἷς ἐστι καὶ ποιητὴς τῶν ὅλων

This lesson he continually repeats, sometimes saying that God is one and the Framer and Maker of all things.[25]

Although to our knowledge, pre-rabbinic interpretations of Deut 6:4 are preserved only in Greek Jewish literature, by the 1st cent. C.E. its monotheistic understanding seems to have become accepted in Palestinian Judaism, as well. This is evident in a description of the Decalogue by Josephus (Ant. III, 91–92). When Josephus describes the first commandment he does not repeat the LXX text of the Decalogue, but uses Deut 6:4 instead:

Διδάσκει μὲν οὖν ἡμᾶς ὁ πρῶτος λόγος, ὅτι θεός ἐστιν εἷς καὶ τοῦτον δεῖ σέβεσθαι μόνον·

The first word teaches us that God is one and that He only must be worshipped. (*Ant.* III, 91)[26]

οὐκ ἔσονταί σοι θεοὶ ἕτεροι πλὴν ἐμοῦ

You shall not have other gods besides me. (Exod 20:3 LXX)[27]

οὐκ ἔσονταί σοι θεοὶ ἕτεροι πρὸ προσώπου μου

You shall have no other Gods before me. (Deut 5:7 LXX)[28]

A monotheistic reading of both the Decalogue and the Shema‘ was a matter of course for Josephus and hence probably for Palestinian Judaism as well.

1.5. Deut 6:4 in Rabbinic Judaism

In the Jewish prayer book, the Shema‘ prayer includes three Pentateuchal citations (Deut 6:4–9; 11:13–21; Num 15:37–41) surrounded by three blessings, two before the biblical quotations and one after. The earliest attestations of this prayer come from the ninth century C.E. They can be found in the *Order of Prayers* by Amram Gaon and in fragments from the Cairo Genizah, which are dated at the earliest to the ninth century.[29] Nevertheless, different combinations of some of these sections were already alluded to in earlier periods.

25 Text and translation according to F.H. Colson, *Philo with an English Translation* (10 vols.; Cambridge and London: Harvard University Press and William Heinemann, 1958), 7.116–17.

26 Text and translation according to H.St.J. Thackeray, *Josephus with an English Translation* (13 vols.; Cambridge and London: Harvard University Press and William Heinemann, 1967), 4.360–61.

27 Translation according to L.J. Perkins, "Exodus," in *A New English Translation of the Septuagint and the Other Greek Translations Traditionally Included under That Title* (eds. A. Pietersma and B.G. Wright; New York and Oxford: Oxford University Press, 2007), 65.

28 Translation according to M.K.H. Peters, "Deuteronomy," in *A New English Translation of the Septuagint*, 151.

29 D. Goldschmidt (ed.), *Seder Rav Amram Gaon* (Jerusalem: Mossad Harav Kook, 2004), 10–20.

M. Weinfeld has argued that the first section and possibly the second section of the Shema' prayer, together with the Decalogue, were already alluded to in Ps 50:7 and 81:9–11,[30] and we know that Josephus claimed that the Shema' was said twice a day by every Jew (*Ant.* 4:212–13).[31] It has been claimed that Josephus connected the first two sections of the prayer with the Exodus, because Josephus associated a prayer expressing gratitude for the Exodus with a twice-daily service.[32] But R. Kimelman has shown that Josephus "may only be referring to a prayer such as the one recorded in the Talmud that states: 'We are grateful to You for having taken us out of Egypt and having redeemed us from the house of bondage in order to praise Your Name'" (*yBer.* 1:5]3d]).[33] The three biblical quotations, preceded by a blessing and the Decalogue and other sections, were said by the officiating priest during the Morning Prayer in the Jerusalem Temple, as attested by *mTamid* 5:1, "The officer said to them, 'Recite ye a Benediction!' They recited a Benediction, [and recited the Decalogue, the *Shema'*, and the *And it shall come to pass if ye shall hearken* …"[34]] The three sections (without the Decalogue) appear as an independent unit around the third century C. E. in *mBer.* 2:2 and in *Sifre Deuteronomy* 34–35. We may thus conclude that "between 70 C. E. and circa 200 C. E. the three Shema' sections achieved their present liturgical status and order."[35]

As noted by Kimelman, "Just as the angelic *Qedushah* and the song at the Sea consist of a verse or verses divided and recited antiphonally, so does the liturgical performance of the Shema' verse." Furthermore, "according to the Midrash, the antiphonal recitation of the Shema' verse imitates the sinaitic experience." Thus, based on *Deut. Rabbah* 1:3, Kimelman concludes that "R. Pinhas accounts for the practice of the synagogue response, '*The Lord our God, the Lord is One,*" by explaining its origins as a response to the opening of the Decalogue, '*I am the Lord your God.*'" He also notes that "the linkage between divine oneness and sovereignty is made explicit in the Shema' by interpolating 'Blessed be the name of His glorious sovereignty for ever and ever' after 'One' of the Shema' verse. All three converge to create a threefold link between divine oneness and sovereignty."[36] Rabbinic literature attests thus to

30 M. Weinfeld, *Deuteronomy 1–11* (AB 5; New York: Doubleday, 1991), 257–62.

31 For an overall discussion of the *Shema'* and its blessings, see R. Kimelman, "The *Šema'* and its Blessings: The Realization of God's Kingship," in *The Synagogue in Late Antiquity* (ed. L. I. Levine; Philadelphia: American Schools of Oriental Research, 1987), 73–86.

32 E. Schürer, *The History of the Jewish People in the Age of Jesus Christ (175 B. C. – A. D. 135)* (3 vols.; eds. G. Vermes et al., Edinburgh: T & T Clark, 1979), 2.455, n. 153; Sh. Naeh and M. Shemesh, "The Manna Story and the Time of the Morning Prayer," *Tarbiz* 64 (1995): 335–40 [Hebrew].

33 R. Kimelman, "The Shema' Liturgy: From Covenant Ceremony to Coronation," *Kenishta* 1 (2001): 9–105.

34 The translation is according H. Danby, *The Mishnah* (London: Humphrey Milford, 1944), 586.

35 Kimelman, "The Shema' Liturgy," 13.

36 Kimelman, "The Shema' Liturgy," 63–66.

a monotheistic interpretation of the Shema‘ which is similar to its understanding in Greek speaking Judaism but characteristically different as well.

2. The Halbturn Amulet

How does the Halbturn amulet relate to the use and understanding of the Shema‘ in ancient Israel and in rabbinic Judaism? Does it resemble other Jewish amulets or could it attest to a pagan employment of a Jewish text?

2.1. Ancient Amulets and Magic Bowls

2.1.1. Jewish Amulets

The earliest Jewish amulets we know of are the two small silver scrolls found inside the repository of a burial chamber at Ketef Hinnom in Jerusalem. Both amulets can be dated to the seventh century B. C. E.[37] Both plaques included quotations of Num 6:24–26 and a confessional statement, which "parallels verses found in Deut 7:9, Neh 1:5, and Dan 9:4, in which blessing from the Lord is made conditional upon obedience to the covenant and the commands from Yahweh." The editor surmised,

> The use of the confessional statement in Ketef Hinnom I, however, introduces a context associated with personal piety and family life – that of family tomb and burial of an individual. The blessing itself, which is found in a cultic context in the MT, is thus shown by these inscriptions also to have been used in a personal and family context.[38]

More evidence for the apotropaic usage of these plaques can be found in the formula הגער ב[ר]ע, "rebuke of evil" in Ketef Hinnom II:4–5 and in the reference to ברכה מכל[פ]ח ומהרע [ה] "… [the?] blessing more than any [sna]re and more than evil" in Ketef Hinnom I:9–10.

Based on the interpretation of Deut 6:4–9, and especially of verses 8–9 ("Bind them as a sign on your hand, fix them as an emblem [לטטפת] on your forehead, and write them on the doorposts of your house and on your gates"),[39] M. Weinfeld proposed that originally, Deuteronomy commanded to incise the Shema‘ on jewels, to be carried as amulets (see also Isa 3:19 and above). Only later, during the Second Temple period, were phylacteries (תפילין) invented. He suggested that the interpretation of טטפת as amulets goes in line with the second commandment, i. e. "and write them on the doorposts of your house and on your gates" (verse 9), which was originally interpreted as physical engraving on door posts.[40] This practice is attested by Samaritan and Jewish in-

37 G. Barkay, A. G. Vaughn, M. J. Lundberg, and B. Zuckerman, "The Amulets from Ketef Hinnom: A New Edition and Evaluation," *BASOR* 334 (2004): 41–71.
38 Barkay et al., "The Amulets from Ketef Hinnom," 68.
39 Translation according to NRSV.
40 M. Weinfeld, *Decalogue*, 141–43.

scriptions which are put near the entrance of houses and recite biblical quotations (see above).

Another related text is the Nash Papyrus, which we discussed above. This text includes the Decalogue taken from Deuteronomy, with a number of harmonistic additions, based on Exodus, and the Shema' (Deut 6:4–5).[41] It has been suggested that the Nash Papyrus was also used as a Jewish amulet, a *tefillah* or a *mezuzah*, in a period before the ritual laws governing the writing of *tefillin* and *mezuzot* on leather were established.[42] This suggestion was made because of the specific texts quoted in the Nash Papyrus, because the Nash Papyrus and various *tefillin* and *mezuzot* from Qumran write the Decalogue in a similar form, and because the Nash Papyrus is relatively small. The discovery of the new amulet in Halbturn strengthens the proposed identification of the Nash Papyrus as an amulet of this sort.

We should note, as well, that it is not the text of the Halbturn amulet that identifies it as a magic device. In fact, it lacks the features expected of a Jewish adjuration text.[43] What identifies it as a magical item, rather, is that it was found near a child's skeleton and that it was written on a golden leaflet which was put in a silver capsule.[44]

2.1.2. Biblical Verses in Magic Bowls

Other Jewish magical items which the Halbturn amulet should be compared with are the so-called magic bowls, because they usually contain biblical verses and incantations.[45] In some cases whole verses are quoted, while in others only parts of a verse are used and even adapted to fit the subject of the incantation.[46] It has been argued that "the use of verses in magic contexts is of course often derived from their liturgical prominence,"[47] although sometimes there is no way to prove if the inspiration comes from a liturgical context or is drawn

41 The text of the papyrus is close to that of 4QDeut^{n}, 4QPhyl G, and 8QPhyl, all of which have undergone harmonistic editing; see E. Eshel, "4QDeut^{n} – A Text That Has Undergone Harmonistic Editing," *HUCA* 62 (1991): 117–54. For references to earlier discussions, cf. *op. cit*.

42 Cf. Eshel, "4QDeut^{n}," 123, n. 36, and the bibliography given there.

43 For a methodological study as well as the criteria to be used for identifying a Jewish adjuration text, see Y. Harari, "What is a Magical Text?: Methodological Reflections Aimed at Redefining Early Jewish Magic," in *Officina Magica: Essays on the Practice of Magic in Antiquity* (ed. S. Shaked: Leiden: Brill, 2005), 91–124.

44 Another golden amulet, rolled and placed in a jug, was found in Metskhetta, Georgia. This amulet is written in Aramaic and could testify to a Jewish presence in the Caucuses in an early period. It should be added to the list of other Jewish amulets made of metal that have been found in the far diaspora; see S. Shaked, "Notes on Some Jewish Aramaic Inscriptions from Georgia," *Jerusalem Studies in Arabic and Islam* 32 (2006): 506–08.

45 J. Naveh and S. Shaked, *Magic Spells and Formulae: Aramaic Incantations of Late Antiquity* (Jerusalem: Magnes Press, 1993), 22–31.

46 See the discussion by D. Levene, *A Corpus of Magic Bowls: Incantation Texts in Jewish Aramaic from Late Antiquity* (London: Kegan Paul, 2003), 11–14.

47 Naveh and Shaked, *Magic Spells*, 22.

directly from the Bible. Checking a corpus of 20 magic bowls, D. Levene concluded that the magicians "are quoting their verses from liturgy rather than directly from the Old Testament."[48]

Some magic bowls from Mesopotamia quote only biblical verses. This is the case, for example, with a bowl found in Nippur, which is inscribed in a Jewish script and which can be dated to the Sassanian period. It includes only scriptural quotations, together with quotations from the Targum.[49] It can therefore be concluded that there were instances in which biblical verses as such were considered to have apotropaic functions.

2.1.3. The Shema' in Amulets and Magic Bowls

While the above survey has shown that Jewish amulets and magic bowls employed biblical references for magical purposes it remains to be asked if the Shema' was used for magical purposes, and if so, how. In some magical Geniza fragments the whole Shema' is quoted, including Deut 6:4–9,[50] while others read only the end of Deut 6:4: יה אחד.[51] Recently, another Jewish-Aramaic amulet with the Shema', including Deut 6:4–9, was published.[52] The Shema' is frequently found in combination with other biblical verses. In these cases, the quotations of the two verses alternate word by word between them. A popular combination is the Shema' with Ps 91. A good example is Bowl No. 11:6–7, which combines Deut 6:4 with Ps 91:1:[53]

שמע יושב **ישראל** בסתר **יהוה** עליון **אלהינו** בצל **יהוה** שדי **אחד** יתלונן אמן אמן סלה

Hear who lives **O Israel** in the shelter **the Lord** of the Most High **is our God** in the shadow **the Lord** of the Almighty **is one** he will abide amen, amen, selah

A similar combination of Deut 6:4–5 with Ps 91:1 can be found in an early Geniza fragment that is written in an unknown Iranian dialect.[54]

In 2003, Dan Levene published two Jewish Aramaic magic bowls from Babylon. For the first time on magic bowls, Deut 6:4–9 and 11:13–21 appear with the added liturgical response ברוך שם כבוד מלכותו לעלם ועד (= 'Blessed is the name of His glorious kingdom for ever and ever"). The latter constitutes a part

48 Levene, *Corpus of Magic Bowls*, 11.

49 Naveh and Shaked, *Magic Spells*, 22–23; S. A. Kaufman, "A Unique Magic Bowl from Nippur," *JNES* 32 (1973): 170–74; see C. Müller-Kessler, *Die Zauberschalentexte der Hilprecht-Sammlung, Jena und weitere Nippur-Texte anderer Sammlungen* (TMH 7; Wiesbaden: Harrassowitz, 2005), 12–13.

50 E. g. in T.-S K 1.147, fol. 1e, lines 1–16; see P. Schäfer and S. Shaked, *Magische Texte aus der Kairoer Genizah* (Tübingen: Mohr Siebeck, 1994), 223.

51 E. g. T.-S K 1.28, fol. 1b; see Schäfer and Shaked, *Magische Texte*, 136.

52 E. Puech, "Une amulette judéo-palestinnienne bilingue en ergent," *Megillot* 5–6 (2007): 177–86.

53 J. Naveh and S. Shaked, *Amulets and Magic Bowls: Aramaic Incantations of Late Antiquity* (Jerusalem: Magnes Press, 1987), 184–87.

54 T-S K 1.95; see S. Shaked, "An Early Geniza Fragment in an Unknown Iranian Dialect," *Acta Iranica* 28 (1988): 228, 230.

of the daily prayer of the *Shema'*.[55] Levene noted the close connection between these magic bowls and the *mezuzot*. Both include the same verses. But since the magic bowls also include the liturgical response ברוך שם כבוד etc., as well as mention of the exodus from Egypt, Levene found them "closer in form to the liturgical context, namely the reading of the *Shema'* in the evening at the *Shema' 'al ha-miṭṭa*."[56] Levene also referred to early rabbinic sources which show that "the *Mezuzah* was used by some people in a manner that is more appropriate for an amulet."[57] The first is the story of Rav, who sent Artaban a *Mezuzah* and told him it would guard him (*yPeah* 15d, *Gen. Rab.* 35:3; cited above).[58] The second is the explanation of Onqelos to the Roman soldiers who came to arrest him that the *mezuzah* had protective qualities.[59] Interestingly, Trachtenberg mentions that in the Middle Ages as well as in Talmudic times *tefillin* "were placed upon a baby who had been frightened out of his sleep by a demon."[60]

2.1.4. Names of Deities in Greek Magical Papyri

A last point of comparison with the Halbturn amulet is the use of divine names for magic purposes. Greek magical papyri often include various names of deities and demons, some of which are transcriptions of God's names as they appear in the Hebrew Bible, among them αδωναι (אדני, e.g. PGM I:305;[61] sometimes written as αδωναιος). Other such names are: ελωαιος (אלוהים; PGM I:311;[62] sometimes written as ελωαι [e.g. PGM IV:1577, VII:564],[63] or ελωη, ελωυειν) and ιαω for YHWH (PGM VII:564).[64] Ιαω occurs also in the Nag Hammadi library,[65] and in 4QpapLXXLeviticus[b] (e.g. Frgs. 20–21 = Lev 4:27).[66] For a combination of such names, see the Greek magical papyrus (PGM XXXVI:42) that provides a "Charm to restrain an-

55 D. Levene, "Heal O' Israel: A Pair of Duplicate Magic Bowls from the Pergamon Museum in Berlin," *Journal of Jewish Studies* 54 (2003): 104–21. On this liturgical response, see L. Finkelstein, "The Meaning of the Word פרס in the Expressions פרוס על שמע, בפרוס עצרת, בפרוס פסח and בפרוס ההג," *JQR* 22 (1941–42): 387–97.

56 Levene, *Corpus of Magic Bowls*, 113.

57 Levene, *Corpus of Magic Bowls*, 113.

58 In which, according to some manuscripts, the story told in *yPeah* 15d is included.

59 *B'Abod. Zar* 11a (quoted in note 18 above); see J. Trachtenberg, *Jewish Magic and Superstition: A Study of Folk Religion* (New York: Behrman's Jewish Book House, 1939), 145–46.

60 Trachtenberg, *Jewish Magic*, 145.

61 H.D. Betz, *The Greek Magical Papyri in Translation* (Chicago and London: University of Chicago Press, 1986), 11.

62 Betz, *Greek Magical Papyri*, 11.

63 Betz, *Greek Magical Papyri*, 67, 134.

64 Betz, *Greek Magical Papyri*, 134.

65 Written as: "Adonaios/Adonein/Adonin," "Eloaios/ Eloai/Eloaio/Eloaiou," and "Yao"; see "Index of Proper Names," in *The Nag Hammadi Library in English* (ed. J.M. Robinson; Leiden: Brill, 1984), 479, 482, 492.

66 P.W. Skehan, E. Ulrich, and J.E. Sanderson, "120. pap4QLXXLeviticus[b]," in *Qumran Cave 4: IV, Paleo-Hebrew and Greek Biblical Manuscripts* (DJD 9; Oxford: Clarendon, 1992), 174.

ger and to secure favor and an excellent charm for gaining victory in the courts," where it says: "*The names to be written are these: ʻIAŌ ΣABAŌTH AΔŌNAI ELŌAI …*"[67]

An interesting parallel to our amulet was found on a golden charm dated ca. 75–140 C.E. This amulet was discovered during the excavations of the house called Cefn Hendre, "located outside the southernmost corner of the Roman fort of Segontium."[68] This amulet originated probably in a grave (although no details of its exact location are known). The text attests to "a Jewish liturgical formula written in Greek letters, and including a curious mixture of normal Greek phrases, some of which appear to have been marginal glosses inserted into the body of the text."[69] In addition, there are some words squeezed in between the lines or at the right margin, as well as some punctuation between magic names. According to Kotansky, the Greek and Hebrew equivalent of lines 1–15 can be reconstructed as follows:[70]

Ἀδωναῖε Ἐλωαῖε Σαβαωθ = אדני אלוהי צבאות "The Lord, the God of Hosts" (cf. Hos 12:6).

ειε εσαρ ειε = אהיה אשר אהיה "Ehyeh-Asher-Ehyeh" (Exod 3:14).

σουρα αρβαρτιαω = סורה עברת יהוה "turn aside, O wrath of God" (cf. Isaiah 9:18, 13:13).

ελλιων άνωρα άγγιβωρ = עליון הנורא הגיבור "(the) Most High, the Awesome, the Mighty (God)" (cf. Deut 10:17).

βαιλλαλααμωθ = בעל לעלא למות "Lord over the Pestilence/Death."

βαρουχ αθθα ουβαρουζ ούδηχα ἀεὶ ωλαμ λεωλαμ = ברוך אתה וברוך הודכה עולם לעולם "Blessed are You and blessed is Your splendor, (for) ever (and) ever."

The Jewish "liturgical formula" of this text includes the following: Ἀδωναῖε Ἐλωαιε Σαβαωθ. As noted by the editor, this combination, of which parts are known in other amulets, probably represents the Hebrew אדני אלוהי צבאות, "Lord, God of Hosts," as found e.g. in Hosea 12:6.

2.2. The Use of Greek in Reciting the Shemaʻ

So far we have shown that in its use of the Shemaʻ and divine names the Halbturn amulet is comparable with other Jewish magic devices from the Second Temple period and late antiquity. While Jewish amulets did employ the Shemaʻ and other lines from the Hebrew Bible, it remains to be asked if Jews would have used the Shemaʻ in Greek or in Greek characters. In this regard, several passages from rabbinic literature are of interest.

67 Betz, *Greek Magical Papyri*, 269–70.

68 R. Kotansky, *Greek Magical Amulets: The Inscribed Gold, Silver, Copper, and Bronze Lamellae. Part I: Published Texts of Known Provenance* (Papyrologica Coloniensia, 22/1; Opladen: Westdeutscher Verlag, 1994), 3–12. We are obliged to Tal Ilan for this reference.

69 Kotansky, *Greek Magical Amulets*, 4.

70 Kotansky, *Greek Magical Amulets*, 5–9.

mMeg 1:8 says:

The Books (of scripture) differ from phylacteries and *Mezuzahs* only in that the Books may be written in any language, while phylacteries and *Mezuzahs* may be written in the Assyrian writing [= in Hebrew in the 'square' characters] only.[71]

mSot 7:1 says:

These may be said in any language: the paragraph of the Suspected Adulteress, the Avowal of the [Second] Tithe, the recital of the *Shema'*, the Tefillah, the Benediction over food, the oath of testimony, Evidence, and the oath concerning a deposit.[72]

With a slightly different reasoning *bSotah* 32b comes to the same conclusion:

The Shema'. Whence have we it that this [may be recited in any language]? As it is written, *Hear, O Israel* – in any language you understand. Our Rabbis taught: *The Shema'* must be recited as it is written. Such is the statement of Rabbi but the Sages say, In any language.[73]

ySotah 7:1 (21b) addresses the issue of citing the Shema' in Greek specifically.

The recitation of the Shema', as it is written, "And you shall talk to them …" (Deut 6:7). Rabbi says: "I say, 'The recitation of the Shema' is said only in the Holy Language.'" What is the scriptural basis for that view? "And these words which I command you …" (Deut 6:6). R. Levi son of Haitha went to Caesarea. He heard them read the Shema' in Greek. He wanted to stop them from doing so. R. Yosé heard and was angered. He said: "Should I say, 'He who does not know how to read them in Assyrian letters [of Hebrew] should not read at all'? "Rather one should fulfill his obligation in any language which he knows."[74]

We thus agree with L. I. Levine, who argues based on *Mishna Sotah* 7:1–2 and other sources that, "the sages were rather flexible regarding the language in which these prayers were to be recited. The two central prayers, the *'Amidah* and *Shema'*, could be recited in any language; only the Priestly benediction had to be rendered in Hebrew."[75] Although the above passages do not address the question of a Greek transliteration of the Hebrew text of the Shema' it seems highly unlikely to us that Jews of the early 4th cent. C. E. would have objected to such a transliteration given the acceptance of the recital of the Shema' in any language.

71 Translation according to H. Danby, *The Mishnah* (London: Humphrey Milford, 1944), 202.
72 Translation according to Danby, *Mishnah*, 300.
73 Translation according to A. Cohen, "Soṭah," in *The Babylonian Talmud: Seder Nashim* (8 vols.; ed. I. Epstein; London: Soncino, 1936), 6.161.
74 Translation according to J. Neusner, *The Talmud of the Land of Israel*, vol. 27: *Sotah* (Chicago: The University of Chicago Press, 1984), 176.
75 L. I. Levine, *The Ancient Synagogue: The First Thousand Years (*New Haven: Yale University Press, 1999*)*, 525.

2.3. A Commentary to the Halbturn Amulet

ΣΥΜΑ

The form ΣΥΜΑ can be interpreted in two ways. Moshe Bar Asher suggests that the **Υ** should be regarded as a representation of a short vowel after Sigma, where Ypsilon was pronounced in its more ancient form [u]; or at least in its older form [ü].[76] This transliteration would also be attested in Palestinian Christian Aramaic.

Another possibility is pointed to by a variant form of the imperative 2nd pers. sing. masc. of the root שמע which occurs in various Qumran manuscripts, i. e. שמעה instead of שמע. For Deut 6:4 this morphological variant is attested in 4QPhyl H 1 12 (see above). For Deut 5:1, the same variant form can be found in 4QDeut^{j,n,o}. Among the nonbiblical manuscripts from Qumran it is attested in 4Q418 2 and 4Q525 14 ii 18. The suffix of the form שמעה implies that the first vowel was not a *schwa* mobile but a *hireq*, i. e., it should be vocalized שִׁמְעָה. Considering the itacism of Hellenistic Greek,[77] this pronunciation is very close to the ΣΥΜΑ of the Halbturn amulet. This means that the vowels Υ and Α of the ΣΥΜΑ in the Halbturn amulet could also transcribe the morphological variant form שִׁמְעָה of the imperative of 2nd pers. sing. masc. of the root שמע.

ΙΣΤΡΑΗΛ

The orthography Ιστραηλ is unusual, since one would expect it to be written as Ισραηλ, without the τ. But Ιστραηλ does occur in several documents. In addition to various magical papyri and amulets,[78] it is attested in a mosaic inscription found near Tel Qasile,[79] and in the Greek translation of *1Enoch* as

76 See Bar Asher, "The Verse 'Shema Israel' in a Greek Transliteration," 3, 6–7.

77 Although Greek itacism reached its final stage only in Byzantine times, it is present already in the Hellenistic period. Itacistic pronounciations of υ are attested in Hellenistic Greek inscriptions and became more frequent in Roman times (see B. H. McLean, *An Introduction to Greek Epigraphy of the Hellenistic and Roman Periods from Alexander the Great Down to the Reign of Constantine (323 B. C. – A. D. 337)* [Ann Arbor: University of Michigan Press, 2002], 350). This means an υ-itacism was in use long before the Halbturn amulet was produced.

78 Cf. e. g. Kotansky, *Greek Magical Amulet*, ## Nr. 33,5; 38,3; 41,33; 62,7; and *Supplementum Epigraphicum Graecum* 39, 1748. For the references to Greek amulets we are obliged to H. Taeuber. Cf. also his unpublished *editio princeps* of the Halbturn amulet.

79 This inscription is one of three which were found in a basilica, located north-east of Tel Kasila (Tel Aviv) and dated to the first third of the seventh century C. E.; see H. Kaplan, "A Samaritan Church on the Premises of 'Museum Haaretz,'" *Qadmoniot* 11 (1978): 78–80 [Hebrew]. The second inscription is also written in Greek, while the third was identified by Kaplan as written in the Samaritan script. Hence, the church was identified by her as belonging to a Samaritan-Christian community. This identification was disputed by various scholars, who suggested the building is to be identified as a Samaritan synagogue; among them see Z. Safrai, "Was there a 'Samaritan Church' at Tell Qasila?" *Qadmoniot 11* (1978): 129; R. Macuch, "A New Interpretation of the Samaritan Inscription from Tell Qasile," *IEJ* 35 (1985): 183–85; Y. Tsafrir, "A New Reading of the Samaritan Inscription from Tell Qasile," *IEJ* 31 (1981): 223–26; I. Sappir, "Linguistic Phenomena from Tel Kasila Inscriptions,"

attested by Codex Panopolitanus.[80] In *1Enoch* 10:1 codex Panopolitanus gives the name of the angel sent to Lamech as Ιστραηλ.[81] The Tel Qasile inscription reads:

ΕΥΛΟΓΙΑ
ΚΑΙ ΗΡΗΝΗ ΤΩ
ΙΣΤΡΑΕΛ Κ[ΑΙ] ΤΩ Τ
ΟΠΟΥ ΑΜΗΝ[82]

"Blessing and peace to Israel and to this place, Amen."

The orthography Ιστραηλ was explained by I. Sappir as follows, "The additional consonant [t] represents a glide between the consonant [s] and [r]. The same phenomenon is attested in Jewish names."[83] Finally, a similar orthography of the name Israel can be found in a marble plaque inscription found in Rome, reading: ΕΙΟΥΔΕΑ ΙΣΔΡΑΗΛΙΤΗΣ, that is: Εἰουδέα **Ἰσδραηλίτης**.[84]

ΑΔΟΝΕ ΕΛΟΗ

The orthography ΑΔΟΝΕ with the **Ε** vowel, is to be explained as a monophthongization of the diphthong [ay] to [e], in a stressed syllable,[85] which is well attested in a plural form, cf. e. g. גת שמני (for גת שמנים).[86] The spelling ΑΔΟΝΕ can also be found in another inscription from Pannonia, inscription No. 679 from Sarajevo.[87] It was written on a Roman lamp, which is decorated with a menorah of seven branches. After the magical words: ΙΑΩ ΑΒΡΑΣΑΞ ΑΒΡΑΣΑΞ, it reads: ΑΙΛΟΕ ΑΔΟΝΕ, that is: Αἴλωε, Ἄδωνε. In this case, Ἄδωνε is written in the same orthography as in the Halbturn amulet, while Αἴλωε is written somewhat differently, although the ultimate vowel -ωε is close to our -ωη.

ΑΔΟΝ Α

At the end of the amulet the scribe who produced it seems to have run out of space (see above). The preceding ΑΔΟΝΕ ΕΛΟΗ shows that ΑΔΟΝ Α cannot be a representation of the second occurrence of the Tetragramaton in Deut 6:4. In lines 3–4, the scribe reads אדוני for the Tetragrammaton and transcribes it as ΑΔΟΝΕ. The ΑΔΟΝ Α of lines 4–5 must thus be regarded as an abbrevia-

Lešonenu 69 (2007): 263–70 [Hebrew]; English summary in p. IV. We are obliged to Prof. Moshe Bar Asher who drew our attention to the last of these articles.

80 See M. Black, *Apocalypsis Henochi Graece* (Leiden: Brill, 1970), 24.

81 For this reference we are grateful to M. Weigold.

82 Transcription according to the drawing in Kaplan, "A Samaritan Church," 79.

83 Sappir, "Linguistic Phenomena," IV.

84 J.-B. Frey, *Corpus Inscriptionum Iudaicarum,* vol. 1: *Europe* (Rome: Pontifical Institute, 1936), 19–20, inscription no. 21.

85 See M. Bar Asher, "The Verse 'Shema Israel' in a Greek transliteration," 6–7, who suggests that this monophthongization probably occurred in the Greek.

86 See D. Rosenthal, "Gat Shemanim, Gad Shemanim, Gad Yavan," *Cathedra* 64 (1993): 3, no. 6 [Hebrew].

87 Frey, *Corpus Inscriptionum Iudaicarum*, 490.

tion. For reasons of space constraints, the scribe represented the last word of the Shema', אחד, only with the character A. Like the Hebrew א, the Greek A can designate the numerical value one. The scribe understood the last words of the amulet and hence of the Shema' in a monotheistic way as "God is one." In this monotheistic understanding of the Shema' the Halbturn amulet stands in an interpretive tradition of Deut 6:4 which is first attested in Greek Jewish literature but which found later rabbinic expressions as well (see above).

2.4. Is the Halbturn Amulet Jewish?

Although appeals to the Jewish God by non-Jews can be found in various "magical" documents, it seems that "Iao was incorporated into the 'pagan' pantheon" and not treated as a unitary monotheistic deity. G. Bohak thus came to the conclusion that "having examined the political, religious, and social spheres, we found little evidence for the supposed impact of Jewish monotheism on the Greco-Roman world."[88] Nevertheless, as Bohak himself noted, the quotation of prayers and significant Jewish phrases is a relatively rare phenomenon, and attested occurrences tend to consist of only isolated words or expressions, the longest of which is the formula "Barouch (Aththa) Adônai" as a transcription of ברוך [אתה] אדוני.[89]

The above study thus makes it very probable that the Halbturn amulet is of Jewish origin, in the sense that it was produced by a Jewish magician. Several factors support this view. The use of Deut 6:4 alone makes the amulet exceptional among the Jewish and non-Jewish amulets of its time: non-Jewish amulets which employed quotations from Jewish scriptures always accompanied them with other magic formulae and symbols. Jewish amulets and magic bowls, too, never used Deut 6:4 alone. An amulet was supposed to protect its bearer from demonic powers among other things. To engrave Deut 6:4, i. e. the Shema' Israel, and nothing else onto such an apotropaic device was likely only acceptable to a Jew. A Jew encountered the apotrapaic power of the Shema' Israel on a daily basis by way of the *mezuzot*. Furthermore, as rabbinic sources hint, non-Jews may have lacked an understanding of the protective powers of a *mezuzah* and in consequence also of the Shema' (see our discussion of *yPe'ah* 1:1 [15d] above). The Jewish origin of the Halbturn amulet is also indicated by its monotheistic reading of Deut 6:4, which fits well into the overall under-

88 G. Bohak, "The Impact of Jewish Monotheism on the Greco-Roman World," *JSQ* 7 (2000): 1–21.

89 Kotansky, *Greek Magical Amulets*, 7–8; cf. G. Bohak, "A Jewish Myth in Pagan Magic in Antiquity," in *Myth in Judaism: History, Thought, Literature* (eds. I. Gruenwald and M. Idel; Jerusalem: The Zalman Shazar Center for Jewish History, 2004), 101 [Hebrew]; G. Bohak, "Hebrew, Hebrew Everywhere? Notes on the Interpretation of *Voces Magicae*," in *Prayers, Magic, and the Stars in the Ancient and late Antique World* (eds. S. Noegel, J. Walker, and B. Wheeler; Magic in History 8; University Park: Pennsylvania State University Press, 2003), 69–82.

standing of the Shema' in ancient and late ancient Judaism. This would be rather unusual if a polytheistic magician had produced the amulet.

Because no other Jewish objects were found in grave 147 of the Halbturn necropolis, it remains uncertain though whether the grave was Jewish. The paleographic date of the amulet and the date of the grave are relatively close to each other. Hopefully, when the Roman villa from Halbturn itself is excavated, we will have more evidence for answering the question of the religious and ethnic identity of the child buried in grave 147.

3. The Jewish Diaspora of the Roman Province Pannonia

What remains to be asked is why a Jewish amulet or perhaps even a Jewish grave existed in the 3rd cent C. E. in the Roman province of Pannonia Superior. An answer to this question could be provided by other Jewish remains from Roman Pannonia.

The province of Pannonia was established in 9 C. E. In 106 C. E. it was divided into Pannonia Inferior and Superior. The evidence for Jewish presence in this Roman province was collected in two important studies. In the first study, Jewish inscriptions from Pannonia are discussed.[90] All of them were found along the Danube frontier, i. e. in today's Hungary. In this book five Jewish inscriptions from Pannonia were collected: Two tomb inscriptions with *menorot* were found in Solva (Esztergom), northwest of Aquincum, and in Aquincum itself. The first epitaph is dated to the 3rd century C. E., and the second to the late 4th century C. E. In Intercisa, south of Aquincum, a synagogue inscription from 233–35 C. E. was found. In Siklos, further to the south, an epitaph dated to the 2nd–3rd century C. E. was found. The last Jewish inscription from Pannonia is a synagogue inscription from Mursa (Osijek; south of Siklos), which is dated to 198–210 C. E. All five inscriptions are written in Latin.

The other study that collected evidence of Jewish presence in the northern provinces was written after a ring with a *menorah* was found in Kaiseraugst (Switzerland).[91] In this study, all evidence that might point to Jewish presence in those provinces was collected, including coins from Judea found in the northern provinces. Some of these Jewish coins were even found in Carnuntum – the capital of Pannonia Superior – as well as other sites in Austria.[92] This numismatic evidence is important because it could prove that Jews were

90 D. Noy, A. Panayotov, and H. Bloedhorn (eds.), *Inscriptiones Judaicae Orientis*, vol. 1: *Eastern Europe* (Texts and Studies in Ancient Judaism 101; Tübingen: Mohr Siebeck, 2004), 1–19.

91 L. Berger, *Der Menora-Ring von Kaiseraugst: Jüdische Zeugnisse römischer Zeit zwischen Britannien und Pannonien / The Kaiseraugst Menorah Ring: Jewish Evidence from Roman Period in the Northern Provinces* (Forschungen in Augst 36; Augst: Römerstadt Augusta Raurica, 2005).

92 *Ibid.*, 134–35.

present in Carnuntum since the end of the first century C. E. One might suppose that Jewish prisoners were brought from Judea to Carnuntum after the First Jewish Revolt, since the *Legio XV Apollinaris*, which was stationed in Carnuntum, had been deployed in Judea between 66 and 70 C. E. Jews were present in Roman Pannonia ever since.

Ritual Impurity in Tannaitic Literature: Two Opposing Perspectives*

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Abstract

This paper examines the rabbinic concept of impurity in terms of the essence of the reality that this term implies. Did the Rabbis consider impurity to be a force of nature, or rather an abstract formalistic structure devoid of any actual existence? A review of rabbinic sources regarding corpse impurity reveals that the essential structures of tannaitic halakhah are grounded in a natural, immanent perception of impurity, which gave rise to an entire system, intricate and coherent, of "natural laws of impurity."

Layered onto this system, as a secondary stratum of sorts comprising exceptions and "addenda," is a more subtle halakhic tapestry woven from a diametrically opposed perception. This view subjects the concept of impurity to human awareness and intention, severing it from reality and, in so doing, also stripping it of its "natural" substance.

"Natural" versus "Abstract" Impurity

Any examination of the concept of impurity, regardless of cultural context, poses a fundamental problem with respect to the essence of the reality that this term implies. The most basic question is whether impurity is seen as an entity that exists – a force of nature, if you will – or as an abstract formalistic structure devoid of actual existence. Are the directives that regulate human behavior with respect to ritual impurity required by elements that exist in nature, or do they represent the imposition of new norms on a reality that does not require them? Resolving this primal question is a prerequisite for a more complex investigation. If we assume that in the culture under discussion, impurity is perceived as a natural entity, we can formulate its actual qualities and the norms by which it operates, and assess it as a force within this culture's image of the cosmos. Conversely, if we are speaking merely of an abstract construct that does not denote a reality of any sort, we must ask if it carries symbolic meaning; in other words, is it a metaphor for something outside itself, for instance, other forces in the world or in the nature of man? Or could it be nothing more than an arbitrary system lacking content but serving a functional religious or social purpose – a demand for religious obedience, protection of the sacred, or the creation of a social hierarchy? Obviously, these possibilities commonly represent continuous processes that take place over time

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in a particular culture. In general, the assumption is that abstract constructs are simply later manifestations of naturalistic concepts that were stripped of their content over the course of time. These problems have been discussed at length in the anthropological research on diverse models of purity and impurity across cultures.[1]

Questions of this type have arisen, in various formulations, also with respect to the ritual impurity described in the biblical texts,[2] from the commentaries of the Second Temple era and rabbinic literature to the medieval Jewish

1 See Mary Douglas's review of earlier research, and her forceful negation of the evolutionary theories that originated in the 19th century. These theories in the fields of anthropology and comparative religion drew a sharp distinction between religion and magic, and between primitive and modern cultures. They saw the concepts of pollution and impurity as mechanical, irrational systems, whose purpose was to protect against supernatural dangers – a perception that characterizes the primitive stage of religious development, before mankind progressed to the inner and the spiritual. By contrast, Douglas argues that meaning and ethics are not absent from primitive ritual, just as ceremonial-symbolic concepts of defilement are not absent from modern cultural codes. Stated otherwise, the distinction between impurity as a manifestation of reality, and impurity as a symbol of abstract values, is not analogous to the distinction between primitive and modern, nor does it represent distinct stages in the evolution of religion. M. Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (New York: Praeger, 1966), primarily 7–28. For the theory pioneered by Douglas herself, which defines impurity as an expression of anomaly, a crossing of boundaries, a breaching of accepted categories, see *ibid*., mainly 34–40 and throughout this work; and see further below.

2 Biblical criticism was also influenced from the outset, at least in part, by contemporary anthropological theory. On the "confused nineteenth century dialogue between anthropology and theology", see Douglas, *Purity and Danger*, 11–19. Regarding the reluctance to apply anthropological theories to the Bible and to Judaism in general, its causes, and the breaching of this barrier in the latter half of the 20th century, see the comprehensive overview of H. Eilberg-Schwartz, *The Savage in Judaism: An Anthropology of Israelite Religion and Ancient Judaism* (Bloomington: Indiana University Press, 1990), 1–86. The most significant encounter between biblical criticism and anthropology took place in the final third of the 20th century, with the publication of Douglas's book (*Purity and Danger*), which revolutionized the scholarly discourse on ritual impurity in general, and biblical impurity in particular. Douglas attempted to apply anthropological insights to the biblical system of purity and impurity, in particular the dietary laws in the Book of Leviticus. See the impassioned response of E. P. Sanders, *Jewish Law from Jesus to the Mishna: Five Studies* (London: SCM Press, 1990), 349–50, n. 16. Frequently basing himself on Douglas, Eilberg-Schwartz expanded the latter's system in various directions (Eilberg-Schwartz, *ibid*., 186, 195, 192–204). For summaries and assessments of Douglas's work, see J. Klawans, *Impurity and Sin in Ancient Judaism* (New York: Oxford University Press, 2000), 165, n. 23. For critical reviews of her work, see *ibid*., 166, n. 33. See also the introduction to the Hebrew edition of *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (trans. Y. Sela; Tel Aviv: Resling, 2004) by A. Levy, pp. 18–22, and the critical retrospective review by Douglas herself in the "Author's Introduction" to this edition, pp. 10–13. During the 1990s, Douglas revisited many of her conclusions in *Purity and Danger*. Her later articles were compiled in two volumes, on the Books of Leviticus and Numbers, respectively: M. Douglas, *Leviticus as Literature* (Oxford / New York: Oxford University Press, 1999); *eadem*, *In the Wilderness: The Doctrine of Defilement in the Book of Numbers* (Oxford: Oxford University Press, 2001). It is fascinating to see how, from the all-encompassing perspective of *Purity and Danger*, which saw the Bible as one example among many of ritual impurity, Douglas ultimately came to the opposite con-

commentators and thinkers, and still later, to the modern literature of biblical study. From Philo of Alexandria to contemporary scholars, a multitude of approaches to understanding the formative concept of purity and impurity in biblical writings have been proposed, with the numerous explanations reflecting the prevailing circumstances, the accepted norms, and the sentiments of their authors no less than they do the world of the Bible.[3] These approaches can be classified according to their underlying perception of impurity, with regard to the question posed at the beginning of this paper. Some of them derive from the naturalistic perception of impurity as an entity, explaining it variously as a reflection of demonic worlds,[4] an expression of death with

clusion, namely, that biblical Israelite impurity represented a unique, detailed, and rational body of religious legislation that conflicted with other systems of impurity.

3 For discussions in antiquity, see for example: *Letter of Aristeas*, ss. 142–69; Philo, VII, *Spec. Laws, Books I–III* (Colson, LCL), 1:259–69; 3:205–09. On discussions in the Middle Ages concerning the rationale for impurity, see for example: R. Judah Halevi, *The Kuzari* (trans. N. D. Korobkin; Northvale, N. J.: Jason Aronson, 1998), 2:60–61; and Maimonides, *The Guide for the Perplexed* (trans. M. Friedländer; New York: Dover Publications, 1956), part III, chap. 47, 366–70. The following is a brief selection of discussions and reviews of modern literature on the subject of biblical impurity, its characteristics and its rationale: D. Z. Hoffmann, *Leviticus with a Commentary by David Hoffman* (trans. Z. Har Shefer and A. Lieberman; Jerusalem: Mossad Harav Kook, 1953–54), 1:212–15 (Hebrew), which contains a review of earlier literature, p. 223; A. Oppenheimer, *The 'Am Ha-aretz: A Study in the Social History of the Jewish People in the Hellenistic-Roman Period* (Leiden: Brill, 1977), 52, n. 99; J. Neusner, *The Idea of Purity in Ancient Judaism* (SJLA 1; Leiden: Brill, 1973), 18–27. For earlier literature, see: *ibid*., 18, n. 1; T. Frymer-Kensky, "Pollution, Purification and Purgation in Biblical Israel," in *The Word of the Lord Shall Go Forth: Essays in Honor of David Noel Freedman in Celebration of His Sixtieth Birthday* (eds. C. L. Meyers and M. O'Connor; Winona Lake, Ind.: Eisenbrauns, 1983), 399–404; Sanders, *Jewish Law*, 134–51. See also the exhaustive survey by J. Milgrom, *Leviticus: A New Translation with Introduction and Commentary* (AB 3; New York: Doubleday, 1991), 766–68, 1000–04, and the extensive literature summarized there. See further, D. P. Wright, "The Spectrum of Priestly Impurity," in *Priesthood and Cult in Ancient Israel* (eds. G. A. Anderson and S. M. Olyan; JSOTSup 125; Sheffield: JSOT Press, 1991), 150–81; H. K. Harrington, *The Impurity Systems of Qumran and the Rabbis: Biblical Foundations* (SBL Dissertation Series 143: Atlanta: Scholars Press, 1993), the Introduction and comments before each chapter. For a useful current review, see also Klawans, *Impurity and Sin*, 24–25. A comprehensive listing of works on the subjects of purity and impurity in Judaism in general is presented in his notes: *ibid*., 163, n. 1; 164, n. 6; 166–67, n. 53.

4 The origin of impurity in various primitive cultures from the demonic perspective has been described extensively in anthropological research and documented in the study of the ancient Near East. For a partial review, see Douglas, *Purity and Danger*, 27–28, 33–53, and her critique of this approach later in the same work. For examples of demonic impurity in the ancient Near East, see Y. Kaufmann, *Toldot ha-Emunah ha-Yisre'elit Mimei Kedem 'ad Sof Bayit Sheni* (4th ed.; Jerusalem and Tel Aviv: Mossad Bialik/Dvir, 1960), 1:403–08 (Hebrew). For an abridged English translation, see *idem*, *The Religion of Israel: From its Beginnings to the Babylonian Exile* (trans. and abr. M. Greenberg; Chicago: University of Chicago Press, 1960), 55–57. See also Milgrom, *Leviticus*, 256–59, 976, 979. B. A. Levine surveyed the cult of the dead in the ancient Near East, and what he interprets as vestiges of it in Scripture itself; see B. A. Levine, *Numbers: A New Translation with Introduction and Commentary* (AB 4; Garden City: Doubleday, 1993–2000), 472–79. The assumption that the laws of impurity originated in magic and the demonic was a key element in Kaufmann's understanding of biblical impurity. Kaufmann (*Toldot ha-*

all that it entails,[5] or a "side effect" of transition states and human crises.[6] A second approach, meanwhile, proposes a symbolic interpretation that views ritual impurity as a reflection of moral values of sin and expiation.[7] And yet

Emunah, 468–77, 537–51; *Religion of Israel*, 80–81, 103–08) following W. Robertson Smith, saw in the details of biblical ritual, including the laws of purity and impurity, ancient vestiges of primitive magic that had been usurped by the new religious idea of the Scripture. Since the latter argued that the world was ruled by one God, it renounced the world of demons and stripped the cult of any mythological-magical foundation. Scriptural legislation accepted (according to its perspective) the existence of impurity as an actual essence that is present in objects, but neutralized any danger that it might pose to God or even man, transforming it from a force into a condition. In contrast to this approach, Levine argues that magical practices were still a part of the ancient Israelite cult, and that the state of impurity is the embodiment of the forces of darkness and a source of genuine danger in Scripture as well. See B. A. Levine, *In the Presence of the Lord: A Study of Cult and Some Cultic Terms in Ancient Israel* (SJLA 5; Leiden: Brill, 1974), 77–91. See also Neusner, *Idea of Purity*, 8–11. For a similar perspective, see now I. Knohl, *Biblical Beliefs: Limits of the Scriptural Revolution* (Jerusalem: Magnes Press, 2007) (Hebrew). Milgrom has taken the basic outlines of the "monotheistic revolution" posited by Kaufmann a step further, with certain changes, offering a thorough and sophisticated interpretation of cultic law in Leviticus. In his view, impurity indeed ceased to embody external metaphysical forces, instead becoming an expression of human existential weakness and moral transgression. Severed from the demonic, it was reinterpreted as a symbolic system focused on affirmation of life and rejection of death (see in particular Milgrom, *Leviticus*, 42–45, 258–61, 276–78, 310–13, 976–85, 1002–03). For a critique of various aspects of his approach, see the literature cited in Klawans, *Impurity and Sin*, 168, n. 77.

5 Numerous commentators and scholars have identified impurity cognitively with the opposition between life and death. An argument of this nature is already offered by Philo as a pretext for corpse impurity (Philo, *Laws*, 3:207). See also R. Judah Halevi, *Kuzari*. For this approach as presented in modern scholarship, see the views cited by Hoffmann (*Leviticus*, 217) and his own counterarguments. A wealth of literature in this vein from the fields of both biblical criticism and anthropology can be found in Milgrom, *Leviticus*, 766–68, 1000–04. Milgrom's own position is not far from this. Although in his view the Jewish faith dissociated the fear of demons and the aspect of danger from impurity, he nonetheless holds that impurity also represents man's physical weakness. The loss of blood and seed (representing the life force), like the presence of disease and death, constitute the opposite of the God of Israel, who is the source of life. See also J. Neusner, *Purity in Rabbinic Judaism, a Systemic Account: The Sources, Media, Effects, and Removal of Uncleanness* (SFSHJ 95; Atlanta: Scholars Press, 1994), 34; Eilberg-Schwartz, *Savage in Judaism*, 182–86; and Frymer-Kensky, "Pollution," 400–01, though her perspective is somewhat different, in that she merges the argument for impurity as representing the extremes of life (birth and death) with Douglas's early theory of bodily boundaries. Douglas herself, in her later work, drew closer to the life/death interpretation of impurity (Douglas, *In the Wilderness*, 24).

6 See Henninger's position, cited by Milgrom (*Leviticus*, 768), and his own arguments against his approach. For a similar view of impurity as characteristic of transition states, see also Sanders, *Jewish Law*, 146.

7 See as early as the *Letter of Aristeas*, and Philo. Among the dominant proponents of this approach in modern Jewish interpretation is R. David Zvi Hoffmann, in the wake of R. Samson Raphael Hirsch. Hoffmann proposed a detailed system of parallels between the various categories of ritual impurity and the different categories of sin that they symbolize (Hoffmann, *Leviticus*, 217–23). See also Neusner, *Idea of Purity*, 7–28. D. P. Wright formulated an interesting parallel between the schema of ritual impurity in its different phases and the ranking of moral transgressions and their ramifications (Wright, "Spectrum"). Klawan's work *Impurity and Sin* (21–42) is a monograph devoted to the relationship between moral impurity

a third approach, at the opposite end of the spectrum, represents an absolute reduction of biblical impurity, interpreting it instrumentally as a system that lacks actual existence or inner content but that serves certain social needs, whether religious or secular, such as hygiene,[8] esthetics,[9] reinforcing the sacredness of the Temple[10] or the distinctiveness of the Jewish people,[11] strengthening the status of the priesthood, or disputing pagan concepts of holiness.[12]

In shaping the halakhah, the sages obviously grappled with the same theological-philosophical question, as they sought to interpret and apply the biblical laws of purity and impurity. Such an interpretation, if only at the practical level, necessarily reflected the views of its proponents with respect to the nature and meaning of these concepts. Rulings regarding the nature of impurity presumably had major implications, both for those who decided and those who upheld the halakhah. A detailed depiction of actual, immanent impurity was liable to create dangerous breaches in the religious world, opening the way to a demonic, semi-pagan, universe;[13] yet the choice of reduction, symbolization or dilution of the concept of impurity could strip the intricate and demanding system of laws of ritual purity, which had dominated religious life for centuries, of all spiritual or religious meaning.[14] This article will attempt to

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and ritual impurity in Scripture and in ancient Jewish literature. The author argues that there is a clear biblical distinction between these two types of impurity. For a detailed survey of the approaches of various scholars regarding the connection between ritual impurity and sin, see *ibid*., 4–20.

8 For an enumeration of the literature in all these areas, see Milgrom's review, *Leviticus*, 766. Regarding the hygienic-health explanation, see also Douglas's survey – and her derisive response – in *Purity and Danger*, 55–58.

9 Maimonides was not at all uncomfortable using this reductive rationale for impurity: "All these cases of uncleanliness, viz., running issue of males or females, menstruations, leprosy, dead bodies of human beings, carcasses of beasts and creeping things, and issue of semen, are sources of dirt and filth" (*Guide*, Friedländer trans., 368).

10 This explanation was also emphasized by Maimonides: *ibid*., 367–68.

11 See for example Neusner, *Purity in Rabbinic Judaism*, 33–34. See also Douglas, *Purity and Danger*, 73–74.

12 For the view that biblical impurity represents not a reduction of pagan impurity but a negation of pagan sanctity, see in particular Levine, *Numbers*, 468–79. For similar perspectives, see Neusner, *Idea of Purity*, 24; J. Licht, *Commentary on the Book of Numbers 2 [11–21]* (Jerusalem: Magnes Press, 1991), 176 (Hebrew); Frymer-Kensky, "Pollution," 400, quoting D. Wold.

13 In the aggada cited in the following section, this fear is openly expressed. The dissociation of impurity from its internal meaning by R. Yohanan ben Zakkai is presented as the opposite of the gentile's accusation, which sees purity and impurity as acts of magic.

14 On the antiquity of the laws of impurity, and their predominance in the early layers of the Mishnah, see for example G. Alon, "The Bounds of the Laws of Levitical Cleanness," in *Jews, Judaism and the Classical World: Studies in Jewish History in the Times of the Second Temple and Talmud* (trans. I. Abrahams; Jerusalem: Magnes Press, 1977), 190–234; Y. Sussmann, "The History of Halakha and the Dead Sea Scrolls: Preliminary Observations on Miqsat Ma`ase Ha-Torah (4QMMT)," *Tarbiz* 59 (1990): 11–76 (Hebrew); V. Noam, "The Dual Strategy of Rabbinic Purity Legislation" *JSJ* 39 (2008): 471–512; J. Neusner, *The Rabbinic Traditions About the Pharisees Before 70* (vols. 1–3; Leiden: Brill, 1971), 286–300, 301–

explore the rabbinic stance with regard to our original question, and to offer an overview of corpse impurity – the central and most stringent of the forms of ritual impurity – as it emerges from key aspects of tannaitic halakhah.

"The Corpse Does Not Defile"

In an article devoted to the philosophy of halakhah, Yochanan Silman proposed a distinction between two basic trends in halakhah – nominalism and realism:

[The nominalist trend favors] reducing … the significance of the forms [i.e., the halakhic characterizations of certain objects in reality – VN] to the normative-legalistic level, in other words, focusing the halakic definitions on the plane where the human factor constitutes a formative element. Accordingly, the application of the form [the halakhic definition – VN] to the structure [the reality to which it is applied – VN], like the connection between form and structure in the concrete model, derives its basic meaning from man's relation to what is "proper," to norms of behavior – that is, positive and negative injunctions whose focus is human actions.

Whereas, according to the realist trend:

The fundamental meaning of the forms is not based specifically on the presence of a human polarity. Their meaning is anchored in the plane of existence, in the sense of the qualities directly attributed to the structures, that is, concrete objects in the world.[15]

19; *idem*, "The Fellowship in the Second Jewish Commonwealth," *HTR* 53 (1960): 125–42; M. Hengel and R. Deines, "E. P. Sanders' 'Common Judaism,' Jesus and the Pharisees," *JTS* 46 (1995): 47–51; E. Regev, "Non-Priestly Purity and its Religious Aspects According to Historical Sources and Archaeological Findings," in *Purity and Holiness: The Heritage of Leviticus* (eds. M. Poorthuis and J. Schwartz; JCPS 2; Leiden: Brill, 2000), 223–44.

15 Y. Silman, "Halakhic Determinations of a Nominalistic and Realistic Nature: Legal and Philosophical Considerations," *Diné Yisrael* 12 (1984/1985): 249–66 (Hebrew); quotation, 250. See also M. Silberg's remarks, cited by Silman, in *ibid*., 251–52. Silman proposed additional distinctions not unlike this one, between an "existential trend" and a "directive trend" (Silman, "Commandments and Transgressions: Matters of Obedience or Intrinsic Quality," *Diné Yisrael* 16 [1991/1992]: 183–201) (Hebrew), and between an ontological and a deontological position (*idem*, "The Significance of the Relation between Intention and Behavior in Halakha," in *Studies in Jewish Law and Halakha* [eds. A. Enker and S. Deutsch; Ramat Gan: Bar Ilan University, 1999], 263–77) (Hebrew). More recently, he has drawn a distinction between a "directive approach" and an "instructive approach" – a distinction somewhat different from the one under discussion, yet applicable to both approaches to understanding the text of the red heifer. See below: *idem*, "Source of the Validity of Halakhic Directives: A Meta-Halakhic Study," in *New Streams in the Philosophy of Halakha* (eds. A. Ravitzky and A. Rosenak; Jerusalem: Magnes Press, 2008), 3–25 (Hebrew). An early dichotomous theory with similarities to the distinction between nominalism and realism is already posited by Kaufmann (*Toldot ha-Emunah*, 537; *Religion of Israel*, 103), who distinguishes between a "decree" and an "inner significance." For both these approaches as reflected in the context of unintentional sin (שגגה) and its punishment, see A. Edrei, "'If Anyone Shall Sin through Error': On the Culpability of the Unwilling Transgressor in Biblical and Rabbinic Literature," *Hebrew Annual of Jewish Law* 24 (2006/2007): 1–62 (Hebrew).

The question posed above, concerning the nature of the concept of impurity, belongs unequivocally to the debate between the realistic and the nominalistic,[16] the terms that we will be using in our discussion below.[17]

There is a common tendency in the scholarly literature to ascribe to the tannaim a bold reduction of impurity that divests this biblical concept of all meaning, subjects it to human considerations, and portrays it as an abstract construct, fashioned solely by virtue of a set of directives.[18] This perception is influenced by the ostensibly rational nature of rabbinic halakhah,[19] by its tendency to minimize the practical ramifications of impurity,[20] and by a number of decidedly nominalistic elements woven into the tannaitic laws of purity.[21] It is quite possible that this accepted wisdom is unwittingly influenced by medieval thinkers as well, in particular Maimonides.[22] But the central source on

16 The source dealing with corpse impurity and the red heifer purification ritual, which will be cited below, is used by Silman to illustrate the nominalistic approach.

17 Though other terms, such as "immanent," "natural," "ontic," and the like will also be mentioned.

18 As suggested in E. E. Urbach, *The Sages: Their Concepts and Beliefs* (trans. I. Abrahams; Cambridge: Harvard University Press, 1987), 98–100. See also *ibid*., 377–81). Neusner emphasized the development of the notion of human intent and action in the Mishnah as a formative element of the laws of purity, associating it with the generation of Yavneh (as we will see below, this element is prominent in much earlier layers of halakhah). See J. Neusner, *The Mishnaic System of Uncleanness: Its Context and History* (vol. 22 of *A History of the Mishnaic Law of Purities*; Leiden: Brill, 1974–77), 182, 186–89. It appears that Milgrom, too (*Leviticus*, 1006), did not question Neusner's conclusion that in the rabbinic approach, "the mysterious, supernatural force of contamination … is subjected to human manipulation" (Neusner, *ibid*., 186); but according to Milgrom, this distinction held also with regard to biblical impurity (Milgrom, *ibid*., 1006). Sanders (*Jewish Law*, 317) derided Neusner's impassioned argument regarding the centrality of intent, remarking that human intent and action are central to any legal system. Eilberg-Schwartz as well (*Savage in Judaism*, 196–216) attributed the major differences between biblical impurity and post-biblical impurity in various Jewish circles (Qumran, tannaim, early Christians) specifically to this element. According to him, biblical impurity involves objective states where human control is absent, whereas later impurity is dependent on human intent and will. In his view, the transition from legislation by priests in a society based on lineage, to guidance by leaders and sages in a society founded on personal achievement, led to a new, volitional type of impurity. An important debate between D. R. Schwartz and J. L. Rubenstein on the centrality of the nominalist trend in tannaitic as compared with Qumranic halakhah will be addressed in detail toward the end of this paper.

19 See Y. Sussmann, "The Scholarly Oeuvre of Professor Ephraim Elimelech Urbach," in *Ephraim Elimelech Urbach: A Bio-bibliography* (ed. D. Assaf; Jerusalem: World Union of Jewish Studies, 1993), 106, n. 248 (Hebrew) on "the presentation of talmudic-rabbinic Judaism in a rationalistic, extreme, distorted light" by both G. Scholem and E. E. Urbach, from two opposing academic perspectives. See also *ibid*., 73–74, n. 148; 77–78, n. 151.

20 There is a consensus among scholars regarding this tendency. See for example Alon, "Levitical Cleanness." For a fresh discussion and review of the research, see now my article "Dual Strategy."

21 These elements will be discussed in detail below.

22 On Maimonides' supremely rationalistic method of explaining impurity, see nn. 9–10 above. For the way in which his influential philosophy led to a mistaken and anachronistic interpretation of rabbinic opinions in other areas, see Y. Sussmann, "Taking the Concept of 'Oral Torah' Literally – The Power of the Jot and Tittle," *Mehqerei Talmud* III (eds. Y. Suss-

which this distinction rests is the well-known aggadic midrash on the mysterious nature of the red heifer:

> And a non-Jew asked R. Yohanan ben Zakkai saying to him: "These things that you do seem like witchcraft. You bring a cow and you slaughter it and you burn it and you crush it and you take its ash, and if one of you becomes impure from a corpse, you sprinkle on him two or three drops [of the ash mixed with water] and say to him: 'Ah, now you are pure.'"
>
> So R. Yohanan said to him: "Has the spirit of madness never entered you?" and he answered: "No, never." "And have you never seen anyone else who has had the spirit of madness enter into him?" And he said: "Yes." And he said to him: "And what do you do?" And he said: "Roots are brought, they are burned to smoke beneath him, and water is sprinkled on the spirit until it flees." And he said to him: "Do your ears not hear what your mouth is saying? This spirit is the spirit of impurity, as it is written, *I will cause* [*false*] *prophets and the spirit of impurity to flee from the Land*" (Zech 13:2).
>
> Once the person had left, his disciples said to him: "Master, you pushed him off with a mere reed [a weak answer]. What explanation will you offer us?" R. Yohanan replied: "By your life! The corpse does not defile nor does the water purify. It is simply a decree of the Holy One, blessed be He. Said the Holy One, blessed be He: 'I have ordained a statute, I have issued a decree, and you may not transgress My decree. *This is the statute of the Torah* (Num 19:2)."[23]

In the words of E. E. Urbach, this homily teaches us that "a corpse defiles, for this is the halakhic rule, but this uncleanness is not an independent power, nor has the water any magical force; however, it is a precept, and by virtue of the precept, the corpse defiles and the water purifies."[24] The assumption that purity and impurity have an actual existence is classified as an inferior position befitting only a non-Jew. Note that the homily rejects two versions that lend substance to impurity. Not only is the argumentative position of the non-Jew (which defines impurity and the red heifer ritual as magic) rejected, but the view expressed by R. Yohanan ben Zakkai to the non-Jew (which interprets purity and impurity as a type of illness and remedy, in other words, as a representation of forces in reality) is similarly rebuffed. Stated otherwise, the homily also rejects a "natural," rational explanation for impurity. The narrator believes that any concretization of the system of purity and impurity – not only in its magical form but even in a refined, pseudo-scientific version – fails to grasp the religious truth.[25]

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mann and D. Rosenthal; Jerusalem: Magnes Press, 2005), 1.231–36 and n. 30a (Hebrew); Y. Lorberbaum, *In the Image of God: Halakha and Aggada* (Jerusalem: n. p., 2004), 27–82, in particular 77–78 (Hebrew).

23 *Pesiqta de-Rav Kahana*, 4:7. In *Pesikta de-Rab Kahana* (trans. W. G. Braude and I. J. Kapstein; Philadelphia: Jewish Publication Society, 1975) 82–83, trans. revised.

24 Urbach, *The Sages*, 99. G. Scholem as well (*On the Kabbalah and Its Symbolism* [trans. R. Manheim; New York: Schocken, 1977], 95) considered this homily a classic example of the severing of rabbinic halakhah from its emotional roots and from the mythical sphere. For a view of this midrash as the distillation of the rabbinic attitude toward impurity as a whole, see Neusner, *Idea of Purity*, 115.

25 Y. Baer, in his *Israel Among the Nations: History of the Second Temple and Mishnaic Periods, and Foundations of Jewish Law and Faith* (Jerusalem: Bialik Institute, 1955), 110–12 (He-

This homily, however, though it centers around R. Yohanan ben Zakkai, is found only in later sources.[26] It has no tannaitic parallel.[27] Another aggada in a similar vein, also apparently amoraic in origin, enumerates several paradoxical laws of impurity regarding, *inter alia*, corpse impurity and the red heifer, explaining their unusual nature with the statement: "Who has done so? Who has commanded so? Who has decreed so? Is it not the One? Is it not the Unique One of the world? … For the Holy One blessed be He said: I have ordained a statute, I have issued a decree, and you may not transgress My decree."[28] We will attempt to clarify below the position of tannaitic literature on this point, specifically from within halakhah as opposed to aggada.[29]

Realistic Impurity in Tannaitic Teaching

A groundbreaking aspect of Neusner's work on the mishnaic order of *Tohorot* was the recognition that the ostensibly technical question of how impurity spreads between people and objects, and from one space to another, is key to identifying basic ontological and theological perspectives of the tannaim with

brew) utterly rejected this conclusion. In his view, "the second answer, too, was an evasive one, intended solely to silence those who were knowledgeable [in mysticism]" (*ibid*., 111). In his view, R. Yohanan ben Zakkai, who was a "mystic and pneumatic … in personality and belief," also knew several mythical-mystical reasons for the law of burning the red heifer, but did not wish to explain them.

26 In most of the parallel versions, the midrash is not attributed to a particular sage; only a single source ascribes it to a Palestinian amora. See Urbach, *Sages*, 849, n. 31.

27 Regarding the absence of an explicit tannaitic position echoing this homily, see Urbach, *ibid*., 377–78. Urbach suggests that the narrative was attributed to R. Yohanan ben Zakkai in light of tannaitic sources associating him with the laws of the red heifer; however, he does not negate the possibility that the account was composed in the time of R. Yohanan ben Zakkai, or that the words indeed issued from him directly (*ibid*., and also p. 100). Milgrom as well (*Leviticus*, 271) attributes the homily to "early Jewish scholars," while Scholem (*On Kabbalah*) calls it a "talmudic fable." Neusner (*Idea of Purity*, 105–07) stresses the lateness of the source, identifying the content of the account with the latest conception of impurity in tannaitic literature. At the same time, he refers, with some hesitation, to a similarity between the functional manner in which R. Yohanan ben Zakkai interpreted the decree regarding impurity of the hands (*m. Yad*. 4:6) and the reductive interpretation of the red heifer ritual. He also alludes to the possibility that the attribution to R. Yohanan ben Zakkai is nonetheless correct, and that the unique personality of this sage produced an exceptional worldview, which was well ahead of his time. Rubenstein reiterates the lateness of this text and the absence of tannaitic parallels; see J. L. Rubenstein, "Nominalism and Realism in Qumranic and Rabbinic Law: A Reassessment," *DSD* 6 (1999): 183.

28 *Pesiqta de Rav Kahana*, piska 4, trans. Braude and Kapstein, 59–60.

29 Regarding the necessity of studying tannaitic thought from within halakhah as well, and the affinity between aggada and halakhah, see Urbach, *The Sages*, 3. For a detailed description of this approach, see also Sussmann, "Oeuvre of Urbach," 64, 75, 88, 91–92. For a thorough review of the history of the research on the nexus between halakhah and aggada, and the application of both to the study of rabbinic thought, see recently Lorberbaum, *Image of God*, 105–45.

regard to the essence of impurity.[30] We will be following this approach, though our conclusion will be somewhat different, especially with regard to the chronology of the different strata of rabbinic legislation.

Is the notion of impurity that arises from the halakhic system nothing more than an abstraction formulated on the basis of given rules, and hence not a reflection of reality? As we will see below, the opposite is true: An unambiguous portrait of impurity as a real phenomenon emerges from tannaitic halakhah. What is more, I would submit that the guiding principle of the laws of *Ohalot* is actually the persistent attempt to formulate a coherent set of "natural laws of impurity," at times in direct opposition to the simple meaning of Scripture. Tannaitic halakhah sees impurity as an entity in nature with quasi-physical characteristics of movement, dissemination, flow, and so forth. We will be attempting below to present a broad outline of impurity as implied in the strictures set down by the sages regarding its modes of influence.

Definition of "Tent"

The scriptural text indicates that corpse impurity is transmitted through direct contact or as the result of proximity with the deceased in a "tent" (Num 19:14–16, 18, 22). But this leaves many questions unanswered: What constitutes a tent? How do we explain the phenomenon of impurity being conveyed through the air without contact? How does it contaminate? And why is it delimited by the covered space within which it occurs? Under what conditions does it extend beyond these boundaries? The answers to these questions are derived from the perception of the very essence of corpse impurity.

Tannaitic halakhah applies the status of "tent" not only to houses but to virtually anything that shelters or overhangs. This phenomenon has been described briefly by J. Neusner[31] and at length by J. L. Rubenstein.[32] It is stated expressly in the halakhic midrashim: "How do you know to make all things that overhang equivalent to a 'tent'?"[33] "For it says (Num 19:14): תורת, the law of' – the law of the 'tent': everything that overhangs."[34] Thus the definition of

30 J. Neusner, *Ohalot: Commentary* (vol. 4 of *A History of the Mishnaic Law of Purities*; Leiden: Brill, 1977); and *idem*, *The Mishnaic System of Uncleanness* (vol. 22 of *ibid.*).

31 In several places. See, for example, J. Neusner, *Judaism: The Evidence of the Mishnah* (Atlanta: Scholars Press, 1988), 103–05.

32 J. L. Rubenstein, "On Some Abstract Concepts in Rabbinic Literature," *JSQ* 4 (1997): 33–73, esp. 34–40. See also my paper "Qumran and the Rabbis on Corpse-Impurity: Common Exegesis – Tacit Polemic," in *The Dead Sea Scrolls: Texts and Context* (ed. C. Hempel; STDJ; Leiden: Brill, forthcoming).

33 *Sifre Num,* 126 (Horowitz ed., 161).

34 *Sifre Zuta,* 19:14 (Horowitz ed., 310). For the Geniza fragment of this midrash, see M. I. Kahana, *The Geniza Fragments of the Halakhic Midrashim*, part 1 (Jerusalem: Magnes Press, 2005) 216–17, 219 (Hebrew). *Sifre Zuta* derives a long list of overhanging things from the word תורת (in the biblical text: זאת התורה [Num 19:14]; a possible alternative reading in the

"tent" is expanded to include persons and utensils,[35] "houses, cisterns, crevices, and caves,"[36] boxes, chests, cupboards; water tanks on ships; sheets and mats; domesticated and undomesticated animals; plants and certain foods, pigeon coops, rocks, overhanging trees, and much more.[37] Overhanging items that do *not* convey impurity are the exception, and that is only because they do not meet certain basic conditions: they are not enduring, are not stationary, etc.[38]

The biblical principle of tent impurity has been expanded in another manner as well: The Torah describes the contamination of persons and utensils in the proximity of a corpse when they are under a common overhanging "tent." The tannaim, however, held that the corpse defiles people and utensils, whether it is overhanging them or they are overhanging it, without any additional object extending over them. Stated otherwise, the defiler and the defiled have now themselves become "tents."[39] In sum, whereas various Second Temple-era Jewish sources confined themselves to a predictable expansion of the circumstances of the scriptural command from tent and desert to house and city,[40] tannaitic halakhah *broadened the scriptural "tent" to the point of an absolute halakhic abstraction*. In the process, it severed "tent" from its definition as a dwelling place, movable or permanent, transforming it *from an object to a state* that applied, depending on circumstances, to people, animals, animate or inanimate objects – in short, anything overhanging a corpse with a thickness of at least one handbreadth (*tefaḥ*).[41]

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midrash is: "תורת האהל – תורה"; see Horowitz ed., *ibid*.), and excludes others based on the word זאת (in the same verse). The interpretations of *Sifre* and *Sifre Zuta* here are characteristic of their exegetical methods as a whole: *Sifre*, a product of the school of R. Yishmael, employs an *a fortiori* argument (קל וחומר), extrapolating from the "leper"; *Sifre Zuta*, a product of the school of R. Akiva, uses extension and limitation (ריבוי ומיעוט) of the present verse.

35 "Persons and utensils can serve as 'tents' in the transmission of impurity …" (*m. Ohal.* 6:1).

36 *Sifre Zuta, ibid*.

37 See *m. Ohalot,* chap. 8. See also Maimonides, *Mishneh Torah, Hilkhot Tum'at Met*, chap. 13. For additional overhanging objects and the laws governing them, see in particular, *m. Ohal*., chaps. 6, 9; *Sifre Zuta* 19:14 (Kahana ed., 219–20; Horowitz ed., 310).

38 See *m. Ohal*. 8:4, 5.

39 See for example: *m. Ohal.* 3:1; 15:10. And in *Sifre Zuta*: "It tells us only that a person overhanging a corpse becomes impure. How do you know to extend this to the corpse overhanging the person? Scripture teaches *shall be impure for seven days* (Num 19:16)" (*Sifre Zuta* 19:16, Kahana ed., 221; Horowitz ed., 311). See H. Maccoby, *Ritual and Morality: The Ritual Purity System and Its Place in Judaism* (Cambridge, Cambridge University Press, 1999), 14, 16–18.

40 The Septuagint rendered all instances of אהל in Numbers 19 as οἶκος, house. The *Temple Scroll* as well extended the biblical text from a "tent" to a "house" found in "your cities" (11QT[a] 49:5–17; 50:10–19); see E. Qimron, *The Temple Scroll: A Critical Edition with Extensive Reconstructions* (JDS; Beersheba and Jerusalem: Ben Gurion University Press and Israel Exploration Society, 1996), 71, 73. See the discussion in Y. Yadin, ed., *The Temple Scroll* (3 vols.; Jerusalem: Israel Exploration Society, 1983), 1:325–26. Both Josephus (*Ag. Ap.* 2:205) and Philo (*Laws* 3:206) place impurity of a house under the general rubric of tent impurity.

41 On the stringent and exceptional halakhah regarding the transmission of impurity even when the overhanging object measures less than one handbreadth, i. e., "the thickness of a shepherd's staff," see below.

This far-reaching conceptual amplification is also reflected linguistically: Abraham Goldberg proposed that the form אָהֶל (characteristic of the vocalized manuscripts of the Mishnah, as in טמא/טמין באָהֶל[42]), from which the plural אהילות is derived, is not a variant form of the noun אֹהֶל but rather a "concept of action analogous to the phrase מגע ומשא, contact and carrying." In its grammatical form it is a verb in the present tense of the *kal* conjugation, אָהֶל corresponding to אוהֶל (here, denoting the *act* of overhanging).[43] In other words, the name of the collective laws of corpse impurity,[44] and of the tractate that addresses them, אהילות/אהילות, is derived from a verbal noun – אהילה, the act of overhanging – that originated in a fundamental expansion of the definition of corpse impurity. This expansion was seen as the primary feature of this body of laws, hence the name of the tractate.

What is the rationale for this sweeping conceptual expansion, which vastly augments the incidence of corpse impurity and the rapidity of its dissemination? The position attributed to R. Yohanan ben Zakkai in the aggada cited above would have no trouble asserting that corpse impurity is transmitted specifically in a tent but not under a treetop, since "the corpse does not defile nor does the water purify. It is simply a decree of the Holy One blessed be He." But a perspective that sees impurity as an extant entity subject to laws of some sort is not satisfied with mere statements on the part of the text. Of necessity, it must apply the principles that arise from the narrow, casuistic description in the biblical verses to reality as a whole. If corpse impurity spreads under the covering of a tent, it must similarly spread under a sheet or mat, domesticated and undomesticated animals, plants and foodstuffs, pigeon coops or rocks. It is the need to define principles of diffusion of impurity that will apply in all physical circumstances that meet the criteria for a tent which leads to the surprising extension of the scriptural "tent" to an abstract halakhic set of terms. Stated otherwise, *the immanence of impurity is at the basis of the abstraction of the "tent."* The underlying foundation of this process is the view of impurity as a living reality as opposed to an arbitrary fiction.[45]

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42 See for example *m. Ed.* 3:1; *m. Ohal.* 1:8; 2:1, 3–4; and many others.

43 A. Goldberg, *Ohalot: Critical Edition with Commentary and Introduction* (Jerusalem: Magnes Press, 1955), 2 (Hebrew). According to Goldberg's perception, the name of the tractate should have been spelled *Ahilot* rather than *Ohalot*, but accepted conventions are used here.

44 See *b. Pesah.* 50a; *b. Hag.* 11a; 14a; and others.

45 Neusner (*Mishnaic System*, 74) proposed a different reason for the expansion of the concept of "tent." He focused solely on the minimum dimensions of a tent as determined by halakhah – a cubic handbreadth (see below) – explaining that this measure is based on the assumption that the tent acts "as a surrogate for the body"; in other words, it serves as a receptacle for the invisible entity emanating from the corpse that can be compressed into the limited space of a handbreadth. This depiction suggests a surprising congruence between "soul" and "impurity," though Neusner states that he avoided positing such an explicit equivalence. He suggests that the tent containing the impurity restores the order that has been broken by death, which cut off and dispersed the life force of the deceased. This assumption is not consistent with the fact that the tent serves as a means of transmitting

A Tent and a Grave: The Differences

This immanent perception of impurity, which seeks to define natural modes of dissemination, encounters severe difficulties posed by the simple meaning of the biblical text. The description of "tent" impurity in the scripture indicates that it did not extend beyond the bounds of the tent, for only *anyone who is in the tent shall be unclean* (Num 19:14), whereas *in the open*, direct contact is required for impurity to be disseminated (Num 19:16). We learn from this that a person standing outside the tent of a corpse does not become impure; in fact, the tannaim ruled that even one who touches the "tent" from the outside is not defiled.[46] By contrast, Scripture teaches that one who touches a grave from without becomes defiled (Num 19:16). Here too, there is no apparent problem for those who hold that "the corpse does not defile … it is simply a decree of the Holy One blessed be He." The assertion of the scriptural text that a grave, unlike a tent or a house, defiles from without is sufficient for them, in the sense of "I have issued a decree." But the immanent view of impurity cannot be satisfied with the functional distinction between a tent containing a corpse and a grave containing a corpse, in that both are covered structures housing a human body. Why, then, does impurity remain confined within the former but extend beyond the bounds of the latter? The realistic-naturalistic approach to impurity requires that we expand the definition of both tent and grave beyond their individual essence and establish a "natural," physical distinction between a structure/overhang that contains impurity within (as in the case of a "tent") and a structure/overhang in which impurity traverses its walls, so to speak, "breaking through" to the outside and defiling even those who touch it from without (as in the case of a "grave"). Here the sages clearly take the second, immanent path and offer an all-encompassing distinction that applies to anything that covers or overhangs, thereby outlining the principles of the spread and flow of impurity.

The most obvious and fundamental technical distinction between dwelling places and burial structures is the presence of an opening. A house by nature is open, whereas a grave is normally closed. Indeed, this is the basic distinction of the tannaim between the legal status of a "tent," that is, a structure that retains impurity within its confines while its external sides remain pure, and the status of a "grave," wherein impurity passes through to its outer walls:

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impurity and not as a purifying ritual. Neusner also ignores the spectrum of overhanging objects, most of them not at all similar to a small, closed receptacle that contains and seals off impurity. Countering this approach, see also Milgrom, *Leviticus*, 1008.

46 See the midrash cited below. The exclusion of the "sides" from corpse impurity means that the impurity does not pass through the walls to the outside, as it does in the case of a grave; hence, being under door- or wall-projections (זיזים) from a tent or house, or even having actual contact with the walls of the house from the outside, does not render a person or object impure. In the case of a tent made of tent-cloths and the like, direct contact from the outside conveys impurity, but for a different reason: the tent cloths themselves absorb impurity and therefore defile those who touch them. See *m. Ohal.* 1:4, and the following notes.

Whoever enters the tent (Num 19:14) through its doorway, it [the tent] defiles, but it does not defile from any of its sides if it is open. From here we learn [*a fortiori*] the law of the grave: if a tent – which absorbs impurity – does not defile from any of its sides when it is open, all the more so a grave – which does *not* absorb impurity – does not contaminate from any of its sides if it is open. (*Sifre Num*. 126)[47]

The midrash employs an *a fortiori* argument (קל וחומר) from tent to grave. A tent, made of cloth, is considered a "vessel." It absorbs impurity and demands the sprinkling of the purification water.[48] A grave, by contrast, is considered "soil," which is not susceptible to impurity. Hence, once it is evacuated, it does not need sprinkling. From the scriptural phrase *whoever enters the "tent,"* the midrash infers that a person who enters the tent contracts seven-day impurity only by entering through the doorway and not by touching the sides of the tent from the outside.[49] Stated otherwise, if a house has a doorway, the opening confers impurity by overhanging, but its walls do not convey impurity from the outside. The midrash applies the same law to a grave.

This halakhah is further elucidated in a *baraita* cited in the Babylonian Talmud, which teaches that a "sealed house" does contaminate via the sides:

If a house is sealed, it does not render unclean all the space around it, but if the doorframe has been taken down, it *does* render unclean all the space around it.[50]

In other words, a house that has a doorway but that doorway is sealed still has the status of a house with an opening,[51] and in fact conveys impurity directly facing the doorway. But if its doorframe has been broken (that is, the doorposts, the lintel, and the threshold have been removed), it is considered a house without an opening, and hence has the status of a grave, conveying impurity on all sides. Combining the halakhic midrash with the *baraita*, we

47 *Sifre*, *ibid*. Later in the midrash, the homileticist considers the opposite possibility (או חילוק): Should או בקבר in the biblical verse be interpreted as referring also to an open grave, which conveys impurity through contact with any of its sides? And if so, would a tent (whose laws are more stringent) then transmit impurity from its sides? The author ultimately rejects this "alternative," and returns to the opening passage cited here.

48 See Num 19:18; *Sifre Numbers* 129 (Horowitz ed., 166).

49 The commentators on the *Sifre* pondered this contradiction between doorway and wall, for one who enters the doorway is defiled via an overhanging object, whereas with the outside walls of the house, impurity is imparted through contact. A medieval commentary attributed to R. Abraham ben David of Posquières states that the reference is to being sheltered by the doorway as compared to being sheltered by projections jutting from the walls, or alternatively, to touching the doorway as opposed to touching the walls. R. David Pardo specifies that with regard to an actual tent (the subject of the present midrash) made of linen or leather, for example, which absorb impurity, the intent of the midrash is not to exempt from impurity one who touches the sides, since touching any part of the tent renders one impure, but to exclude one who is under projections from the sides, which do not convey seven-day impurity, as opposed to being under the overhang of the doorway.

50 See *b. B. Bat.* 12a (= *Shab.* 146b).

51 Not only with regard to impurity. See *Baba Batra*, *ibid*., where the context is the laws of neighborly relations.

see that for a house that has a doorway, the outer sides are free of impurity, whereas if a house is completely walled off, the sides convey impurity.[52]

As elaborated above, the aforementioned midrash from *Sifre Numbers* employs an *a fortiori* argument (קל וחומר) from tent to grave: even a grave, if it has an opening, does not contaminate whoever touches it from the outside (as opposed to what is implied in v. 16: *And in the open, anyone who touches … a grave*!). This halakhah is formulated explicitly in the Tosefta:

> A grave whose opening has been sealed does not convey impurity on any side. If its doorframe has been taken down and resealed, it contaminates on all sides. If an opening of four handbreadths was broken through it, whether above or below, only the space directly opposite the breach is impure …[53]

A grave that has an opening or a breach does not contaminate the surrounding area except opposite the opening; this is the case even if it has an opening that was sealed but its doorposts and lintel were not dismantled. However, if the grave is completely sealed, or if the doorframe was disassembled and the entrance walled up, then the grave contaminates from all sides, as set forth in Scripture.

What emerges is that tannaitic halakhah *abandons the biblical distinction* between tent and grave, reshaping it into a new distinction between an open structure and a sealed one. This definition is no longer bound by the original nature of the structure, whether tent/house or grave. With regard to any totally sealed structure – even a house – that contains a corpse, the outer walls transmit impurity, as with a "grave." By contrast, if we take any structure – even a grave – that has a doorway, its walls are considered pure, as with a "tent." In other words, the *nominalistic distinction* in the scriptural text between "grave" and "tent," which centers on the human designation of the structure, is transformed by the tannaim into a *realistic distinction*, whose focus is its external properties. This shift stems expressly from a *realistic perception of impurity*.

Internal Contradiction in Definition of the Scriptural Tent

The immanent perception of impurity creates further contradictions in our understanding of the verses, which in turn give rise to halakhic constraints. If we view impurity as a substantive entity governed by the laws of nature, this requires us to assume that when the "tent" is a vessel susceptible to impurity,

52 This halakhah also emerges from the Targum Pseudo-Jonathan on Num 19:14, and similarly in *Sifre Zuta* 19:14 (Kahana, *Geniza Fragments*, 219, lines 20–22; Horowitz ed., 309).

53 See *t. Ohal.* 16:14. From *Tosefta: Tohorot* (trans. J. Neusner; New York: Ktav, 1977), 125, revised. See too *Sifre Zuta, ibid.*: "Just as with a sealed tent, one who touches any of its sides is rendered impure, so with a ⟨sealed⟩ grave, one who touches any of its sides [is rendered impure]"; in other words, the grave conveys impurity from its sides only if it is totally sealed, with no doorframe at all; this is not the case if it has a sealed doorway.

the impurity of the corpse beneath it attaches to the vessel/"tent" itself and is transferred to the outside; in other words, a "tent" of this type no longer acts as a screen, separating the impurity from its environment and preventing its spread.[54] Indeed, the common feature of all the "tents" enumerated in the Mishnah as screening against impurity is that they do not take on impurity themselves, for example: chests, boxes, and cupboards, which do not absorb impurity by virtue of their size (able to hold a volume of 40 *se'ah*) and form (having a flat base); closely packed cattle; and foods that are not susceptible to impurity.[55] By contrast, the list of "tents" that do not screen against impurity, recorded in the same chapter of the Mishnah, corresponds to the earlier enumeration, with one important difference: everything on this list absorbs impurity.[56] Hence, we see enumerated, *inter alia*, chests, boxes, and cupboards, which absorb impurity due to their size and form (they hold less than 40 *se'ah* and do not have a flat base), along with the carcasses of domesticated or undomesticated animals (impure because they were not ritually slaughtered), and foods that are susceptible to impurity.

This approach produces a conflict between the definition of a "tent" as retaining impurity within, and the ability of the tent itself to absorb impurity. According to the naturalistic approach, a "full" tent, which contains the impurity within its confines and prevents it from spreading outward, cannot be at all susceptible to impurity; for if it were, the impurity would penetrate and pass through it to the outside. The problem is that this naturalistic-realistic conceptual evolution clashes head-on with the scriptural definition of the "tent," which, according to the simple meaning of the text, both absorbs (Num 19:18) and blocks (Num 19:14–16) impurity! Thus, the Rabbis were forced to exempt the biblical tent composed of tent-cloths from the principle that they themselves had formulated, and to admit that it screened against impurity despite the fact that the tent itself absorbed impurity. This explains a strange anomaly in the laws governing tents: the various types of tent-cloths absorb impurity, and consequently, are listed among the "tents" that do not screen against it:

> These give passage to impurity and do not serve as a screen against it: … a tent-sheet, and a leathern apron, a leathern bed-undercover, a sheet, and matting or a mat that are not laid out tentwise.[57]

54 The same principle is stated expressly in the Mishnah, in the context of a window measuring one handbreadth square which allows the passage of impurity: "This is the general principle: what is pure serves to decrease [the size of the opening], and what is impure does not decrease [it]" (*m. Ohal.* 13:6). Stated otherwise, the impurity, which seeks to "escape" through the window, adheres to the object which is susceptible to impurity and passes, by means of the object, to the other side; but it cannot traverse a pure object, which is like a barrier that reduces the minimum opening through which the impurity can pass.

55 See *m. Ohal.* 8:1.

56 *Ibid.*, 8:3. See Maimonides' formulation of the principle, paraphrasing *m. Ed.* 1:14 (the subject there is a vessel and not necessarily a tent): "An impure object does not screen [against impurity]" (*Mishneh Torah, Hilkhot Tum'at Met* 13:4; 15:5; 22:8).

57 See *m. Ohal.* 8:3.

But the moment these tent-cloths are made into a tent, though they continue to absorb impurity (as stated explicitly in the scriptural text), they block impurity from spreading beyond their borders, in stark contrast to all the other objects that absorb impurity:

> These give passage to impurity and serve as a screen against it: … a tent-sheet, and a leathern apron, a leathern bed-undercover, a sheet, and matting or a mat that are laid out tentwise.[58]

What we have before us, then, is a further display of the selfsame phenomenon. Tannaitic halakhah strives persistently for a system of "laws of nature" that formalizes the principles of impurity, even at the price of forced interpretations and halakhic anomalies.

Principles Governing the Spread of Impurity

Tannaitic halakhah posits distinctly concrete principles with regard to the flow, movement, and spread of impurity.[59] Central aspects of this phenomenon have been briefly described by Neusner, who dated them to the primordial strand of mishnaic halakhah, during the Second Temple period.[60] We will be presenting a brief overview of these principles:

> [A space] one handbreadth square and one handbreadth high, in the form of a cube, serves both to give passage to impurity and to act as a screen against impurity.[61]

That is, a space of one cubic handbreadth serves to contain the impurity and block its spread, as in the case of a "tent." However, in a space that is more confined than one cubic handbreadth, the "impurity breaks through, upward and downward" (טומאה בוקעת ועולה בוקעת ויורדת);[62] namely, it breaches the upper and lower boundaries partitioning the space and spreads up and down without restraint, rendering everything above and below it unclean, whereas everything to the sides of the space containing the impurity is considered pure.[63]

58 *Ibid*., 8:1. All the remaining "tents" in this Mishnah that both transmit and screen against impurity do not themselves absorb impurity.

59 According to Maccoby (*Ritual and Morality*, 13–29, esp. 19–20), the Rabbis did not imagine any corporeal impurity; rather, their rulings stemmed from an expansion of the biblical descriptions. In my opinion, however, this was not the case, as I will attempt to demonstrate below. On the almost-tangible nature of corpse impurity in the Torah itself, see below.

60 Neusner, *Mishnaic System*. See the following notes.

61 See *m. Ohal.* 3:7. The rule set forth here underlies a great many laws, as stated by Maimonides: "This is a basic principle regarding the impurity of the dead" (*Hilkhot Tum'at Met* 7:5). See for example the continuation of the present Mishnah; *m. Ohal.* 6:7; 7:1; 12:6–7; 15:1. For Neusner's explanation of this concept, see n. 45 above.

62 See *m. Ohal.* 6:6 and numerous other examples.

63 See, for example, *ibid*., 7:2; 15:7.

The portrait of impurity that emerges is of an entity that exists in reality and that requires a certain volume to contain it. Interestingly, this volume does not vary in accordance with the size of the corpse. Any amount that defiles within the tent, be it a portion of a corpse (equivalent in size to an olive's bulk) or an entire corpse, creates a "quantity" of impurity that requires this same minimum space. In the event that the space is smaller, the compressed impurity bursts forth. According to tannaitic halakhah, then, corpse impurity is a mobile, expanding entity whose spread is blocked by the boundaries of the space in which it is contained, as in the scriptural "tent." The ability of these borders to halt the spread of impurity arises, too, from the tendency of impurity to emerge specifically from openings, as we will be describing below.

At the same time, the Rabbis apparently held that a certain degree of compression of corpse impurity created sufficient pressure to push the boundaries of the structure or utensil outward. The image underlying this view can perhaps be reconstructed from the use of the verb בוקעת, meaning "to split open" or "burst through." This verb appears in tannaitic literature in the *kal* conjugation (more typical of scriptural language[64]) mostly in the feminine form, and notably, in a phrase that recurs dozens of times: בוקעת ועולה בוקעת ויורדת, "it breaks through, upward and downward." This collocation refers in every instance, without exception, to corpse impurity in the aforementioned circumstances and is found in tannaitic literature only in the Mishnah and Tosefta of *Ohalot*. Hence, it would seem that we are speaking of an ancient, fixed formulation.[65]

This depiction of impurity as "bursting out" also alludes to the typical direction of its movement: when corpse impurity bursts forth from a narrow space, the movement is actually vertical and infinite – down to the uttermost depths (תהום), and up to the sky (רקיע).[66] Note that this movement is not char-

64 For the tendency of rabbinic language to employ the "heavy" conjugations, see Z. Ben-Hayyim, "Samaritan Tradition and its Links with the Linguistic Tradition of the Dead Sea Scrolls and Tannaitic Language," in *Collected Articles on Tannaitic Language* (ed. M. Bar-Asher; Jerusalem: Hebrew University of Jerusalem, 1972), 1:49–55 (Hebrew). In tannaitic literature, the root בקע in the heavy conjugations denotes the splitting of trees (*m. B. Qam.* 3:7; *m. Me'il.* 5:1; *t. Me'il.* 2:2; *t. Kelim Metzi'a* 11:2; *Sifre Deuteronomy* 183) or water penetrating the earth (*Mek. on Deut* 32:2). The root בקע is found frequently in Scripture, in all conjugations, and denotes a forceful splitting or bursting apart of earth, mountains, rocks, oceans and springs, trees, persons, and so forth (see for example: Gen 7:11; Judg 15:19; Isa 58:8; Amos 1:13; Zech 14:4; Job 26:8).

65 On the phenomenon of ancient, fixed halakhic collocations, see E. Qimron, "Halakhic Terms in the Dead Sea Scrolls and Their Importance to the Study of the History of Halakha," in *The Scrolls of the Judaean Desert: Forty Years of Research* (eds. M. Broshi, S. Japhet, D. Schwarz, and S. Talmon; Jerusalem: The Bialik Institute and The Israel Exploration Society, 1992), 128–38 (Hebrew). Another intriguing occurrence in tannaitic literature of בקע in the *kal* conjugation together with the verb ירד (descend) can be found in the description of the *shamir*, a legendary creature said to split rocks and iron (see *t. Sotah* 15:1 [Lieberman ed. 3–4, 238]). This resemblance may hint at vestiges of mythological conceptions underlying the penetrative quality of tannaitic impurity.

66 For examples of impurity that ascends "up to the sky" and descends "down to the uttermost depths," see: *m. Ohal.* 9:3–4, 7–8, 12, 14, and others. Regarding the infinitude embodied

acteristic of corpse impurity in other circumstances. When impurity is present in a "tent," it spreads in all directions; and when it exits through an opening, it is transmitted to the space opposite, as will be described below. The forceful movement upward and downward occurs only in a situation where impurity erupts from a constricted space. This too is a patently "physical" aspect of impurity.

The picturesque definition that the sages attached to this notion of "constriction" is worthy of comment. In the medieval commentaries and codes as well as in current halakhic discourse, the term used to denote corpse impurity in a space too small to contain it (i. e., less than one cubic handbreadth) is טומאה רצוצה, literally "shattered impurity."[67] However, this term occurs in only two places in all of rabbinic literature, both in *b. Hullin*.[68] It seems that in fact the original term was רוצצת, as used in the tannaitic language of Tosefta *Ohalot*. Thus, impurity in a space measuring less than one cubic handbreadth, for example, under the leg of a type of cupboard (מגדל) made of wood, or between the leg and the wooden board beneath it,[69] or underneath a pillar in a house, is depicted as רוצצת.[70]

The rare occurrences of this term in the Mishnah indicate that it does not denote "shattered" (the standard meaning of the רצץ root) but rather compactness and pressure:

> If a person deposited vessels with an *am ha'aretz* … R. Yosé says: If he gave into his keeping a chest full of clothes – if the chest is tightly packed (רוצצת), they [the clothes] become impure with *midras*-impurity; if it was not tightly packed (רוצצת), they become impure with *madaf*-impurity …[71]

The term תיבה רוצצת refers to a chest with tightly packed clothes that touch the underside of the lid. Thus, when the menstruating wife of the *am ha'aretz* sits on the chest's lid, she presses down on the clothes, rendering them impure via *midras*-impurity (*midras*, lit. "place of pressure," applies to any article that can be used for sitting or leaning, cf. Lev 15:4–6, 20–23). If the clothes do not touch the lid, however, the impurity transmitted is the less stringent *madaf*-impurity, since the woman did not press on the clothes themselves (the term *madaf* denotes slight or indirect contact, generally when impurity is conveyed

in the terms "depths" and "sky," compare: "[If he said,] 'Lo, I am a Nazir from here to the depths, from the ground to the sky, he is a lifelong Nazir" (*t. Nezirut* 1:4). From *The Tosefta: Nashim* (trans. Neusner; New York: Ktav, 1979), 124, revised.

67 See for example Rashi, *b. Ber.* 19b, s. v. אינו חוצץ; *b. Sukkah* 4a, s. v., הכי גרסינן, and others; Tosafot, *Naz.* 53b, s. v. חרב הרי, and others; *Hiddushei Haramban* on *b. B. Bat.* 20a, s. v. ויש לומר, and others; Maimonides, *Hilkhot Tum'at Met* 7:4, and many others; commentary of R. Ovadia Bartenura on *m. Ed.* 3:1; *m. Ohal.* 3:1, and many others; R. Moshe Feinstein, *Iggerot Moshe, Yoreh Deah* 2, siman 167 s. v. ובדבר אהל.

68 See *b. Hullin* 71a (in this source the word רצוצה is absent in most of the manuscripts), 125b.

69 See S. Lieberman, *Tosefet Rishonim* (4 vol.; Jerusalem: n. p., 1937–39), 3:106 (Hebrew).

70 See *t. Ohal.* 5:5 (Zuckermandel ed., 602). For other occurrences, see: *ibid*., 6:2–3; 7:12, etc. For another description of impurity under a pillar, see *m. Ohal.* 6:6.

71 See *m. Tehar.* 8:2, see also *ibid*. 8.

to objects positioned above the menstruant or others with emissions). Hence it would appear that impurity in a space of less than one cubic handbreadth is depicted by the sages as "cramped" – a compressed and compacted substance of sorts, akin to clothing packed tightly into a chest.[72]

The strangeness of this description is readily apparent, given the original depiction of impurity in Scripture. As we saw earlier, the contrasts between biblical and tannaitic impurity can be identified in virtually every instance where we encounter an unexplained departure from the coherent rabbinic system. In this case, we found that impurity remains contained within any space that measures at least one cubic handbreadth, and that it breaches these boundaries only in spaces smaller than this size and, surprisingly enough, always in a vertical direction. But we learned in the previous section that impurity contained in a completely closed space without a doorway spreads beyond its confines even if the space is much larger than a handbreadth.[73] Moreover, the impurity passes outward to the surroundings, contaminating on all sides, and in fact does not spread in a vertical direction. This anomaly is dictated by the simple meaning of the scriptural passage concerning the external impurity of the *grave*; consequently, it does not comply with the rules of containment and dissemination described above, which the Rabbis formulated on the basis of the laws of *tent* impurity. Stated otherwise, the biblical text in its literal meaning does not allow for a coherent depiction of "natural" impurity. It was the sages who articulated this description, imposed it on the biblical system, and were then compelled to deviate from it so as to reconcile it with certain aspects of its scriptural foundation.

Impurity and Openings

The concrete nature ascribed to impurity is also apparent in the laws governing its movement between spaces and through openings. The Mishnah states that "to give passage to impurity, an opening of one handbreadth [square suffices]."[74] Hence, a hole of one handbreadth by one handbreadth in a wall between two houses, or between a house and an upper room allows the impu-

72 This was indeed Rashi's interpretation (in *b. Hul.* 125b s. v. רצוצה): "Anything that does not have ample space is termed "cramped" (רצוץ). The Arukh (R. Natan ben Yehiel of Rome) also interpreted רוצצת in *m. Teharot* as "pressing." See: A. Kohut, *Arukh Hashalem* (9 vol.; Vienna: Menorah, 1926), 7.296 (Hebrew). See also E. Ben Yehudah, *Complete Dictionary of Ancient and Modern Hebrew* (8 vol.; Jerusalem: T. Yoseloff, 1960), 14.6721, n. 2 (Hebrew), who interpreted the mishnaic term as "pushing, pressing."

73 See *m. Ohal.* 7:1. Accordingly, whatever overhangs the sealed structure or vessel that contains the impurity, and whoever touches it from outside, becomes impure, as with a grave. And if this structure/vessel is within a house or an outer "tent," the space of that house or "tent" is defiled.

74 See *m. Ohal.* 3:6. See also *m. Ohal.* chapter 13, though other sizes of openings are also mentioned in this chapter; see below.

rity to pass from one side to another. This statement completes the picture depicted in the previous section. Impurity residing in a sufficiently large space, that is, one cubic handbreadth or more, remains confined within it and does not break its bounds; but if there is an opening, it exits and spreads outward through it.[75] However, it does not pass between spaces via an opening of less than one handbreadth. This description reflects a highly "tangible" conception of impurity: It moves through space, seeks to disseminate itself, and is blocked by barriers. Moreover, it is not scant, fluid, or fast-moving enough to penetrate via a small space.[76]

It should be noted already at this juncture that the laws governing openings also contain distinctly nominalistic elements that sever impurity from any form of "natural" existence and make it contingent on human subjectivity. These laws will be enumerated below, in the section devoted to the abstract aspects of impurity.

Another principle that illustrates the corporeal nature of impurity is as follows: "it is the nature of impurity to exit and not to enter." This generally refers to a "tent" within a larger "tent," such as a מגדל (a wooden cupboard or cabinet) standing inside a house. In such a case, "if there is impurity within it [i. e., the cupboard], the house also becomes impure; but if there is impurity in the house, what is inside it [the cupboard] remains pure, since it is the nature of impurity to exit and not to enter."[77] According to this approach, impurity always seeks to spread outward to a larger space, and never presses its way into an inner or lateral space that is smaller in size. Hence, an inner "tent" protects what is inside it from contracting impurity from the outer "tent," since impurity does not push its way in. But the impurity in the inner tent spreads to the outer tent, even if the inner tent is completely closed. This too is an unquestionably "physical" principle. As we saw above, impurity is normally contained within certain confines; it does not breach these boundaries unless it is "cramped," that is, too compressed within the space where it resides. But in the case in question, it seems that the tendency of impurity to spread beyond a given space (even if that space is quite big) to a still larger space is strong enough to breach the barriers of the inner "enclosure."

75 See also the law of a gutter underneath a house, whose opening "drains" the impurity, leaving the house above it pure, *m. Ohal.* 3:7.

76 Neusner (*History*, vol. 22, 72) describes the impurity underlying this halakhah as a "viscous gas." Milgrom (*Leviticus*, 1008) has commented that this definition is an oxymoron. Rubenstein ("Nominalism," 171, n. 43) concludes from these halakhic principles that impurity was perceived by the tannaim as bubbles or invisible particles no larger than one cubic handbreadth. Maccoby (*Ritual*, 18–21) compared the movement of impurity to radiation.

77 See *m. Ohal.* 4:1. The same principle is also reflected in *ibid*., 4:2; 9:9; *t. Ohal.* 10:2–4. The principle that "it is the nature of impurity to exit" is cited in the Tosefta also with reference to the passage of the impurity of a dead fetus from the mother's womb to the outside; see *t. Ohal.* 8:8 and *m. Ohal.* 7:4. In the printed editions and some textual witnesses, this principle is found in *m. Ohal. 3:7* as well, but this appears to be a later addition based on Maimonides' commentary on the Mishnah. See Goldberg, *Ohalot: Critical Edition*, 31–32.

This principle applies also when there are two different paths through which the impurity can pass: from the inner "tent" standing in the doorway of a house to the surrounding house, or from the inner tent via its open door directly to the outside. In this case, the assumption is that the impurity will choose to exit to the outside, which is the larger, more external space, while the house will remain pure, since "it is the nature of impurity to exit and not to enter." Also in this case, the cupboard does not protect its contents from the impurity in the house, since the impurity seeks to exit the house via the doorway, and in so doing, "penetrates" the cupboard and passes out through it.[78] Here too, we find ourselves face to face with the sheer power of impurity's impulse toward dissemination, which breaches the bounds of the inner structure that is ordinarily protected against impurity.

Nominalistic Impurity in Tannaitic Teachings

Alongside the realistic perspective, which was so predominant in shaping the laws of corpse impurity, we also find diametrically opposed halakhic aspects. These do not stem from any reflection of reality; rather, they are the product of subjective human determinations that impose on impurity a "code of conduct," so to speak. The most notable example of this is the law regarding openings in a house containing a human corpse:

> If a corpse lies in a house to which there are many entrances, they are all impure; if one entrance is opened, it alone is impure and all the others are pure. If there was an intention to take out the corpse through [a specific] one of them, or through a window measuring four handbreadths square, this affords protection to all other entrances. The School of Shammai say: "The intention must have been formed before the dying person is dead. The School of Hillel say: [It suffices] even after the person is dead. If an entrance had been blocked up and it was decided to open it, the School of Shammai say: "[It affords protection to all other entrances only] after it has been opened as much as four handbreadths square. The School of Hillel say: [Protection is afforded] as soon as they begin to open it. But they agree that if an opening is made for the first time, the opening must be at least four handbreadths square [before it can afford protection].[79]

The impurity of openings described in this Mishnah applies to persons and vessels located beneath the lintel of the doorway,[80] even when the door is

78 See *m. Ohal.* 4:3. Compare with the law regarding a beehive situated in a doorway, *ibid*., 9:10 (end of Mishnah). *t. Ohal.* 5:5 (Zuckermandel ed., 602) cites the same laws as *m. Ohal.* chap. 4, but in the case of *m. Ohal.* 4:3, it differs from the ruling in the Mishnah: "[If the cupboard] was standing in the middle of the doorway, opening outward … [if] impurity is in the house, what is inside it [the cupboard] remains *pure*" (as opposed to the statement of the Mishnah: "… [if] impurity is in the house, what is inside it [the cupboard] is rendered *impure*"). See Lieberman, *Tosefet Rishonim*, 107.

79 *m. Ohal.* 7:3 (Goldberg ed., 57).

80 Or any object overhanging the doorway.

closed[81] and the vessels are in fact outside the house. All of the doorways are impure (כולן טמאין), according to Rashi (and subsequently, most of the commentators) "since we do not know through which doorway the corpse will be taken out, and the doorway through which the corpse will eventually be removed is immediately rendered impure."[82] This assertion – that the movement of impurity in the present is determined by the potential movement of the corpse in the future – is quite astounding, for what is the connection between the spread of the impurity already residing in the house and the path of the corpse's removal? And even if we assume the existence of such a linkage, how does a future action, or the potential for such an action, affect the course of impurity in the present? Indeed, Rashi included in this selfsame commentary: "There is no reason [for the ruling of this Mishnah]; rather, the laws of impurity were thus transmitted!"[83] The continuation of the Mishnah is even more surprising: The opening of one of the doorways, and even the intention of the living person to remove the dead person through it, is sufficient to cause the impurity to "flow" to this doorway specifically, leaving the others pure from that point on. In other words, not only does a potential future action affect the movement of impurity but man's subjective intention does so as well, even before any change has taken place in reality. True, the Schools of Shammai and Hillel differed over the power of intention vis-à-vis the flow of impurity: Is intention sufficient to remove impurity that has already contaminated the doorways following the death of the deceased, or does it serve only to prevent the contamination of the doorways *ab initio*, prior to his death?[84] But according to both schools, thoughts have the power to channel impurity, at least initially, and an action that attests to man's intent, such as the opening of a window, can uproot impurity from one place and steer it to another, even after the fact.[85]

81 According to Rashi's commentary on *b. Beṣah* 10a, s.v. ולו פתחים הרבה, this refers to a case where all the doorways are open or all are closed. Maimonides (see the following note) understood it as all the entrances being locked.

82 Rashi, *b. Erub.* 68a. See also Rashi, *b. Beṣah* 10a. Maimonides commented that the reason for the impurity is that the house is sealed, hence it has the status of a grave that renders everything surrounding it impure (commentary on the Mishnah there, and *Hilkhot Tum'at Met* 7:2). This commentary is problematic since the Mishnah is dealing with impurity of the doorways specifically and not the surrounding walls. Moreover, the Mishnah goes on to show that purity and impurity are dependent on the doorway through which the corpse is taken out and not on the existence of the doorways per se. Further, a grave with a sealed opening has the status of a house as long as its doorposts have not been dismantled completely. From this, we learn that this house too is not considered like a grave but in fact is akin to a house in which there is impurity directly opposite its doorway while its other sides remain pure.

83 Rashi, *b. Erub.* 68a.

84 For various explanations of the dispute between the School of Hillel and the School of Shammai, see *b. Beṣah* 10a. See also Goldberg's analysis, *Ohalot*, 56–57.

85 This case represents a departure of sorts from the typical method of the School of Shammai. Research has shown a tendency on the part of that school to delineate halakhic categories in accordance with the status of an actual object or human action, as opposed to the innovative tendency of the School of Hillel to determine halakhic status on the basis of intent.

A further example of nominalistic elements in the laws of openings relates to an opening that transfers impurity from one space to another. As we have seen, impurity requires a passageway of at least one handbreadth square. But chapter 13 of Mishnah *Ohalot* establishes different criteria for an opening that transfers impurity, in addition to the basic measure of a handbreadth. Various types of openings enumerated in the chapter convey impurity in a minimum space of less than, or greater than, a handbreadth. The criterion for determining the minimum space is the purpose of the opening and the intent of the person who constructed it. This principle is formulated in *Sifre Zuta* as follows: "whatever is open for a [specific] purpose is impure";[86] in other words, the "purpose" imbues the opening with a special importance that is not dependent on the minimum measure of a handbreadth and is also present even in a smaller space. If a window opening is made to let in light, the minimum size sufficient to convey impurity is that of a "hole made by the large drill that lay in the [Temple] chamber" (כמלוא מקדח גדול של לשכה) that is, roughly the size of a coin, which is smaller than a handbreadth.[87] The "residue of the light-opening" (שירי המאור) that is, that part of a window left unblocked when a person planned to block up but did not manage to finish, must be two fingerbreadths high and one thumb-breadth wide (רום אצבעיים על רוחב הגודל), that is, larger than the drill-hole but smaller than a handbreadth, in order to convey impurity. By contrast, the minimum measure (for transmitting impurity) of a window-opening that is not manmade but occurs naturally is the size of a fist, which is greater than a handbreadth.[88]

See for example L. Ginzberg, *On Jewish Law and Lore* (Philadelphia: Jewish Publication Society, 1962), 118–23; Y. D. Gilat, "Intent and Act in Tannaitic Teaching," in *Studies in the Development of Halakha* (Ramat Gan: Bar-Ilan University, 1992), 72–83 (Hebrew); repr. from *Sefer Bar Ilan* 4–5 (1967), 104–16 and earlier literature reviewed there. True, Ginzberg (p. 120–21) cites this Mishnah in particular to illustrate the principle in question, since the School of Shammai repudiated the power of intention to remove existing impurity from the other doorways after the fact. At the same time, however, one cannot deny that the notion of impurity as subject to human thought is accepted, according to this Mishnah, by the School of Shammai as well, with the two schools differing only as to its circumstances. It is actually the opinion of the School of Shammai in our Mishnah that is consistent with the principle in *m. Kelim* 25:9 that impurity is not removed by virtue of intent alone; which means, surprisingly enough, that the halakhic ruling in this case is in accordance with that School. See Goldberg's explanation (*Ohalot*, 56). In any event, this Mishnah in *Kelim* too is based on the assumption that intention generates impurity.

86 *Sifre Zuta* 19:15 (Kahana ed., 220; Horowitz ed., 310–11). This statement preceded the reference to *m. Ohal.* 13:1 in the midrash. The rationale that "this is done for a purpose" is also echoed in the dispute between the School of Shammai and the School of Hillel later in the midrash concerning the size of certain openings.

87 See *m. Ohal.* 13:1. Minimum sizes are also enumerated in *m. Kelim* 17:12. The size of the hole made by the large drill that lay in the Temple chamber (see also *m. Ohal.* 2:3) is defined in Mishnah Kelim there as "like a Roman *dupondius* [coin] or a Neronian *sela* [coin], or like the hole in a yoke."

88 On the dispute of the tannaim regarding the precise measure of the minimum sizes, and the opinion of R. Shimon in this Mishnah (*Ohal.* 13:1), see the discussion of Goldberg, *Ohalot*, 95–96. Several of these definitions and others with regard to openings were enumerated in *Sifre Zuta*, *ibid*.

These distinctions make the passage of impurity contingent on the purpose and intentions of the one who made the window. In other words, if there is an opening of a certain size in the wall, the Mishnah makes the following assumptions: that the impurity will pass through it if it is manmade, but will not pass through this same opening if it occurred naturally; that it will pass through this opening if it was made to let in light, but not if there was an intent to make use of it, i. e., for storing things; that it will pass through the remaining portion of the opening if it was deliberately blocked up by its owner to the present size, but not if he wished to block it completely and, for some reason, was unable to. In the words of A. Goldberg:

> The underlying reason appears to be that the minimum opening of a handbreadth for the passage of impurity is not a fixed measure but a scale of importance, *and it was left to the sages to determine the smallest measure* through which impurity would exit and enter the tent. [emphasis VN][89]

Stated otherwise, what determines the "flow" of impurity is not its natural qualities or objective reality but the "importance" ascribed to the situation by man. This leads us to conclude that the properties of impurity are seen in this instance as an agreed-upon convention, subject to the ruling of the Rabbis, and not as an element of nature.[90]

To the preceding examples of nominalism must be added the perplexing tannaitic midrash that straddles the boundary between halakhah and aggada, rationalism and fantasy:[91]

> "הנוגע במת": הנוגע במת טמא, אין עצמו שלמת[92] טמא. הנוגע במת טמא, אין בנה שלשונמית טמא. אמרו, בנה שלש⟨ונמית⟩[94] משמח[93] כל שהיה עימו בבית היה טמא טומאת שבעה, וכש⟨חיה⟩ היה טהור[95] לקודש. חזרו ונגעו בו וטימוהו. הרי זה אר"י: משמיך לא טימוני, אתה טמאתני.

Whoever touches a corpse (Num 19:11) Whoever touches a corpse is rendered impure, [but] the corpse itself is not impure. Whoever touches a corpse becomes impure, [but] the son of the Shunammite woman is not impure. The Sages said: When the son of the Sh⟨unammite woman⟩ died, anything that was with him in the house contracted seven-day impurity, and when he ⟨came to life⟩ he was pure to the degree of eating sacrifices. [However, the objects which had been previously in the house with him when

89 Goldberg, 95.

90 On the law governing windows as typical of the nominalistic approach, see Eilberg-Schwartz, *Savage in Judaism*, 213–14.

91 With thanks to my student, Matania Mali, who devoted an original and enlightening discussion to this passage from the *Sifre Zuta* in a paper that he submitted to me.

92 עצמו שלמת – In the Horowitz edition of *Sifre Zuta*, based on the Yalqut and Midrash Hagadol, this is rendered as מת עצמו.

93 משמת in the Kahana edition of *Sifre Zuta*, Geniza; the first *mem* is marked as uncertain. In the Horowitz edition of *Sifre Zuta*, and according to Epstein's reading of the Geniza passage (Epstein, "Parah," 61): כשמת.

94 In the Geniza fragment, this was shortened to שלש.

95 וכש⟨חיה⟩ היה טהור – In the Geniza fragment, this is rendered as וכשהיה טהור ("and when he was pure"), but the correct version is as it appears in the *Yalqut* and the *Midrash Hagadol*, as brought in the Horowitz edition: וכשחיה היה טהור. See Epstein, "Parah," 61, note on line 29.

he was dead] and [now, following his revival] touched him a second time, defiled him. It is as if he [the boy] says [to these objects]: What made you impure did not render me impure; it was *you* who made me impure.[96]

The midrash makes a startling assertion here: The corpse is not in itself impure, but only renders others impure. This statement is illustrated through the story of the son of the Shunammite woman who was brought back to life after he had died (2 Kgs 4). The midrash declares that when the boy was dead, everything that was with him in the house was rendered impure by his corpse, but when he came back to life, he himself was pure to the highest degree (that is, "pure to the degree of consuming sacrifices"!) and was only rendered impure as a result of contact with persons or vessels that had been contaminated by him while he was dead. This instance falls under the halakhic category of מטמיך לא טימוני, אתה טמאתני, that is, cases where an object or person (C) is rendered impure through the secondary impurity of another object or person (B) – though he is immune to the primary source of impurity (A) that originally defiled B. In the case in question, the living boy (C) is immune to his own impurity from when he was dead (A), but is susceptible to the impurity of those who were contaminated by him during that time (B).

Other instances of the principle מטמיך לא טימוני are enumerated one after another in m. *Parah* 8, and in several other tannaitic sources. The above-cited pericope from the *Sifre Zuta* also lists a series of such cases following the matter of the son of the Shunammite. It should be noted that the other examples brought by the *Sifre Zuta* have tannaitic parallels in the Mishnah and Tosefta, which is not the case with regard to the son of the Shunammite. This ruling, as well as the assertion that "the corpse itself is not impure," is unique to our midrash and lacks any parallel in tannaitic literature.

The abstract halakhic statement that "the corpse itself is not impure" can be interpreted in two ways:[97]

(a) The midrash wishes to underscore that, according to Scripture, only persons and objects are rendered impure by a corpse. Nothing is said of the corpse itself. Consequently, there is no reason to assume that impurity resides in the corpse itself.[98] This acutely paradoxical interpretation lacks any practical ramifications, and its accuracy is not likely to be tested in reality. The state of the corpse itself is not relevant to anyone, for it lacks any conscious-

96 *Sifre Zuta* 15:11 (Horowitz ed., 305; Geniza ed., 215). Rendered here according to the Geniza version, as reconstructed by the author.

97 Matania Mali proposed a similar thesis in his paper (see preceding notes). He based himself on the commentary of Rabbi A. Z. Weiss in *Minḥat Asher: A Selection of Lectures and Discussions on the Book of Numbers* (Jerusalem: Machon Minḥat Asher, 2005), 2.321 (Hebrew).

98 This approach stands in sharp contrast to the prevailing designation of a corpse as אבי אבות הטומאה (carrying the highest degree of impurity). But closer scrutiny indicates that this classification does not exist in the world of the sages and is totally absent from the entire corpus of tannaitic and amoraic literature; nor did the ge'onim use this term. It entered common usage beginning with the literature of the Rishonim, though it should be noted that Maimonides does not make even a single reference to it in the *Mishneh Torah*.

ness, and the living beings around it are in any case preoccupied solely with the impurity caused to them by the corpse and not with any impurity of the corpse itself. This question can be tested on the practical level only by means of a halakhic fiction; in other words, only if the corpse comes back to life is it possible to ascertain whether it carries its own inherent impurity. The midrash makes use of the extraordinary biblical tale of revival of the dead to illustrate an abstract principle: the absence of impurity in the corpse itself.

How, then, are we to understand the assertion of the midrash? Can we assume that a source that conveys such stringent impurity to others would itself be totally lacking this essential quality? The answer is: Yes, on condition that we assume that impurity is not a quality in the first place. Those who contract corpse impurity are not rendered impure by reason of the corpse's inherent essence, since such an essence does not exist. They are contaminated as the result of a divine decree, and not due to any circumstances in nature. If this is indeed the intent of the midrash, what we have here is an extreme, albeit unique, nominalistic statement in tannaitic literature.

(b) Alternatively, the midrash may not intend to purge the corpse of impurity per se but rather to teach us that in the unique circumstance where "self-inflicted" impurity is significant – that is, when a dead person is brought back to life – such impurity cannot exist. The essence of the corpse is not retained when it comes back to life, nor can we say that the living person became impure due to contact with the corpse that he himself previously was. After all, he did not touch his own corpse but rather came into being, so to speak, in its place.[99] This interpretation transforms our midrash from an examination of the essence of impurity into a philosophical exercise centered around the essence of the revival of the dead and the relationship between the identities of the dead and of the living in this process.

A further reference to the impurity of the son of the Shunammite woman is found in a story recounted in the Babylonian Talmud concerning questions posed by the people of Alexandria to R. Yehoshua ben Hanania.[100] The questions are classified into four categories: דברי חכמה, דברי הגדה, דברי בורות ודברי דרך ארץ – matters of wisdom, issues of Aggada, "matters of ignorance," and issues of conduct. The three "matters of ignorance" are – as seen from the context – foolish questions, to wit: "Does the wife of Lot convey impurity? … Does the son of the Shunammite convey impurity? … Do the dead in the

99 This was Lieberman's interpretation (see below). S. Lieberman (*Sifre Zuta* [New York: Jewish Theological Seminary, 1968], 32 [Hebrew]) compared the reasoning behind this argument with the approach of R. Yosé in *m. Kelim* 27:9–10. There, the text speaks of a cloth rendered *midras*-impure that turned into something else or that lost its minimum measure for *midras*-impurity, thereby causing it to lose its impure status. According to R. Yosé, it is also not considered impure due to its contact with the previous impure version of itself. Lieberman suggests that in our case R. Yosé would similarly maintain that the person who returned to life does not contract corpse impurity, for he did not have contact with his previous state but "emerged" in its stead.

100 *b. Nid.* 69b–71a.

World to Come require ritual sprinkling [of water mixed with ashes of the red heifer] on the third day and on the seventh, or not?" To the first two questions, R. Yehoshua responds that a pillar of salt does not convey impurity nor does a living person; and to the third, he responds: "When they will come back to life, we will learn the answer to this question."[101]

The question regarding the son of the Shunammite in this source is not identical with the major concern preoccupying the *Sifre Zuta*. R. Yehoshua was not asked, as in the midrash in question, if the son of the Shunammite himself, after being revived by Elisha, carried corpse impurity as a result of his previous state, but, rather, if he conveyed corpse impurity to others. The commentators were divided as to the intent of the questioners. Some interpreted the question as being whether he conveyed impurity while he was dead, while others saw it as whether he conveyed corpse impurity after Elisha brought him back to life.[102] Lieberman held that they were referring to the impurity that he caused by his death, and that R. Yehoshua responded that the son of the Shunammite did not convey impurity even in death, i. e. he did not really die. In Lieberman's view, the midrash in *Sifre Zuta* was aware of the text concerning R. Yehoshua, but differed from his stance. Accordingly, the midrash declares that, in contrast to R. Yehoshua's opinion, the son of the Shunammite conveyed corpse impurity with his death, just as any other dead person would.[103]

The question that is analogous to the key point of the midrashic statement is actually the one pertaining to the dead who will return to life in the World to Come (namely, whether they contracted corpse impurity from themselves), and it is this subject that is being discussed in our midrash with respect to the son of the Shunammite. Hence, Lieberman concludes that the statement of the midrash that "the corpse itself is not impure" is likewise a response to the question of the Alexandrians, and that the meaning of the midrash is as follows: The dead person himself will not be rendered impure when he comes back to life, and will not require sprinkling for purification, since he did not touch his own corpse while dead but instead took its place, in a manner of speaking.[104]

To summarize, this unusual midrash can be understood in two ways: According to one interpretation, it presents an extreme nominalist position that

101 *Ibid*., 70b. For the meaning of the term דברי בורות, see Lieberman, *Sifre Zuta*, 30–31. These questions may be compared to the derisive question addressed to Jesus in Matt. 22:23–33 and parallels; I thank Prof. Daniel R. Schwartz for this remark.

102 See Lieberman's discussion (*ibid*., 29–32), and what he proposed with respect to the true intent of the questioners.

103 Lieberman (*ibid*., 32) implies that inherent in this dispute are matters of theology; he is apparently referring to the allusion of the *Me'iri*, which he cited earlier (*ibid*., 31 and n. 77). The *Me'iri* seems to be saying that those who believe that the son of the Shunammite did not convey impurity upon his death are denying the notion of the resurrection of the dead, for if not, we would have to say that no corpse conveys impurity since they are all destined to return to life in the future.

104 Lieberman, *ibid*.

already existed in the tannaitic period, which implies that impurity lacks any inherent substance and is nothing more than an arbitrary edict. Based on the second interpretation, however, what we have before us is a limited statement that makes use of corpse impurity to examine the philosophical meaning of the notion of revival of the dead. This second interpretation dissociates this midrash from the subject of the present discussion.

Tannaitic halakhah's complex and contradictory perception of impurity is especially conspicuous in situations where two opposing definitions of impurity are woven into one rule. Such is the case in the halakhah discussed above of "shielding" openings from impurity. The Mishnah teaches:

> For an olive's bulk from a corpse, an opening [in a room] of one handbreadth [square], and for a corpse, an opening of four handbreadths [square, suffices] to protect other openings from impurity; but to give passage to the impurity, an opening of one handbreadth [square suffices].[105]

According to the Mishnah, the intention to remove a corpse through a particular opening renders the other openings pure, on condition that the measure of the opening designated for the removal is sufficient for the size of the corpse: four handbreadths for an entire corpse, and one handbreadth for an olive's bulk from a corpse. The Mishnah emphasizes that we are speaking not of an opening large enough for the impurity to "escape" (since an opening of one handbreadth is sufficient for this purpose, whether the impurity originated from an entire corpse or an olive's bulk of a corpse) but of an opening actually suited to the removal of the corpse itself. What we have here is a reflection of the nominal principle discussed above: Although the impurity can spread to all the openings and even exit through them, the presumption is that it will accumulate precisely in that place where the corpse will be taken out, according to the plans of the living person and in keeping with the conditions necessary for the removal of the corpse specifically.

At the same time, the realistic principle is patently obvious here in its simplest, most primeval manifestation. Despite the fact that this entire law is based on intangible principles, and that it assumes the movement of impurity based on an intent to take future action, this intention requires realistic circumstances (the size of the opening) to be effective.

Another remarkable synthesis of the two approaches is apparent in the distinction (discussed above) between closed structures (treated as "graves" whose impurity passes to the outside of their walls), and structures with an opening (considered as "tents" whose outside walls are pure; in such a case, there is no impurity on the outside but only directly opposite the doorway). As we saw earlier, the tendency to formulate architectonic principles of impurity that are uniform for all structures – without a functional distinction between houses and graves – stems from a decidedly realistic approach to impurity. This uni-

105 *M. Ohal.* 3:6 (Goldberg ed., 30).

formity is not only *motivated* by a realistic perception; it also *generates* a new picture rooted in reality: Where there is an opening, impurity "flows" to it, leaving the other sides of the structure pure. Where the walls are sealed off, the impurity traverses all of them equally, residing on their external side as well. But we saw earlier that a structure that has a sealed doorway has the same legal status as an open structure. Only a structure whose doorway – the lintel and both doorposts – has been completely dismantled is considered truly sealed. In one fell swoop, this definition severs the realistic branch on which the law of openings rests. It seems that the distinction between a structure that blocks impurity from exiting and a structure that allows it to do so is contingent on the existence not of an actual doorway but of a notion or concept of it.

To these examples, we may add the law of ממעטים את הטפח: objects that "reduce the size of an opening one handbreadth square [so that impurity is not given passage]."[106] This too is a realistic principle which assumes that what is not itself susceptible to impurity serves as a screen against corpse impurity, since the impurity cannot adhere to it. Hence, when such an object is found in a minimum space of one handbreadth, it "reduces" the space, thereby blocking the passage of impurity. One example of "objects that reduce" is the carcass of a clean bird or the carcass of an unclean bird that is not intended to be eaten.[107] The carcass of a bird does not convey food-impurity if its owners did not designate it for human consumption.[108] But the moment it is intended to be eaten, it is susceptible to impurity, and corpse impurity adheres to it and is transmitted via this same handbreadth.[109] Here too, the transmission of corpse impurity is dependent on the intangible thoughts of a person. And here too, obviously "natural" principles (a width of one handbreadth for the passage of impurity, the screen created by anything not susceptible to impurity) merge with far-reaching nominalistic conceptions (intention alters the status of the bird in a window or other opening; based on man's thoughts alone, the window is considered opened or blocked for purposes of conveying impurity).

Relationship Between the Two Approaches in Tannaitic Literature

In an influential article based on Y. Silman's distinction, D. R. Schwartz proposed characterizing Sadducean and Qumranic law as realistic, and rabbinic halakhah in general as nominalistic. In his opinion, this would explain a

106 *M. Ohal.* 13:5–6.
107 *Ibid.*
108 See *m. Tehar.* 1:1, 3. The carcass of an impure bird must also come into contact with any of seven specific liquids in order to be rendered susceptible to impurity; see *m. Ohal.* and *m. Tehar.*, *ibid.* On the process that brings the carcass to this state as typifying the nominalistic approach, see Eilberg-Schwartz, *Savage in Judaism*, 212–13.
109 See *m. Ohal.* 13:6.

number of differences between the law in Qumranic literature and Pharisaic-rabbinic halakhah.[110] Countering this theory, J. L. Rubenstein argued that rabbinic halakhah too is largely naturalistic (while also encompassing some marginal nominalistic phenomena), and offered other explanations for the aforementioned differences. In addition, Rubenstein emphasized the realistic nature of biblical law, arguing that legal "realism" is a necessary feature of a living law that accurately reflects the perception of reality in the society that it serves, whereas nominalism is typical of societies whose legal system has become obsolete, creating disparities with their present values and life circumstances. Consequently, the nominalistic element of the law always postdates the realistic, expanding with the passage of time and changing circumstances. It is thus understandable, in his view, why rabbinic literature – which is more removed in time from its biblical underpinnings – contains more obviously "nominalistic" features than does Qumranic law.[111] Rubenstein did not examine the tannaitic laws of impurity themselves, but he expected that such an analysis would reveal a similar fusion between a naturalistic foundation and a later, nominalistic layer.[112]

The preceding overview does not support Schwartz's schema, at least with respect to the laws of corpse impurity. Here, tannaitic halakhah embodies a realistic perception coupled with certain "nominalistic" aspects, as Rubenstein theorized.[113] In certain cases, the two underlying principles on the nature of impurity are tightly interwoven into a single halakhic dictum.

110 D. R. Schwartz, "Law and Truth: On Qumran-Sadducean and Rabbinic Views of Law," in *The Dead Sea Scrolls: Forty Years of Research* (eds. D. Dimant and U. Rappaport; Jerusalem and Leiden: Magness Press, Yad Izhak Ben-Zvi and Brill, 1992), 229–40. I too have utilized this distinction to indicate the similarity between the Qumranic worldview and the remnants of early halakhah within the tannaitic oeuvre: V. Noam, "Traces of Sectarian Halakha in the Rabbinic World," in *Rabbinic Perspectives: Rabbinic Literature and the Dead Sea Scrolls, Proceedings of the Eighth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, January 7–9, 2003* (eds. S. D. Fraade, A. Shemesh, and R. A. Clements; STDJ 62; Leiden: Brill, 2006), 67–85, esp. 82–84.

111 Rubenstein ("Nominalism and Realism") refers to M. Silberg, who identified rabbinic halakhah largely with naturalism, and to Silman, who pointed to the tension within halakhah between the two elements. Silberg, Silman, Schwartz, and Rubenstein treated the classification of rabbinic halakhah as a whole, but did not devote study to the shaping of impurity per se. See M. Silberg, "The Order of Holy Things as a Legal Entity," *Sinai* 52 (1962): 8–18 (Hebrew).

112 *Ibid*., 183.

113 Eilberg-Schwartz (*Savage*, 195–216, esp. 212–16) also discusses the complexity of the rabbinic view of impurity, but emphasizes primarily the element of human intention. The realistic nature of tannaitic impurity stems, in his view, from the very presence of biblical sources of impurity within the tannaitic system. On this point, he does not seem to be aware of the tremendous realistic development that tannaitic legislation generated in comparison with Scripture. The tension between these two facets of tannaitic halakhah is ascribed by Eilberg-Schwartz – based on an all-encompassing symbolistic approach – to the tension between two sociological features of the society in question: social standing acquired by birth and bloodlines as opposed to status dependent on achievement. The lack

The evolutionary narrative proposed by Rubenstein is also consistent with the portrait that emerges from the laws of overhanging objects. Accordingly, the natural, immanent conception of impurity is at the foundation of the halakhic system as a whole and determines its basic definitions, among them the dissociation of the concept of "tent" from its literal meaning; the unifying definition of the laws of grave and house; and the principles of containment and dissemination of impurity ("a cubic handbreadth," "cramped impurity," "impurity that breaks through," the passage of impurity through "an opening one handbreadth square," "the nature of impurity is to exit," and the like). By contrast, the nominalistic elements, as bold and far-reaching as they are, are much less prevalent and their role in the system is more secondary. They create exceptions, serving as a kind of "footnotes" appended to the fundamental principles of the realistic approach. To illustrate:

- Impurity "flows" to all openings. This is a basic statement of concrete, immanent impurity. True, human intention is likely to divert it to a particular opening, but this is a secondary option grafted onto the "realistic" original situation.
- Impurity passes from one space to another by way of holes that measure at least one handbreadth square. This is a realistic depiction. In certain cases, man's intentions (designating an opening for a special purpose) can override this minimum measure. Here too, we are speaking of a minor exception to a realism-based rule.
- Objects that are not susceptible to impurity "block" its movement. This is a realistic principle. At the same time, however, certain objects can lose this "immunity" as a result of human intention. This too is a nominalistic secondary layer added onto realistic foundations.
- An opening provides an "outlet" for impurity, leaving the remainder of the outer walls pure. This is a characteristic of realistic-ontological impurity. The inclusion of the walled-off "virtual doorway" in the definition of openings that serve as conduits for impurity is a type of nominalistic "footnote."

This amalgam of a naturalistic foundation and nominalistic exceptions fulfills the aforementioned "expectation" of Rubenstein. But in other ways, his hypothesis is not substantiated. Rubenstein proposed a model of a manifestly realistic biblical foundation. In his view, both later systems of religious legislation – the priestly and the rabbinic – took on more and more "nominalistic"

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of a distinction in this chapter between moral and ritual impurity, on the one hand, and various types of intention, on the other, is somewhat problematic. Moreover, it should be noted that the sages did not add to the sources of impurity other bodily secretions not referred to in the Torah, such as saliva, tears, or urine. These were considered by the tannaim as purveyors of other forms of impurity alone. Hence one should not draw any conclusion from them regarding a change in definition of the sources of bodily impurity on the part of the tannaim (*ibid*., 214).

elements the further removed they became from this foundation in their circumstances and perspective.[114]

But our findings diverge from this model in two respects: (a) The "realistic" strand of impurity, too, is a distinctly post-biblical creation; (b) The incremental path from realism to nominalism is not manifest to the same degree in all Jewish corpora in accordance with their historical and cultural distance from the biblical foundation, as Rubenstein posited.

Biblical Roots of the Two Approaches

Most scholars see the element of thought and intention in the laws of purity as a Pharisaic-rabbinic innovation utterly foreign to the nature of biblical impurity.[115] By contrast, H. K. Harrington sought to demonstrate that rabbinic halakhah as a whole, and the addition of human intent to the realm of impurity in this context, does not constitute a new interpretation but a continuation and expansion of biblical trends.[116] As proof, she cited scriptural texts that distinguish between unintentional and intentional transgressors (Lev 15:27–31); offerings brought for unintentional sins (Lev 4 and elsewhere); and the law regarding one who kills another without intent (Exod 21; Num 35; Deut 19).[117] Countering this argument, we must emphasize the distinction between the concepts of intentional and unintentional sin (which are indeed encountered in Scripture) and neutral human intent that alters the status or essence of an element in reality, or the applicability of a halakhic or legal definition to it (which is the "thought" or "intention" that comes into play in the tannaitic laws of impurity). This type of "thought" does not exist at all in the pentateuchal portions on unintentional killing and the relevant offerings. Granted, Harrington also commented on the fact that, based on the Pentateuch itself, separation of tithes is sufficient to sanctify them (Deut 26:12–14), and dedication of an animal for a sin-offering sanctifies it even before it is slaughtered

114 Compare also with Neusner (*Idea of Purity*, 106), who describes an evolutionary continuum of approaches within tannaitic literature over the generations: from the identification of moral sin as underpinning impurity (or its allegorical interpretation) to the stripping of all meaning from the concept of impurity.

115 Neusner (*History*, 182, 186–89) attributes this innovation to the generation of Yavneh. See also Sanders (*Jewish Law*, 186). Howard Eilberg-Schwartz (*The Human Will in Judaism: The Mishna's Philosophy of Intention* [BJS 103; Atlanta: Scholars Press, 1986], 101–07) emphasizes the novelty of the tannaitic notion that man's definition of an object affects its essential nature. At the same time, he holds that the origins of this concept can be found in the Creation narrative and the naming of the animals by man; see also *idem*, *Savage*, 195–216. For the naturalistic nature of biblical impurity, see: *ibid*., 204. See also Rubenstein's approach, presented above.

116 Harrington, *Impurity Systems*, 156–59.

117 On unintentional sin in Scripture and tannaitic halakhah, see recently A. Edrei's analysis, "Culpability of the Unwilling Transgressor."

(Lev 6:18). These last two examples, which are not expressly stated in Scripture but are implied by the text, can indeed be interpreted as the earliest signs of "intent" in the second sense.

To these should be added a more closely related example, cited by Schwartz, from the realm of impurity itself. Scripture commands that an afflicted house be cleared "before the priest enters to examine the affliction so that nothing in the house becomes impure" (Lev 14:36). What this means is that before the priest officially declares the house impure, its contents are not contaminated, despite the fact that the plague is already visible in the house. In other words, it is not the affliction that defiles but the determination of the priest, the moment it is stated.[118] Nonetheless, it should be noted that apart from these vague allusions, we are not aware of any biblical parallel to the far-reaching tannaitic "doctrine of intent," or any other hint of nominalistic elements in any aspect of the laws of purity and impurity, and certainly not in the context of corpse impurity.

Can we then say that Scripture reflects a "realistic" perception of impurity, in keeping with Rubenstein's approach? This too is not completely accurate. To be sure, the text implies the existence of an actual entity that spreads through the tent, halts at its borders, enters open vessels, and contaminates on contact; yet understandably absent from the text is the rabbinic effort to establish a coherent system of "natural laws of impurity." Such an effort would require clear and consistent generalizations that define all overhanging objects that convey impurity to those beneath them in a shared space with a corpse, beyond the casuistic reference to a "tent." It would also dictate a "natural" as opposed to functional distinction between "tent" and "grave." The legal status of the biblical tent-cloths, which absorb impurity yet prevent it from "breaking out" of the tent would not be possible within a system of "logical" rules that formalizes the laws of impurity as a natural phenomenon. Indeed, as we have seen, it is these aspects of the scriptural text that create the incongruities and internal contradictions in the tannaitic system. In other words, the "realistic" tannaitic system does *not* stem from the text to a far greater extent than the "nominalistic" rulings do.

The Chronological Relationship between the Two Perceptions

It would appear, then, that both tannaitic approaches are artificial constructs that do not stem directly from Scripture. Nevertheless, the realistic one is obviously closer to biblical principles, and appears to be the earlier and more basic of the two within the tannaitic structure. Can we thus determine that the realistic strand is a product of earlier generations, while the introduction of intent into the halakhic system of impurity is a late tannaitic

118 Schwartz, "Law and Truth," 236–37, n. 22.

development?[119] In addition to the caution that must normally be exercised in any attempt to date tannaitic material, it should be stated at the outset that the major bodies of halakhah that treat corpse impurity are especially hard to segment into clear and distinct layers.[120] The tractate *Ohalot* is replete with unattributed material, in particular with references to basic principles of corpse impurity. The majority of halakhic principles discussed above are embedded in the Mishnah and the Tosefta without citing their source.[121]

119 Neusner (*History*, 182, 186–89) dated the appearance of the element of intent as late as the generation of Yavneh. Harrington agreed with him on this point (*Impurity Systems*, 158). Earlier scholars placed the addition of this element during the time of the School of Hillel; see Ginzberg, *Law and Lore*, 36–39; Gilat, "Intent and Act."

120 With regard to *m. Ohal.*, two comprehensive attempts have been made to achieve such a stratification. A. Goldberg defined one of the major goals of his commentary as follows: "To elucidate the 'layers' of the Mishnah, inasmuch as this is possible, and to indicate ancient and later *mishnayot* that were placed together. This task is of course very difficult, and easily invites failure …" (*Ohalot*, introduction, xi). He concluded that "virtually the entire tractate is the teachings of R. Akiva as recorded by one (or more) of his principal students …" (*ibid.*, xv). Nonetheless, he comments that very ancient materials are embedded in the tractate, "adapted in accordance with the school of R. Akiva, and recorded by his principal students" (*ibid.*, xii; see also ix). J. N. Epstein, in his *Introduction to Tannaitic Literature: Mishna, Tosephta and Halakhic Midrashim* (Jerusalem and Tel Aviv: Magnes and Dvir, 1957), 83 (Hebrew), already pointed to numerous laws attributed to R. Akiva in *m. Ohal.*, though commenting that the majority of the tractate is from the teachings of R. Yosé (*ibid.*, 137–38; see also 89). Goldberg (*Ohalot*, xi) took issue with this attribution, offering a detailed list that ascribed each Mishnah to one of R. Akiva's students on the basis of other tannaitic sources (*ibid.*, xi–xv). But ultimately, these distinctions do not afford the scholar any clues as to either the source or the earliest appearance of a particular law nor the "stratification," interrelatedness, or development of halakhic materials in the tractate. The latest attempt is that of Neusner, as part of his overall endeavor to break down the entire Mishnah into distinct layers. Neusner devoted twenty-two volumes to the mishnaic order of *Teharot* as part of his series on the history of mishnaic law. The series offers a translation and interpretation of the Mishnah coupled with an attempt to identify distinct historical layers and to present the "philosophy" of the Mishnah based on its amplification of Scripture (*History of the Mishnaic Law of Purities*). See also Neusner, *Purity in Rabbinic Judaism*; *idem*, *Early Rabbinic Judaism: Historical Studies in Religion, Literature and Art* (SJLA 13; Leiden: Brill, 1975). This ambitious undertaking has aroused fierce criticism on various grounds. The core points of contention have been summed up rather forcefully by Sanders, *Jewish Law*, 309–31; see also his references to earlier, partial critiques. See also S. J. D. Cohen, "Jacob Neusner, Mishnah, and Counter-Rabbinics: A Review Essay," *Conservative Judaism* 37 (1983): 48–63; S. D. Fraade, "Interpreting Midrash 1: Midrash and the History of Judaism," *Prooftexts* 7 (1987): 179–94. The problematic nature of Neusner's stratification is illustrated in the present case as well: There is no apparent basis for dating the notion of intention in the laws of *Ohalot* as late as the generation of Yavneh, since it is recorded in the disputes between the Schools of Shammai and Hillel, as we shall see below.

121 The entire first chapter of *Mishnah Ohalot*, which includes such basic principles of corpse impurity as the chain of contacts that defile, the definition of death, and the enumeration of human limbs, is unattributed, apart from one mention of an opinion of R. Akiva. The minimum measures of parts of a corpse that are sufficient to convey impurity are also presented without sources (*ibid.*, 2:1, 3, 5). The names of sages of various generations, from the Schools of Hillel and Shammai to the generation of Yavneh and up to R. Akiva and his students, are mentioned in chapters two and three only in the context of disputes around

Even in places where a sage (such as a disciple of R. Akiva) is referred to by name, it is difficult to discern whether the text is an innovation of his or instead ancient principles transmitted by him, and whether the opinion of the *tanna qamma* that precedes his words is the view of contemporary sages or earlier material that this sage is responding to. For this reason, we have refrained until now from attempting to date, in either relative or absolute terms, the halakhic principles enunciated above. Even so, it is possible at times to identify the degree of antiquity of certain halakhic statements, whether on the basis of a parallel Second Temple text,[122] an ancient phrase or wording,[123] or the fact that they were attributed to earlier sages or served as a basis for their words.[124]

As we saw above, the Schools of Shammai and Hillel were divided over the import of intention in the removal of a corpse through a particular opening, specifically whether intent is sufficient to eliminate impurity from the other openings only from the outset or also retroactively. But we learned that according to both schools, intention has the power to channel impurity, at least to begin with, and that an action that attests to human intent, such as opening a window, can uproot impurity from one place and "steer" it to another even after the fact.[125] We saw that the schools also differed over the

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secondary issues arising from these basic principles (the combining of parts of different corpses to form one minimum quantity; the blood of a child that is less than the minimum quantity; the history and state of the corpse, such as how much has decomposed to worms or burnt to ashes; the amount of bone missing from a corpse that is sufficient to exclude it from the status of tent impurity; the minimum amount with regard to a bone that is divided in two or dust from a decomposed corpse that is dispersed, and so forth). The fundamental principle that "[A space] one handbreadth square and one handbreadth high, in the form of a cube, gives passage to impurity," and the example given to illustrate it, are unattributed (*ibid*., 3:7). The principle of the flow of impurity ("it is the nature of impurity to exit and not to enter") is presented anonymously in chapter four, with the exception of the opinion of R. Yosé on one detail (the wooden cupboard). The bulk of chapter eight as well, which deals with the rules of overhanging objects, is unattributed. The first thirteen *mishnayot* of chapter nine, which deal with the laws governing a beehive, are a series of anonymous laws.

122 For an examination of the antiquity of tannaitic laws based on parallel or conflicting material in Qumran literature, see for example Noam, "Qumran and the Rabbis"; *eadem*, "Corpse-Blood Impurity: A Lost Biblical Reading?," *JBL* 128 (2009): 243–51.

123 See for example our discussion above on the phrase "impurity breaks through upward and breaks through downward," n. 62, above.

124 For the identification of ancient material in the Mishnah, see for example Epstein, *Introduction to Tannaitic Literature*, 18–58. A discussion of the broader question of the sources of Rabbis' teachings, and the extent of the ancient materials embedded in them, is beyond the purview of this article. For a review of the research on this subject, see recently I. Rosen-Zvi, *The Rite That Was Not* (Jerusalem: Magnes, 2008), 161–64 (Hebrew).

125 In the opinion of several scholars, the two schools were divided over the expressly stated halakhah that preceded them, which is referenced in the unattributed opening section of the Mishnah, since they differed over the interpretation of the verb חשב (intended) which appears at the beginning of the Mishnah. See Ginzberg, *Law and Lore*, 120, 251–53, nn. 24, 31; Goldberg, *Ohalot*, 56. If this analysis is correct, what we have before us is an undeni-

minimum opening required for a sealed window to protect other openings from defilement. This extreme abstraction of impurity, which divorces it entirely from any laws of nature and ties it to human consciousness, is not a later halakhic development but in fact an ancient guiding principle that preceded the Schools of Shammai and of Hillel! Similarly, the two schools were divided as to whether the minimum size of an opening made in a wall for a rod, a weaver's staff, or a lamp was a handbreadth or a special measure that characterized openings made "for a specific purpose," meaning that impurity would pass through it even if it were smaller.[126]

In addition, both schools addressed the question of whether the holes of a grating or lattice-work (הסריגות והרפפות) covering a window combine to make up the minimum size of a drill-hole (מלוא מקדח) through which impurity passes in cases where the window was designated by man for a specific purpose.[127] From this we learn that the "nominalistic" principle, which makes the passage of impurity contingent on the purpose of the holes, preceded the dispute between the two schools and should be seen as an ancient guiding principle from the Second Temple era.

It emerges from all the above that the notion of conditioning impurity on human thought and intent originated at a very early phase of the tannaitic period, at the latest in the final century of the Temple's existence. If we assume that the core "realistic" system – that is, all the rules governing the spread and "sheltering" of impurity – predated this innovation and laid the groundwork for it, then these laws must be attributed to the ancient traditions that served as a springboard for the growth of Second Temple halakhah, during – and perhaps before – the time of the earliest sages known to us. In such a case, we would expect to encounter these "realistic" principles in Second Temple literature as well.

Nominalism and Realism in Second Temple Literature

Let us now return to the theory of D. R. Schwartz. Is the "realistic" system of impurity in fact typical of Qumranic halakhah? What we find is that just as the "nominalistic" label does not fit rabbinic halakhah in the context of our discussion, so too the "realistic" designation is not suited, in this instance, to Qumranic halakhah. Though the Qumranic texts dealing with corpse impurity also contain innovations in relation to the scriptural text, we have found no attempt to create a well-ordered "economy of impurity" nor to define the spaces that contain impurity or the circumstances of its spread. Apart from

ably nominalistic perception of impurity, which preceded both schools and should therefore be dated to the period of the *zugot* or shortly thereafter.

126 See *m. Ohal.* 13:4; *Sifre Zuta* 19:15 (Kahana ed., 221; Horowitz ed., 311). On the nature of these objects, see the commentators on the Mishnah *Ohal. op. cit.*

127 See *m. Ohal.* 13:1.

some moderate augmentations, such as the inevitable extrapolation from tent to house and the rule of a woman carrying a dead fetus, Qumran literature retains the scriptural definitions of contact and tent.[128] There is no vestige of such concepts in either Philo or Josephus, and the "nominalistic" rabbinic element of the impact of intent on impurity is obviously not discernible in Second Temple literature.[129] Thus the realistic conceptualization of corpse impurity, like its nominalistic aspects, is characteristic of the tannaitic system alone, and neither of these developmental trends has a known parallel in the Second Temple era. At the same time, there is no basis for portraying these sophisticated halakhic systems as the innovations of later generations of tannaim. On the contrary: as shown above, both developmental trends are documented in the most ancient strata of tannaitic literature.

Conclusion

We began with the question: Is tannaitic impurity an ontic essence, a realistic force of nature, or an abstract formalistic structure devoid of any real existence? Though we can now offer a clear response to this question, the picture remains complex.

The essential structures of tannaitic halakhah are grounded in a natural, immanent perception of impurity. Moreover, this approach gave rise to an entire system, intricate and coherent, of "natural laws of impurity." Despite the fact that this attempt at conceptualization was based on elemental biblical characteristics of impurity, the effort to combine these features into a sophisticated, logical, and coherent system of "laws of impurity" ultimately strayed far afield of biblical law, at times even spawning internal contradictions. Yet this tannaitic concretization of impurity lacks any connection with a demonic universe. The tannaitic sources paint a picture of an inorganic, disinterested impurity that functions by virtue of mechanical-physical "laws of nature." This

128 Corpse impurity is discussed in Qumranic literature, primarily in a rather lengthy section of the *Temple Scroll* (11QT[a] 48:10–14; 49:5–50:19, together with a lone halakhah, 45:17). In addition, several laws are referred to in CD 12:15–18, one law in *MMT* 2:72–74, and a brief reference in the *War Scroll* (1QM 9:7–9) and in a truncated fragment dealing with the ability of oil to cause impurity (4Q513 13 3–6). For the relationship of these laws to the biblical source, see Yadin, *Temple Scroll* 1:321–38; Harrington, *Impurity Systems*; L. H. Schiffman, "The Impurity of the Dead in the Temple Scroll," in *Archaeology and History in the Dead Sea Scrolls: The New York University Conference in Memory of Yigael Yadin* (ed. L. H. Schiffman; JSPSup 8, JSOT/ASOR Monograph Series 2; Sheffield: JSOT Press, 1990), 135–56; J. Milgrom, "Deviations from Scripture in the Purity Laws of the Temple Scroll," in *Jewish Civilization in the Hellenistic-Roman Period* (ed. S. Talmon; JSPSup 10; Sheffield: Sheffield Academic Press, 1991), 159–67; Noam, "Qumran and the Rabbis."

129 Eilberg-Schwartz (*Savage*, 211) attributes to the Qumran sect a perception of impurity as being dependent on human choice. However, his examples relate to sin impurity and not to ritual impurity that applies to a neutral reality on the basis of intent. On the distinction between ritual impurity and moral impurity, see Klawans, *Impurity and Sin*.

impurity is free of any trace of threat or malice, just as these are absent from the laws of gravity, for example. Its presence, though neutral in and of itself, is liable to cause damage in specific contexts, just as the laws of gravity might do under certain circumstances. In this sense, tannaitic culture continued along the same biblical path that many scholars identified with a deliberate reduction of primordial impurity.[130] This synthesis of seemingly contradictory approaches – expansion and immanence of impurity in reality, coupled with total obliteration of its spiritual features – poses a challenge to the traditional anthropological model. That model draws a connection between a naturalistic perception of impurity and threatening metaphysical images of it, associating the eradication of demonic fears with the "symbolification"-to-the-point-of-extinction of impurity.[131] In the case in point, it is actually the manifestations of impurity, which define it as a force of nature subject to fixed laws, that are the most sophisticated means of cleansing it of all threat or mystery.

But this is not the complete picture. Layered onto this system, as a secondary stratum of sorts comprising exceptions and "addenda," is a more subtle halakhic tapestry woven from a diametrically opposed perception. This view subjects the concept of impurity to human awareness and intention, severing it from reality and, in so doing, also stripping it of its "natural" substance. It emerges that the second of the two layers already predates the Schools of Shammai and Hillel; in other words, we are speaking of an intellectual and legal development of no later than the first century B.C.E. Hence, we find that the complex system that set the contours of corporeal impurity belongs to even earlier inherited material.

Surprisingly, the intense religio-legal creativity that produced this complex construct appears to have taken place solely within a specific circle of Second Temple–era Jewish society. Both facets of this rich yet ambivalent halakhic fabric were ultimately bequeathed to tannaitic literature.

130 See the bibliography on biblical impurity at the beginning of the present article (nn. 1–4, above). For this line of thought, see primarily the descriptions of Y. Kaufmann, *Toldot ha-Emunah*, and J. Milgrom, *Leviticus*.

131 See Douglas, *Purity and Danger*, 7–28. Despite Douglas's criticism of the approaches described there, it seems that she does not take issue with this binary picture itself but with the moral judgment applied to both these extremes and with the tendency to depict them in evolutionary terms.

Book Reviews

By Armin Lange, Nóra Dávid, Bernhard Dolna, Klaus Davidowicz, Günter Stemberger, and Matthias Weigold

S. L. Adams, *Wisdom in Transition: Act and Consequence in Second Temple Instructions* (JSJSup 125; Leiden: Brill, 2008. Pp. xiii + 314. Hardcover. €119.00 / $177.00. ISBN 978-90-04-16566-3)

This book is a revised version of the author's PhD thesis, which was supervised by John J. Collins at Yale University. Based on studies of Egyptian wisdom texts, the Book of Proverbs, the Book of Ecclesiastes, *Ben Sira*, *4QInstruction*, and *Wisdom of Solomon* Adams points "to a profound shift in certain Second Temple instructions, from an earthly to an otherworldly focus. The content of 4QInstruction and the Wisdom of Solomon indicates a reconfiguration of the traditional model: a righteous person's 'inheritance' no longer consisted of 'gladness and joy and long life' (Sir 1:12), but 'glory everlasting and peace eternal' (4Q418 126 ii 8) … A person's success upon understanding the mysteries of God and leading a virtuous life. Such a perspective challenged the tradition to move beyond the earthly sphere or retribution" (273). Although Adams' point is well taken, one wonders why he did not include the Book of Job in his study and why he only studied Egyptian wisdom texts as a context for Jewish wisdom although e. g. the Jews on the Nile island of Elephantine were familiar with Achiqar.

R. A. Anisfeld, *Sustain Me With Raisin-Cakes: Pesikta deRav Kahana and the Popularization of Rabbinic Judaism* (JSJSup 133; Leiden: Brill, 2009. Pp. v + 220. Hardcover €93.00 / $138.00. ISBN 978-90-04-15322-6)

This study of *Pesiktah de Rav Kahana* (*PRK*) is an analysis of the text itself, progressing outward to examine its literary and historical context. Part 1 (3–44) offers a method of reading the midrashim of *PRK* in comparison with the midrashim themselves to discover how the creators of the midrashim felt about PRK's new midrashic project. Part 2 (45–96) outlines special stylistic and thematic emphasis, intimacy, indulgence and humility. The picture that emerges is that of a God who comes down to earth to speak intimately to his people. Part 3 (97–146) steps outside the text of the amoraic *PRK* and *Leviticus Rabbah* (*LR*) themselves to compare them with their tannaitic midrashic counterparts. This is done in order to prove the novelty of these emphases on intimacy, humility, and indulgence. Part 4 (147–91) continues the movement outward. It examines first the historical context of the general rabbinic movement toward popularization and second, the larger social and cultural world of Roman Christian late Antiquity. In her study Anisfeld attends to both text and history in order to explain how rabbinic Judaism was transformed from an academic sect to a popular religion. While there are many factors in the popularization of rabbinic Judaism, this book points to the role of aggadic midrash

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in general and more specifically to the type of intimate indulgent rhetoric employed in PRK.

Antiquity in Antiquity: Jewish and Christian Pasts in the Greco-Roman World (eds. G. Gardner and K. L. Osterloh; Tübingen: Mohr Siebeck, 2008. Pp. xl + 475. Hardcover. €105.00. ISBN 978-3-16-149411-6)

This volume publishes the proceedings of an interdisciplinary colloquium held at Princeton University on January 22nd–24th, 2006. The participants explored the extent to which the motif of "antiquity" formed the identity of ancient Jews, Christians, and pagans and the legacy of antiquity in modernity. G. Gardner and K. L. Osterloh, "The Significance of Antiquity in Antiquity," 1–27; H. Zelletin, "The End of Jewish Egypt: Artapanus and the Second Exodus," 27–73; H. Flower, "Remembering and Forgetting Temple Destruction: The Destruction of the Temple of Jupiter Optimus Maximus in 83 B.C." 74–92; S. Mason, "The Greeks and the Distant Past in Josephus's Judean War," 93–130; D. Mendels, "How Was Antiquity Treated in Societies with a Hellenistic Heritage?" 131–54; P. Schäfer, "Rabbis and Priests: Or, How to Do Away with the Glorious Past of the Sons of Aaron," 155–72; A. Y. Reed, "'Jewish Christianity' as Counter History?" 173–216; L. Levine, "Jewish Collective Memory in Late Antiquity: Challenges in the Interpretation of Jewish Art," 217–54; E. Kessler-Dimin, "Tradition and Transmission: Hermes Kourotrophos in Nea Paphos Cypros," 255–84; M. Vidas, "The Bavli's Discussion of Genealogy in Quiddushin IV," 285–326; R. S. Boustan, "The Spoils of the Jerusalem Temple at Rome and Constantinople: Jewish Counter Geography in a Christianizing Empire," 327–72; G. W. Bowersock, "Helena's Bridle and the Chariot of Ethiopia," 383–93; A. H. Becker, "The Ancient Near East in the Late Antique Near East: Syriac Christian Appropriation of the Biblical East," 394–416.

J. Ben-Dov, *Head of All Years: Astronomy and Calendars at Qumran in their Ancient Context* (STDJ 78; Leiden: Brill, 2008. Pp. xx + 331. Hardcover. €99.00 / $147.00. ISBN 978-90-04-17088-9)

This monograph represents a revised edition of the author's PhD thesis, which was supervised by Israel Knohl and Wayne Horowitz at the Hebrew University of Jerusalem. In the context of Mesopotamian astronomy, Ben-Dov analyzes the calendrical and astronomical texts from the Qumran library (including the *Astronomical Book of Enoch* and the *Book of Jubilees*). These texts are part of an overall Levantine acculturation of a Mesopotamian MUL.APIN type astronomy. Although the Jewish system of a 364 day year derives from Mesopotamian astronomy, idiosyncratic Jewish principles can be observed. "Generally speaking, the Jewish lines of development give greater prominence to the schematic dimension of the tradition, at times removing the discipline from astronomy and into the realm of sacred arithmetic" (282). "Jewish authors and scholars found it (i. e. 364 day year) particularly attractive due to the septenary order it imposed on the course of time. On the one hand, apocalyptic thinkers sought to ground the harmony of the cosmos within an eternal and divinely-ordained scheme. On the other hand, halakhic practitioners were concerned with preventing the Jewish festivals and sacrifices from falling on the Sabbath day" (279).

C. D. Bergmann, *Childbirth as a Metaphor for Crisis: Evidence from the Ancient Near East, the Hebrew Bible, and 1QH XI, 1–18* (BZAW 382; Berlin: Walter de Gruyter, 2008. Pp. x + 267. Hardcover. €78.00 / $109.00. ISBN 978-3-11-020042-3)

This monograph is a revised version of the author's PhD thesis, which was supervised by Tikva Frymer-Kensky and John J. Collins at the University of Chicago. By way of the example of the metaphor of childbirth, Bergmann studies how literary texts from the Ancient Near East, the Hebrew Bible, and the Qumran library deal with the challenges of crises and catastrophes through metaphoric language. As a literary convention, the metaphor of childbirth compares people who experience a crisis with women in labor. Giving birth and crisis are both existential events because they bring the persons involved to the threshold between life and death. In relating the concept of crisis with giving birth, the birth metaphor gives crisis and catastrophe a deeper and different meaning. "All in all, giving birth and living through a crisis are events in which God is in control and the human being helplessly awaits the next step" (219).

C. Böttrich, B. Ego, and F. Eissler, *Abraham in Judentum, Christentum und Islam* (Judentum, Christentum und Islam; Göttingen: Vandenhoeck & Ruprecht, 2009. Pp. 188. Hardcover. €19.90. ISBN 978-3-525-63398-4)

This is the first volume of a new series dedicated to literary figures and personae that are of importance for Judaism, Christianity, and Islam. In this volume, three articles describe the figure of Abraham from these perspectives. Further volumes will be dedicated to Jesus and Mary, Moses, Elijah and the other prophets, as well as Adam and Eve. For the study of ancient Judaism the contribution of B. Ego to the present volume ("Abraham im Judentum") is of special interest. Ego surveys the Abraham tradition from its biblical beginnings into Rabbinic midrash and emphasizes its multifaceted nature. In remembering Abraham, each group and each epoch of Jewish thought developed its own idea about Abraham and emphasized different aspects of the first patriarch. Finally, Rabbinic midrash shows, "Abraham ist nicht nur eine Figur der Erinnerung, dank seines Wirkens darf das betende Israel bis zum heutigen Tag auf Gottes gnädige Zuwendung rechnen. Abraham ist damit nicht nur integraler Bestandteil der Vergangenheit, sondern auch der Zukunft des Gottesvolkes" (57).

J. N. Bremmer, *Greek Religion and Culture, the Bible and the Ancient Near East* (Jerusalem Studies in Religion and Culture 8; Leiden: Brill, 2008. Pp. xviii + 424. Hardcover. €135.00 / $200.00. ISBN 978-90-04-16473-4)

In this collective volume, Jan N. Bremmer republishes a series of his articles which show how the various cultures of the eastern Mediterranean and the Ancient Near East influenced and enriched each other. In doing so, Bremmer argues against the reconstruction of one-sided cultural influences. "Canonical and Alternative Creation Myths," 1–18; "Pandora or the Creation of a Greek Eve," 19–34; "The Birth of Paradise," 35–55; "The First Crime: Brothers and Fratricide in the Ancient Mediterranean," 57–72; "Greek Fallen Angels: Kronos and the Titans," 73–99; "Near Eastern and Native Traditions in Apollodorus' Account of the Flood," 101–16; "Don't Look Back: From the Wife of Lot to Orpheus and Eurydice," 117–32; "Balaam, Mopsus, and Melampous: Tales of Traveling Seers," 133–51; "Hebrew *Lishkah* and Greek *Leschê*," 153–67; "The Scapegoat

between Northern Syria, Hittites, Israelites, Greeks and Early Christians," 169–214; "Close Encounters of the Third Kind: Heliodorus in the Temple and Paul on the Road to Damascus," 215–33; "Persian Magoi and the Birth of the Term 'Magic'," 235–47; "Anaphe, Apollo Aiglêtês and the Origin of Asclepius," 249–65; "Attis: A Greek God in Anatolian Pesinous and Catullan Rome," 267–302; "The Myth of the Golden Fleece," 303–38; "Genesis 1.1: A Jewish Response to a Persian Challenge?" 339–45; "Magic and Religion?" 347–52; "The Spelling and Meaning of the Name Megabyxos," 353–56.

F. Calabi, *God's Acting, Man's Acting: Tradition and Philosophy in Philo of Alexandria* (Studies in Philo of Alexandria 4; Leiden: Brill, 2008. Pp. xiv + 265. Hardcover. €119.00 / $177.00. ISBN 978-90-04-16270-9)

This volume publishes English translations the work of F. Calabi – one of the foremost scholars among Italy's well recognized group of Philo specialists. In her articles, Calabi understands Philo's writings in light of the middle Platonic concept of the two sides of the divine, i. e. "the purely contemplative activities of God who is perfectly simple and unchanging and the creative and providential actions of God who moulds the world and guides the people" (xi). "Plato and the Bible: Ontology and Theology in Philo," 3–16; "Simplicity and Absence of Qualities in God," 17–38; "Unknowability of God," 39–56; "The Dazzling Light: A Metaphor on the Unknowability of God," 57–69; "The Powers of God: Seraphim, Cherubim, and Powers in Philo of Alexandria," 73–109; "Roles and Figures of Mediation," 111–25; "The Snake and the Horseman – Pleasure and *Sophrosyne* in Philo of Alexandria," 127–52; "Happiness and Contemplation," 155–84; "Philo of Alexandria and Ecphantus' *Peri Basileias*," 185–215; "Galen and Moses," 217–32. The chapter on "Happiness and Contemplation" has not been published before. It argues, that the lives of Therapeutae and Essenes provide a role model because they are an analogy to God himself "who is the paradigm for a life devoted to both contemplation and poietic activities" (183).

Common Judaism: Explorations in Second Temple Judaism (eds. W. O. McCready and A. Reinhartz; Minneapolis, Minn.: Fortress Press, 2008. Pp. xi + 372. Hardcover. $37.00. ISBN 978-0-80066-299-8)

This volume publishes the proceedings of a workshop held at the Calgary Institute for the Humanities (University of Calgary). The volume engages with the idea of Ed P. Sanders (*Judaism: Practice and Belief, 63 BCE–66 CE* [Philadelphia, Pa.: Trinity Press, 1992]), that in the late Second Temple period a common Judaism transcended the various Jewish parties and sects of that time. The volume studies the interplay between common Judaism and Jewish diversity and asks for the influence of common Judaism on the Jewish diaspora. W. O. McCready and A. Reinhartz, "Common Judaism and Diversity within Judaism," 1–10; E. P. Sanders, "Common Judaism Explored," 11–23; L. I. Levine, "'Common Judaism': The Contribution of the Ancient Synagogue," 27–46; B. Zissu and D. Amit, "Common Judaism, Common Purity, and the Second Temple Period: Judean *Miqwa'ot* (Ritual Immersion Baths)," 47–62; S. Haber, "Common Judaism, Common Synagogue? Purity Holiness, and Sacred Space at the Turn of the Common Era," 63–77; A. I. Baumgarten, "Pharisaic Authority: Prophecy and Power (*Antiquities* 17.41–45)," 81–96; A. Runesson, "From Where? To What? Common Judaism, Pharisees, and the Changing Socioreligious Location of the Matthean Community,"

97–113; C. Wassen, "What Do Angels Have against the Blind and the Dead? Rules of Exclusion in the Dead Sea Scrolls," 115–29; A. Moore, "The Search for the Common Judaic Understanding of God's Kingship," 131–41; T. Rajak, "'Torah Shall Go Forth from Zion': Common Judaism and the Greek Bible," 145–58; E. Segal, "*Aristeas* or Haggadah: Talmudic Legend and the Greek Bible in Palestinian Judaism," 159–72; D. M. Miller, "Whom Do You Follow? The Jewish Politeia and the Maccabean Background of Josephus' Sign Prophets," 173–83; S. Schwartz, "Memory in Josephus and the Culture of the Jews in the First Century," 185–94; I. W. Scott, "Epistemology and Social Conflict in *Jubilees* and *Aristeas*," 195–213.

E. M. Cook, *A Glossary of Targum Onkelos: According to Alexander Sperber's Edition* (Studies in the Aramaic Interpretation of Scripture 6; Leiden: Brill, 2008. Pp. xxii + 314. Hardcover. €109.00 / $162.00. ISBN 978-90-04-14978-6)

The glossary of Targum Onkelos, the oldest extant Jewish Aramaic translation of the Pentateuch, is based on Sperber's standard critical edition. Although Cook characterizes his survey as an interim one (due to the lack of a true critical edition), this glossary meets a great scholarly need. It is based on the consonantal text, which is generally considered stable enough for such a survey, and the picture is unlikely to be radically changed by new publications. The volume is the first to be devoted solely to the vocabulary of Onkelos. In addition to the vocabulary of the Targum it contains geographical names and references to other Aramaic dialects. It will be a major help for both students and specialists to facilitate work with the Targum.

A. S. Crane, *Israel's Restoration: A Textual-Comparative Exploration of Ezekiel 36–39* (VTSup 122; Leiden: Brill, 2008. Pp. xvii + 304. Hardcover. €99.00 / $147.00. ISBN 978-90-04-16962-3)

This study is a revised version of the author's PhD thesis, which was supervised by John Olley at Murdoch University. Crane analyzes the most important MT- and LXX-manuscripts in Ezekiel 36–39 comparatively and establishes for the priority of the textual tradition behind Papyrus 967. "Overall, both MT and LXX MSS represent theological and exegetical interpretative interaction with their texts, with variants being from early Jewish communities. Variants reveal a text in a state of flux, and often are the result of scribes seeking to meet the theological views of their various representative communities" (267).

S. W. Crawford, *Rewriting Scripture in Second Temple Times* (Studies in the Dead Sea Scrolls and Related Literature; Grand Rapids, Mich.: Eerdmans, 2008. Pp. xii + 160. Paperback. $16.00. ISBN 978-0-8028-4740-9)

Crawford studies the phenomenon of inner-scriptural exegesis based on several texts from the Qumran library. Inner-scriptural exegesis can be found in both the harmonizations of various textual witnesses to the Pentateuch (e. g. pre-SP- and Reworked Pentateuch-manuscripts) and in the so-called rewritten Bible texts (e. g. the *Book of Jubilees*, the *Temple Scroll*, and the *Genesis Apocryphon*). A gray area is highlighted by 4QCommentary on Genesis A, which contains rewritten Bible passages next to passages of lemmatic commentary. Crawford thinks that after the 1st cent. BCE inner-

scriptural exegesis began to die out because of the widening acceptance of a standardized text. As opposed to proto-Pharisaic themes, Crawford characterizes inner-scriptural exegesis as a priestly-levitical approach in which the Essenes participated.

Cultural Memory Studies: An International and Interdisciplinary Handbook (eds. A. Erll and A. Nünning; Media and Cultural Memory 8; Berlin: Walter de Gruyter, 2008. Pp. viii + 441. Hardcover. € 98.00 / $ 118.00. ISBN 978-3-11-018860-8)

Since Egyptologist Jan Assmann applied the concept of cultural memory to the study of ancient Near Eastern cultures, it has become popular in the fields of biblical and Jewish studies. Although the present volume is not focused on the study of ancient Judaism it can indeed be recommended to the reader's attention. In brief articles, it introduces the various theories of cultural memory and consequently provides an ideal survey for anyone interested in the concept. For the study of ancient cultures, the contributions of A. Assmann ("Canon and Archive," 97–107), J. Assmann ("Communicative and Cultural Memory," 109–18), R. Lachmann ("Mnemonic and Intertextual Aspects of Literature," 301–10), and H. Grabes ("Cultural Memory and Literary Canon," 311–19) are especially important.

M. G. Distefano, *Inner-Midrashic Introductions and their Influence on Introductions to Medieval Rabbinic Bible Commentaries* (Berlin/New York: Walter de Gruyter, 2009. Pp. xi + 326. Hardcover. € 69.95. ISBN 978-3-11-021368-3)

In this revised doctoral dissertation (McGill University, Montreal) Distefano examines the opening sections of some exegetical Midrashim, noting their overlap with material found in introductions to medieval rabbinic Bible commentaries. He designates this extensive introductory material (authorship, inspiration, time of composition) by the phrase "Inner Midrashic Introduction" (IMI). Adopting Goldberg's and Lenhard's form analysis of rabbinic literature, Distefano tests his argument on *Sifra on Leviticus*, *Leviticus Rabbah*, *Song of Songs Rabbah*, *Lamentations Rabbah*, *Midrash Psalms*, and *Midrash Mishle*. In order to prove that the IMI existed as an introductory form prior to Hebrew medieval commentary introductions he analyzes also a select number of commentary introductions, such as Rashi's to Leviticus, Psalms, Proverbs, Genesis; Ibn Ezra's to Psalms, Song of Songs; Ibn Tibbon's to Ecclesiastes; Radak's to Genesis, Psalms; and Ramban's to Genesis, Leviticus, Numbers and Deuteronomy. Distefano's work challenges the current view, which traces the origin of Bible introduction in Judaism exclusively to non-Jewish models. It also points to an important link between Midrashim and commentaries, i. e., the decomposition of the functional form midrash in the new discursive context of the commentaries. Finally, Distefano's form analysis demonstrates how larger discourses are formed in the exegetical Midrashim.

S. Dolansky, *Now You See It, Now You Don't: Biblical Perspectives on the Relationship between Magic and Religion* (Winona Lake, Ind.: Eisenbrauns, 2008. Pp. iv + 119. Hardcover. $ 24.50. ISBN 978-1-57506-805-3)

Dolansky considers shamanism as the common origin of religion and magic. She finds magic essential to Israel's worldview but observes a movement away from shamanism in the Hebrew Bible, "the variety of authors in the Hebrew Bible represents different

stages of a movement away from shamanism toward organized temple-centered religion in a trend quite similar to that documented in Mesopotamia" (105). In contrast with the evidence for Israel's neighbors, only few magical incantations or descriptive magical texts survive from ancient Israel. Dolansky finds the reason for this disproportion in Israelite monotheism. With only one God, the Israelite cult would have had no need for a variety of means to exorcize different forms of evil. If Jewish monotheism is the reason for the lack of magic in the Hebrew Bible, it needs to be asked though why the Qumran library attests to several exorcistic texts (e. g. 4QShir^{a-b} and 11QapocrPs). It seems more likely that magical texts were simply not included in the Hebrew Bible but did exist.

Echoes from the Caves: Qumran and the New Testament (ed. F. García Martínez; STDJ 85; Leiden: Brill, 2009. Pp. vi + 349. Hardcover. €114.00 / $169.00. ISBN 978-90-04-17696-6)

This volume publishes the proceedings of an experts' meeting held at the Catholic University of Leuven in December 2007 and explores the relationship between the Qumran Dead Sea Scrolls and the New Testament. F. García Martínez, "Qumran between the Old and the New Testament," 1–6; T. H. Lim, "Towards a Description of the Sectarian Matrix," 7–31; G. J. Brooke, "The Pre-sectarian Jesus," 33–48; J. J. Collins, "The Interpretation of Psalm 2," 49–66; E. F. Mason, "Interpretation of Psalm 2 in *4QFlorilegium* and in the New Testament," 67–82; F. Avemarie, "Interpreting Scripture through Scripture: Exegesis Based on Lexematic Association in the Dead Sea Scrolls and the Pauline Epistles," 83–102; E. Tigchelaar, "'Spiritual People,' 'Fleshly Spirit,' and 'Vision and Meditation': Reflections on *4QInstruction* and 1 Corinthians," 103–18; S. Hultgren, "4Q521 and Luke's *Magnificat* and *Benedictus*," 119–32; L. Doering, "Marriage and Creation in Mark 10 and CD 4–5," 133–63; L. H. Schiffman, "Temple, Sacrifice and Priesthood in the Epistle to the Hebrews and the Dead Sea Scrolls," 165–76; J. Jokiranta, "Learning from Sectarian Responses: Windows on Qumran Sects and Emerging Christian Sects," 177–209; E. Regev, "Wealth and Sectarianism: Comparing Qumranic and Early Christian Social Approaches," 211–29; J.-S. Rey, "Family Relationships in 4QInstruction and in Eph 5:21–6:4," 231–55; T. Elgvin, "Priests on Earth as in Heaven: Jewish Light on the Book of Revelation," 257–78; B. G. Wold, "Revelation's Plague Septets: New Exodus and Exile," 279–97; A. L. A. Hogeterp, "Belief in Resurrection and its Religious Settings in Qumran and the New Testament," 299–320.

Esau – Bruder und Feind (ed. G. Langer; Göttingen: Vandenhoeck & Ruprecht, 2009. Pp. 341. Paperback. €34.90. ISBN 978-3-525-50113-9)

This volume studies the figure of Esau from its biblical beginnings until its reception in modern Judaism, including the evidence from the New Testament and early Christianity. Esau is understood not only as a symbol of the pagan foreigner but also as a symbol of the Jewish *alter ego* – at once brother and enemy. For the study of ancient Judaism the following contributions are of importance: G. Langer, "Esau in der hebräischen Bibel," 17–30; R. Kritzer, "Esau in der paganen antiken Literatur," 31–37; R. Kritzer, "Esau bei Philo und Josephus," 41–54; G. Langer, "Esau im Buch Jubiläen," 55–61; B. Ego, "Esau in der Überlieferung der antiken Ester-Targume," 63–72; G. Langer, "Esau in den Midraschim," 73–93; G. Langer, "Esau, Rom und die Geschichte

der Welt," 95–101; J. Erzberger, "Brüderpaare," 115–21; G. Langer, "Esau im Talmud," 123–33; R. Kampling, "Wieder kein Segen – Esau im Neuen Testament," 231–41; R. Kampling, "'… fast niemand von den Unserigen versteht das anders' (Civ. D. 16,35): Esau bei den lateinischen Kirchenschriftstellern," 243–51; A. Shemunkasho, "Der Verlust des Erstgeburtsrechts und des Segens Esaus nach Ephrem dem Syrer, 253–71.

H. Eshel, *Masada: An Epic Story* (Carta Field Guide; Jerusalem: Carta, 2009. Pp. 144. $25.00. ISBN 978-965-220-760-9)

Using the latest archeological and historical research, Eshel introduces the reader to the fortress at Masada, surveys its history, and describes the most important buildings and artifacts of both Masada itself and the Roman siege apparatus. Eshel interweaves into this guided tour of Masada an engagement with the manuscripts and the items of material culture found on the site. Richly illustrated, Eshel's guide to Masada educates specialists and a broader public alike. In it, Herod's fortress as well as the last refuge of the Zealot rebels against the Roman empire become alive again.

H. Eshel, *Qumran: Scrolls – Caves – History* (Carta Field Guide; Jerusalem: Carta, 2009. Pp. 144. Paperback. $25.00. ISBN 978-965-220-757-9)

This archeological guide introduces its reader not only to the settlement at Qumran and the Qumran caves but also to the story of how the Dead Sea Scrolls were found. Interwoven with a description of the Qumran settlement and its caves, Eshel describes the history of the Qumran community and the literature that was collected in the Qumran library. Eshel understands Qumran as an Essene settlement and bases his introduction on the latest research. This richly illustrated guide is easy to read for nonspecialists but nevertheless informative even for Dead Sea Scrolls experts; it provides the best introduction to the Dead Sea Scrolls in years.

Exploring the Origins of the Bible: Canon Formation in Historical, Literary, and Theological Perspective (eds. C. A. Evans and E. Tov; Acadia Studies in Bible and Theology; Grand Rapids, Mich.: Baker Academic, 2008. Pp. 272. Paperback. $24.99. ISBN 978-0-8010-3242-4)

This book publishes the contributions to the 2006 spring session of the Hayward Lectures at Acadia Divinity College in Wolfville, Nova Scotia. Directed toward the target audience of the "Acadia Studies in Bible and Theology" series, the volume provides students and nonspecialists with an informative orientation on the complex issues of canon formation. C. A. Evans, "Introduction," 15–29; E. Tov, "The Septuagint as a Source for the Literary Analysis of Hebrew Scripture," 31–56; J. H. Charlesworth, "Writings Ostensibly Outside the Canon," 57–85; S. G. Dempster, "The Emergence of the Tripartite Canon," 87–127; R. G. Wooden, "The Role of 'the Septuagint' in the Formation of the Biblical Canons," 129–46; C. A. Evans, "The Apocryphal Jesus: Assessing the Possibilities and Problems," 147–72; S. E. Porter, "Paul and the Process of Canonization," 173–202; L. M. McDonald, "Wherein Lies Authority? A Discussion of Books, Texts, and Translations," 203–39; J. R. Wilson, "Canon and Theology: What Is at Stake?" 241–53.

U. B. Fink, *Joseph und Aseneth: Revision des griechischen Textes und Edition der zweiten lateinischen Übersetzung* (Fontes et Subsidia ad Bibliam pertinentes 5; Berlin: Walter de Gruyter, 2008. Pp. xi + 353. Hardcover. €98.00 / $117.00. ISBN 978-3-11-020140-6)

This is the published version of Fink's 2007 dissertation, which was supervised by Christoph Burchard at the University of Heidelberg. Fink develops a stemma of the textual history of *Joseph and Aseneth* and revises Burchard's reconstruction of the original Greek text of the book. Fink's work on the Greek text is highly influenced by the medieval Greek Palimpsest M (11th cent.). She shows that the short text of *Joseph and Aseneth,* which was edited by Philonenko, is a secondary witness that goes back to a medieval version of the book. In the second part of her book, Fink studies and edits the second medieval Latin translation of the Greek text of *Joseph and Aseneth*.

Flavius Josephus, *Über die Ursprünglichkeit des Judentums Contra Apinionem* (2 vol.; ed. F. Siegert; with contributions by. J. Dochhorn and M. Vogel; Schriften des Institutum Judaicum Delitzschianum 6.1–2; Göttingen: Vandenhoeck & Ruprecht, 2008. Pp. 218 + 211. Hardcover. €139.00. ISBN 978-3-525-54206-4)

This two volume publication of Flavius Josephus's *Contra Apionem* comprises an introduction, a German translation, a text-critical apparatus, and a commentary on this important text. In addition, the Greek text of Niese's 1889 edition of *Contra Apionem* (taken from the TLG database) is emended and enriched by other Greek, Latin, and Armenian witnesses. The introduction to the present publication understands *Contra Apionem* as an apology that does not intend to proselytize but to convince Romans of the antiquity and value of Judaism and to provide Jews with arguments for use in situations of cultural conflict with their Roman environment. Furthermore, the introduction addresses the setting, purpose, genre, structure, sources, textual tradition, and textual witnesses of *Contra Apionem*. In addition, it discusses various parts of the subject matter of *Contra Apionen* and explains editorial decisions.

Florilegium Lovaniense: Studies in Septuagint and Textual Criticism in Honour of Florentino García Martínez (eds. H. Ausloos, B. Lemmelijn, and M. Vervenne; BETL 224; Leuven: Peeters, 2008. Pp. xvi + 564. Paperback. €80.00. ISBN 978-90-429-2155-9)

With this Festschrift members of the Catholic University of Leuven and several invited contributors celebrate the œuvre of F. García Martínez. All contributions are concerned with issues of textual criticism and/or Septuagint studies. H. Ausloos and B. Lemmelijn, "Canticles as Allegory? Textual Criticism and Literary Criticism in Dialogue," 35–48; J. M. Auwers, "Le prologue du Cantíque, monologue ou dialogue?," 49–56; R. Bieringer, "Comfort, comfort my people" (Isa 40,1): The Use of Παρακαλέω in the Septuagint Version of Isaiah," 57–70; E. Bons, "Le vin filtré: Quelques remarques concernant les texts hébreu et grec d'Amos 6,6a et le sens de la tournure οἱ πίνοντες τὸν διυλισμένον οἶνον," 71–83; D. Büchner, "The *Thysia Soteriou* of the Septuagint and the Greek Cult: Representation and Accommodation," 85–100; R. Ceulemans, "The Greek Christian Afterlife of the Minor Versions: The Possibilities of a Shift in Perspective," 101–17; J. Cook, "Hellenistic and/or (Pre-)Rabbinic Traditions in the Septuagint," 119–31; H. Debel, "What about the Wicked? A Survey of the Textual and Interpretational Problems in Qoh 8,10a," 133–50; D. de Crom, "On Articulation in LXX Canticles," 151–69; C. Dogniez, "Les tra-

ductions 'inverses' dans la Septante de Zacharie," 171–82; G. Dorival, "'Au sujet de ceux qui seront faits autres' ou 'sur le lis'? À propos des titres des Ps 44; 59; 68 et 79," 183–99; K. Hauspie, "Le expression du comparative et du superlative dans la Septante d'Ézéchiel," 201–21; M.M.S. Ibita, "What Is This That You Have Done? A Characterization of the Woman in the Trial of Genesis 3 in MT and LXX," 223–43; J. Joosten, "The Dead Sea Scrolls and the Septuagint in Mutual Illumination," 245–52; M. Karrer, U. Schmid, and M. Sigismund, "Das lukanische Doppelwerk als Zeuge für den LXX-Text des Jesaja-Buches," 253–74; W. Kraus, "Heb 3,7–4,11 as a Midrash on Ps 94 (LXX)," 275–90; M. Labahn, "Ausharren im Leben, um vom Baum des Lebens zu essen und ewig zu leben: Zur Textform und Auslegung der Paradiesgeschichte der Genesis in der Apokalypse des Johannes und deren Textgeschichte," 291–316; J. Lust, "Idols? גלולים and εἴδωλα in Ezekiel," 317–33; T. Muraoka, "Hosea 6 in the Septuagint," 335–49; A. Pietersma, "Divinity Denied: Nebuchadnezzar, Divine Appointee but No God: Greek Jeremiah Reconsidered," 351–71; É. Puech, "4QSamuel[a] (4Q51): Notes épigraphiques et nouvelles identifications," 373–86; J.-S. Rey, "Un noveau bifeuillet du manuscrít C de la Genizah du Caire," 387–416; A. Schenker, "Altar oder Altarmodell?: Textgeschichte von Jos 22,9–34," 417–25; R. Solamo, "Characteristics of the Old Greek Translation of Deuteronomy in Rendering לפני," 427–36; J. Trebolle Barrera, "A Combined Textual and Literary Criticism Analysis: Editorial Traces in Joshua and Judges," 437–63; A. van der Kooij, "Isaiah and Daniel in the Septuagint: How Are These Two Books Related?" 465–73; P. van Hecke, "To Have or Not to Have: The Septuagint Translation of Possessive Clauses with יש or אין," 475–91; H. van Rooy, "The Minor Versions and the Text of Ezekiel," 493–506; E. Verbeke, "The Use of the Hebrew *Hapax Legomena* in Septuagint Studies: Preliminary Remarks on Methodology," 507–21.

M.V. Fox, *Proverbs 10–31: A New Translation with Introduction and Commentary* (AB 18B; New Haven: Yale University Press, 2009. Pp. xix + 728. Hardcover. $60.00. ISBN 978-03-001-4209-9)

After his magisterial first volume, Fox presents the scholarly public with the second volume of his Anchor Bible commentary to the Book of Proverbs. The book is a rich resource of detailed (philological) interpretations as well as overall perspectives on Proverbs. Fox understands Proverbs 10–31 as consisting mostly of unconnected proverbs. Despite the existence of thematic clusters and paired proverbs there is no overall design determining the placement of individual sayings – the exception to this rule being Proverbs 30–31. The four older collections in Proverbs 10–29 were composed and edited during the late eighth or seventh centuries BCE at the Jerusalem court. Next Proverbs 1–9 was prefixed as a hermeneutical introduction. Then interludes were inserted into Proverbs 1–9, and in the end the four units of Proverbs 30–31 were added.

From Qumran to Aleppo: A Discussion with Emanuel Tov about the Textual History of Jewish Scriptures in Honor of his 65th Birthday (eds. A. Lange, M. Weigold, and J. Zsengellér; FRLANT 230; Göttingen: Vandenhoeck & Ruprecht, 2009. Pp. 202. Hardcover. €70.00. ISBN 978-3-525-53094-8)

This volume publishes the proceedings of a small conference in honor of E. Tov's 65th birthday hold at the University of Vienna in 2006. The volume covers contributions from various areas and stages of the textual history of the Hebrew Bible. E.

Tov, "The Many Forms of Hebrew Scripture: Reflections in Light of the Septuagint and 4QReworked Pentateuch," 11–28; A. Lange "'They Confirmed the Reading' (*y. Ta'an.* 4:68a): The Textual Standardization of Jewish Scriptures in the Second Temple Period," 29–80; J. Oesch, "Formale und materiale Gliederungshermeneutik der Pentateuch–Handschriften von Qumran," 81–122; F. V. Reiterer, "Urtext oder Ausgangstext: Beispiele zur Textentwicklung des sirazidischen Textes," 123–40; H.-J. Stipp, "Der prämasoretische Idiolekt des Buches Ezechiel und seine Beziehungen zum Jeremiabuch," 141–55; H. Tervanotko, "'The Hope of the Enemy has Perished': The Figure of Miriam in the Qumran Library," 156–75; K. Trompelt, "Die masoretische Akzentuation als Spiegel abweichender Texttraditionen im Jesajabuch," 176–88; J. Zsengellér, "Origin or Originality of the Torah: Historical and Textcritical Value of the Samaritan Pentateuch," 189–202.

W. E. Glenny, *Finding Meaning in the Text: Translation Technique and Theology in the Septuagint of Amos* (VTSup 126; Leiden: Brill, 2009. Pp. xv + 306. Hardcover. €104.00 / $154.00. ISBN 978-90-04-17638-6)

This study is a revised version of the author's PhD thesis, which was supervised by Philip H. Sellew at the University of Minnesota-Minneapolis. Although difficulties with uncommon terms and constructions show that the author of LXX-Amos had only a limited knowledge of Hebrew he endeavored to achieve a very literal translation. LXX-Amos expresses an anti-Seleucid bias in its anti-Syrian and anti-Samaritan rhetoric. It was produced during the middle of the 2nd cent. BCE in Egypt. "The translator was apparently a Jew, who understood his exile from the land to be a fulfilment of prophecies of exile and foreign domination in Amos. He looked forward to a promised future time of national blessing and restoration of the land for Israel, and he believed Gentiles would share in that future time of blessing and salvation" (272).

A. D. Gross, *Continuity and Innovation in the Aramaic Legal Traditions* (JSJSup 28; Leiden: Brill, 2008. Pp. xii + 229. Hardcover. €89.00 / $132.00. ISBN 978-90-04-15284-7)

This study represents the revised version of the author's PhD thesis at New York University. Based on the examples of the Acknowledgement of Receipt Clause, the Investiture Clause, and the Warranty Clause, Gross asks to what extent Aramaic legal documents of Assyrian, Jewish, Samaritan, Nabatean, and Syriac backgrounds attest to a shared legal tradition with origins in Mesopotamian texts. Although time and different cultures led to different implementations, Gross identifies such a common legal ground and traces it back to Mesopotamian legal traditions of the late 2nd millennium BCE as well as to Neo-Assyrian influence.

O. Gussmann, *Das Priesterverständnis des Flavius Josephus* (TSAJ 124: Tübingen: Mohr Siebeck, 2008. Pp. xv + 514. Hardcover. €129.00. ISBN 978-3-16-149562-5)

This study is a reworked version of the author's PhD thesis at the University of Erlangen, which was supervised by O. Wischmeyer. Josephus is one of the most important witnesses for Jewish priesthood in the 1st cent. CE. Although no principal reflections on the institution and functions of priesthood or conceptions of purity

can be found in his writings, Gussmann attempts to reconstruct Josephus's idea of priesthood. Josephus seeks proximity to the seat of political power. He perceives himself hence primarily as a member of the (Hasmonean) priesthood and not as a member of one of the Jewish religious parties. Josephus' descriptions of priests and priesthood are guided by apologetic interests and are influenced by Alexandrian Jewish thought. Josephus describes the architecture of the Jerusalem temple and the high priestly garments in great detail and interprets them symbolically. The high priestly garments in particular communicate political ideas to the Romans. Cultically, they are related to the atonement and purity of the Jewish people and the order of creation.

R. Hanhart, *Septuaginta Vetus Testamentum Graecum* IX,2: *Maccabaeorum liber II* (3rd revised edition; Göttingen: Vandenhoeck & Ruprecht, 2008. Pp. 116. Hardcover. € 38.90. ISBN 978-3-525-53432-8)

This corrected edition makes Hanhart's masterfully introduced and edited text of 2 Maccabees again available to the scholarly public. Alongside the text itself, Hanhart provides a detailed introduction to the textual witnesses of 2 Maccabees and its textual history.

F. Hartenstein, *Das Angesicht JHWHs: Studien zu seinem höfischen und kultischen Bedeutungshintergrund in den Psalmen und in Exodus 32–34* (FAT 55; Tübingen: Mohr Siebeck, 2008. Pp. xi + 407. Hardcover. € 89.00. ISBN 978-3-16-148729-3)

The present study is a revised version of the author's habilitation at the Philipps University of Marburg. Hartenstein analyzes the expression "face of the Lord" in Exodus 32–34 and selected psalms. The idiom "face of the Lord" is of key importance in the Hebrew Bible. It can express either the nearness of God or his remoteness. Both significations derive from the cultic symbolism of the pre- and postexilic cult in the Jerusalem temple. A comparison with ancient Near Eastern texts and iconographic sources demonstrates that an anthropomorphic expression like "face of the Lord" cannot be taken as evidence for the existence of a yahwistic idol in the Jerusalem temple. The expression "face of the Lord" points to a social framework instead, i. e. the social model of an audience before the ruler.

E. R. Hayes, *The Pragmatics of Perception and Cognition in MT Jeremiah 1:1–6:30: A Cognitive Linguistics Approach* (BZAW 380; Berlin: Walter de Gruyter, 2008. Pp. xvii + 272. Hardcover. € 68.00 / $ 95.00. ISBN 978-3-11-020229-8)

This is a revised version of the author's PhD thesis, which was supervised by H. G. M. Williamson at Oxford University. Hayes uses the MT version of Jer 6:1–6:30 as a paradigm to apply recent developments in cognitive linguistics to Biblical prophetic texts. Hayes bases her work on the premise that the originators of an ancient text and its modern readers share common features of embodied experience. Incorporating insights from cognitive grammar, cognitive science, and conceptual blending theory she shows that Jeremiah 1:1–1:3 establishes perspective for Jer 1:1–6:30 and that subsequent shifts in perspective can be tracked using aspects of mental spaces theory.

Heresy and Identity in Late Antiquity (eds. E. Iricinschi and H. M. Zellentin; Tübingen: Mohr Siebeck, 2008. Pp. xl + 407. Hardcover. €79.00. ISBN 978-3-16-149122-1)

This volume discusses sources from Second Temple Judaism and Early Christianity that are relevant for the understanding of heresy and religious identity in late ancient Christian and Rabbinic literature. E. Iricinschi and H. Zellentin, "Making Selves and Marking Others: Identity and Late Antique Heresiologies," 1–27; K. L. King, "Social and Theological Effects of Heresiological Discourses," 28–49; W. E. Arnal, "Doxa, Heresy and Self-Construction," 50–101; A. Cameron, "The Violence of Orthodoxy," 102–114; Y. Papadoyannakis, "Defining Orthodoxy in Pseudo-Justin's 'Quaestiones et responsiones ad orthodoxos,'" 115–27, C. Humfress, "Citizens and Heretics: Later Roman Lawyers on Christian Heresy," 128–42; R. Lim, "The Nomen Manichaeorum and Its Uses in Late Antiquity," 143–67; K. L. Osterloh, "Judea, Rome and the Hellenistic Oikoumene: Emulation and the Reinvention of Communal Identity," 168–206; J. G. Gager, "Where Does Luke's Anti-Judaism Come from?" 207–11; P. Townsend, "Who Were the First Christians? Jews, Gentiles and the Christianoi," 212–30; E. Pagels, "The Social History of Satan, Part III: John of Patmos and Ignatius of Antioch – Contrasting Visions of 'God's People,'" 231–52; E. Iricinschi, "If You Got It: Religious Advertising in the Gospel of Phillip," 253–72. A. Y. Reed, "Heresiology and the (Jewish)-Christian Novel: Narrativized Polemics in the Pseudo-Clementine Homilies," 273–99; B. L. Visotzky, "Goys 'R'n't Us: Rabbinic Anti-Gentile Polemic in Yerushalmi Berachot 9:1," 299–314; G. Gardner, "Astrology in the Talmud: An Analysis of Bavli Shabbat 156," 314–38; H. M. Zellentin, "Margin of Error: Bavli Shabbat 116a-b as Polemics, Apology and Heresiology," 339–63; I. J. Yuval, "The Other in Us: Liturgia, Poetica, Polemica," 364–86.

A. Ho, *The Targum of Zephaniah: Manuscripts and Commentary* (Studies in the Aramaic Interpretation of Scripture 7; Leiden: Brill, 2009. Pp. xiii + 460. Hardcover. €146.00 / $216.00. ISBN 978-90-04-17180-0)

Ho's seminal study on Targum Jonathan (TJ) to Zephaniah comprises an investigation of 21 manuscripts from five major traditions: Palestinian (1), Babylonian (2), Yemenite (5), Ashkenazi (7), and Sephardi (6). Ho classifies them according to origin, date, letters, vocalization, and the tradition of Hebrew alternating with Targum (183). The different mss reflect a variety of textual traditions and scriptural erudition. The comparisons reveal the history of transmission of TJ. Ho's study presents a commentary to TJ, discerns qualitative changes across time and location in the manuscript tradition, and presents and describes the different mss of the targum. Ho understands TJ Zephaniah's divergences from the MT not as textual changes but as responses to MT. TJ Zephaniah functions as a teaching tool against erring or changing the tradition of the forefathers. "Do not be a fool to add to what the Wise have ruled, for whoever adds lessens" (430).

P. W. van der Horst and J. H. Newman, *Early Jewish Prayers in Greek* (Commentaries on Early Jewish Literature; Berlin: Walter de Gruyter, 2008. Pp. xvi + 298. Hardcover. €84.00 / $110.00. ISBN 978-3-11-020503-9)

This volume provides English translations of, bibliographies to, and detailed historical and philological commentaries on independent prayers from ancient Judaism, the earliest of which were written in the second cent. BCE and the latest in the third or fourth cent. CE. All prayers come from the Jewish diaspora and were written in Greek.

They provide new insights into the Jewish spirituality in the land of Israel and the diaspora. "The Hellenistic Synagogal Prayers in the *Apostolic Constitutions*," 1–93; "A Communal Prayer (Pap. Egerton 5)," 95–122; "A Prayer for Protection against Unclean Spirits (Pap. Fouad 203)," 123–33; "A Prayer for Vengeance from Rheneia," 135–43; "The Prayer of Manasseh," 145–80; "The Prayer of Azariah," 181–214; "The Prayer of Jacob," 215–46; "Appendix: The Prayer of Joseph," 247–58.

F. G. Hüttenmeister, *Übersetzung des Talmud Jerushalmi 'Orla* (Tübingen: Mohr Siebeck 2009. Pp. xl + 110. Hardcover. €79.00. ISBN 978-16-149856-7)

The treatise *'Orla* (the tenth in the order of Zeraim) takes Lev 19.23–25 as its point of departure and deals with problems of agriculture. Hüttenmeister takes the Leiden manuscript as his base text. Translation and commentary follow in all essential points the same principles as the previously published treatises in this series. In addition to an adequate translation, Hüttenmeister intends to offer a solid help for understanding the treatise and to locate it in the history of Jewish thought. Moreover, an abundance of material on the agriculture in the land of Israel in antiquity is presented in Hüttenmeister's commentary.

T. Ilan, *Lexicon of Jewish Names in Late Antiquity*, vol. 3: *The Western Diaspora 330 BCE-650 CE* (TSAJ 126; Tübingen: Mohr Siebeck, 2008. Pp. xxvi + 770. Hardcover. €199.00. ISBN 978-3-16-149673-8)

In the third volume of her *Lexicon of Jewish Names*, Ilan defines the Western Diaspora linguistically, i. e. "the lands in which Jews spoke primarily Greek and Latin" (1). Besides the epigraphic and papyrological material, the author collects the names also from the literary sources. The names are arranged according to language and gender. Each name is presented with source, provenance and date. In the detailed introductory chapter – while also explaining the fourth category (Exceptions) – Ilan surveys onomastic traditions of the Diaspora during the Hellenistic, Roman, and the Byzantine periods. The book's orthographical index – both in the original language (Greek, Latin, Hebrew, etc.) and in English translation – makes this lexicon easy to use. This volume makes Ilan's *Lexicon* a handbook of the ancient Jewish onomasticon not only for scholars of Jewish Antiquity, but also for researchers of other fields (e. g. Greek and Roman epigraphy).

T. Ilan, *Massekhet Ta'anit: Text, Translation and Commentary* (A Feminist Commentary on the Babylonian Talmud; Tübingen: Mohr Siebeck, 2008. Pp. xi + 340. €159.00. ISBN 978-3-16-149524-3)

Ilan presents and comments upon the collected texts from *m. Ta'anit* and *b. Ta'anit* that are particularly relevant to issues of women and gender, as well as those in which women are conspicuously missing. The author argues against the long process of silencing women in the classical rabbinic literature. *Ta'anit* creates the overall impression that the rabbis emphasized the relationship between rainfall and dry ground in a gendered metaphor of sexual relations, with rain as male and the land as female. In addition to the Mishnah and Talmud Bavli, Ilan uses parallel traditions from the *Tosefta* (halakha on women), which the canonization of the *Mishnah* rejected; parallels from *Talmud*

Yerushalmi; and texts from halakhic Midrashim and aggadic Midrashim. She further consults Rashi's running commentary on the Bavli, as well as modern commentators.

Israeliten und Phönizier: Ihre Beziehungen im Spiegel der Archäologie und der Literatur des Alten Testaments und seiner Umwelt (eds. M. Witte and J. F. Diehl; OBO 235; Fribourg and Göttingen: Academic Press Fribourgh and Vandenhoeck & Ruprecht, 2008. Pp. viii + 293. Hardcover. €65.90. ISBN 978-3-525-53036-8)

This volume publishes the contributions of two symposia held at the University of Frankfurt in 2005 and 2006. It stresses the importance of the Phoenicians as transmitters of culture between the Ancient Near East and the Greek Aegean. For the study of ancient Judaism the following contributions are of interest: R. G. Lehmann, "'Who needs Phoenician?' Vom Nutzen des Phönizischen für das Verständnis der Sprache des Antiken Israel: Überlegungen und Beispiele," 1–37; G. Lehmann, "Das Land Kabul: Archäologische und historisch-geographische Erwägungen," 39–94; A. Nunn, "Die Phönizier und ihre südlichen Nachbarn in der achäminidischen und frühhellenistischen Zeit: Ein Bildervergleich," 95–123; J. Kamlah, "Die Bedeutung der phönizischen Tempel von Umm el-Ahmed für die Religionsgeschichte der Levante in vorhellenistischer Zeit," 125–64; M. Saur, "Tyros im Spiegel des Ezechielbuches," 165–89; K. Schöpflin, "Die Tyrosworte im Kontext des Ezechielbuches," 191–213; B. Dreyer, "Phönizien als Spielball zwischen den Großmächten: Der sogenannte Raubvertrag von 203/02 v. Chr.: Dimension und Konsequenzen," 215–31; M. Bauks, "Kinderopfer als Weihe- oder Gabeopfer: Anmerkungen zum *mlk*-Opfer," 233–51.

S. Janse, *"You Are My Son:" The Reception of Psalm 2 in Early Judaism and the Early Church* (CBET 51; Leuven: Peeters, 2009. Pp. xxi + 189. Paperback. €45.00 ISBN 978-90-429-2127-6)

Janse shows how early Christian interpretations of Psalm 2 participate in its ancient Jewish reception history. Composed in postexilic times, Psalm 2 is a theocratic text that combines proto-Messianic with sapiential ideas. Alongside a demessianization of Psalm 2 in the Qumran *Midrash on Eschatology* (4Q174 I:10 ff.), Janse observes Messianic interpretations of Psalm 2 in *Psalms of Solomon* 17 and *Midrash on Psalms* 2:3; 92:10. Contrary to the Psalm itself, Janse detects a reluctance in ancient Jewish literature to understand the words "son" or "son of God" in a Messianic way. The only exception to this rule is 4Q246. Eschatological readings of Psalm 2 exist independent of its Messianic message (cf. Psalm 2-LXX and 4Q174 I:10 ff.). The sapiential ideas of Psalm 2 are reflected in its Septuagint and Targum translations, as well as in *Psalms of Solomon* 17 and *Wisdom* 6:1.

B. S. Jackson, *Essays on* Halakhah *in the New Testament* (Jewish and Christian Perspective 16; Leiden: Brill, 2008. Pp. xiii + 264. Hardcover. €109.00 / $162.00. ISBN 978-90-04-16273-09

Jackson explores in this collection of essays the complex interrelationships and methodological issues that arise when the New Testament is studied as a source for Jewish halakhah. "Historical Observations on the Relationship between Letter and Spirit," 1–11; "The Prophet and the Law in Early Judaism and the New Testament," 13–31; "The Trials of Jesus and Jeremiah," 33–57; "*Testes Singulares* in Early Jewish Law and the

New Testament," 59–87; "Susanna and the Singular History of Singular Witnesses," 89–110; "The Jewish Background to the Prodigal Son: An Unresolved Problem," 111–50; "Risk-Taking Shepherds," 151–66; "'Holier than Thou'? Marriage and Divorce in the Scrolls, the New Testament and Early Rabbinic Sources," 167–225.

S. Japhet, *The Ideology of the Book of Chronicles and Its Place in Biblical Thought* (Winona Lake, Ind.: Eisenbrauns, 2009. Pp. xii + 447. Hardcover. $49.50. ISBN 978-1-57506-159-7)

This reprint of the 1989 English translation of Sarah Japhet's PhD thesis makes her magisterial study again available to the scholarly public. "By reformulating Israel's history in its formative period, the Chronicler gives a new significance to the two components of Israelite life: the past is explained so that its institutions and religious principles become relevant to the present, and the ways of the present are legitimized anew by being connected to the prime source of authority – the formative period in the people's past" (403).

The Jerusalem Talmud: Fourth Order: Neziqin: Tractates Bava Qamma, Bava Mesi'a and Bava Batra (ed. H. W. Guggenheimer; Berlin: Walter de Gruyter, 2008. Pp. xl + 763. Hardcover. €179.95. ISBN 978-3-11-020943-3)

The tractate *Neziqin* (the eleventh in the series of the de Gruyter Jerusalem Talmud) deals with most aspects of civil law and is divided into three parts, known as the First Gate (*Bava Qamma*), the Middle Gate (*Bava Mes'ia*), and the Last Gate (*Bava Batra*) (altogether 30 chapters). Guggenheimer presents in an optimal way the first volume of what is, by its nature, a fragmentary tractate. Based on J. Sussman's manuscript for the Academy of the Hebrew Language (2001), the volume follows the principles established by the publication series regarding text, vocalization, and commentary. The translation of the Yerushalmi is again accompanied by the Hebrew text. To facilitate comparison, the author has added to each paragraph the folio and line number of the text in the Krotoschin edition. The text is essentially represented as an outline to be fleshed out by the explanation of the teacher. The extensive commentary of *Neziqin* includes the Leiden ms and the Escurial ms, as well as the independent judgment of the author (plus proposed corrections of the text in notes to the commentary), with cross reverences to the Bavli. This resource provides the reader with a key for understanding the whole text.

Jewish Literatures and Cultures: Context and Intertext (eds. A. Norith and Y. Z. Eliav; BJS 349; Providence: Brown Judaic Studies, 2008. Pp. xi + 260. $39.95. ISBN 978-1-930675-55-1)

This volume publishes the proceedings of a conference titled "Jewish Literatures and Cultures: Context and Intertext" which took place at the University of Michigan. Its contributions cover a wide historical range from the Second Temple Period up to modernity and study in an interdisciplinary approach the links between Jewish cultural life and the larger world in which Jews live. The volume "takes seriously Judaism's endless debates over how to define the essence of its culture and seeks to clarify the ramifications of claiming one element rather than another" (A. Norich, 2). For the study of Second Temple and Rabbinic Judaism the contributions of G. Boccaccini ("Hellenistic

Judaism: Myth or Reality?" 55–76), M. Himmelfarb ("'He Was Renowned to the Ends of the Earth' [1 Maccabees 3:9]: Judaism and Hellenism in 1 Maccabees," 77–97), Y. Z. Eliav ("Roman Statutes, Rabbis, and Greco-Roman Culture," 99–115), and S. Pinsker ("Intertextuality, Rabbinic Literature, and the Making of Hebrew Modernism," 201–28) are of particular interest.

Jewish Reception of Greek Bible Versions: Studies in Their Use in Late Antiquity and the Middle Ages (eds. N. de Lange, J. G. Krivoruchko, and C. Boyd-Taylor; Texts and Studies in Medieval and Early Modern Judaism 23; Tübingen: Mohr Siebeck, 2009. Pp. viii + 338. Hardcover. € 99.00. ISBN 978-3-16-149779-7)

This volume publishes the extended proceedings of an international colloquium held in 2007 at Wolfson College in Cambridge. The contributions consider the continued use of Greek Versions of the Bible in late ancient and medieval Judaism. Certain key points arise out of them. 1. In the Middle Ages, Greek-speaking Jews used Greek translations of Biblical books. 2. Several Greek translations circulated side by side. 3. "… these translations were generally very traditional, and retain clear traces of the ancient translations and revisions, and notably that of Aquila" (6). 4. The books and parts of the LXX that are absent from the MT text were not entirely forgotten by late ancient and medieval Jews. 5. The Greek translations in question found their way into the hands of Christian scribes, too. N. de Lange, "Introduction," 1–6; W. Horbury, "The Septuagint in Cambridge," 9–38; N. Fernández Marcos, "*Non placet Septuaginta*: Revisions and New Greek Versions of the Bible in Byzantium," 39–50; J. Aitken, "The Jewish Use of Greek Proverbs," 53–77; P. Alexander, "The Cultural History of the Ancient Bible Versions: the Case of Lamentations," 78–102; A. Salvesen, "The Relationship of LXX and the Three in Exodus 1–24 to the Readings of F^b," 103–27; S. Cappelletti, "Biblical Quotations in Greek Jewish Inscriptions of the Diaspora," 128–41; G. Veltri, "The Septuagint in Disgrace: Some Notes on the Stories on Ptolemy in Rabbinic and Medieval Judaism," 142–54; D. Jacoby, "The Jewish Communities of the Byzantine World from the Tenth to the Mid-Fifteenth Century: Some Aspects of Their Evolution," 157–81; B. M. Outhwaite, "Byzantium and Byzantines in the Cairo Genizah: New and Old Sources," 182–220; S. Dönitz, "Sefer Yosippon and the Greek Bible," 223–34; P. Andrist, "The Greek Bible Used by the Jews in the Dialogues Contra Iudaeos (Fourth-Tenth Centuries CE)," 235–62; T. M. Law, "The Use of the Greek Bible in some Byzantine Jewish Glosses on Solomon's Building Campaign," 263–83; D. De Crom, "The Book of Canticles in Codex Graecus Venetus 7," 287–301; N. Fernández Marcos, "Greek Sources of the Complutensian Polyglot," 302–15.

N. Kasumata, *Seder Avodah for the Day of Atonement by Shelomo Suleiman Al-Sinjari* (Tübingen: Mohr Siebeck 2009. Pp. x + 221. Hardcover. € 89.00. ISBN 978-3-16-14732-2)

This book is the first critical edition with a full English translation of two monumental poems about *Seder Avodah* (SA) by Shelomo Al-Sinjari (beginning of 10th cent. C. E. in Palestine), which belong to the liturgical genre of the piyyutic priestly tradition. Utilizing thirteen different copies, Kasumata attempts to reconstruct the *Urtext* of the two poems and prepares a diplomatic edition, to which she provides a commentary.

The edition presents and comments on all the different variants and provides a solid translation and introduction. The vocalization of the Hebrew text facilitates reading, and the commentaries on the unique language and style of the piyyut are helpful for understanding not only the content but also the history of the Hebrew language.

I. Knohl, *Messiahs and Resurrection in "The Gabriel Revelation"* (The Kogod Library of Judaic Studies 6; London: Continuum, 2009. Pp. xv + 122. Paperback. £16.99. ISBN 978-0-8264-2507-2)

This is the first book length study of the so-called *Gabriel Revelation*. Paleography and linguistic patterns indicate that this ink inscription was written towards the end of the 1st cent. BCE. Although coming out of the antiquities trade, it was in all probability discovered at the eastern shore of the Dead Sea. Knohl describes the content of the inscription as follows: "The first half describes an eschatological war, in which the nations of the world besiege Jerusalem, expelling its residents from the city. God, in response, sends 'My servant David' to ask Ephraim – the Messiah son of Joseph – to place 'a sign,' presumably heralding the coming redemption. The text goes on to describe the vanquishing of the Antichrist and its forces of evil. God Himself appears together with His angels to defeat the enemies. The second half of *The Gabriel Revelation* focuses on death and resurrection. God declares that the blood of those slain by the enemies will become the chariot in which they will ascend to Heaven. The text also refers to three leaders – 'shepherds' – sent by God to His people, who were killed in battle. The last paragraph cites the words of the Archangel Gabriel, ordering his interlocutor … to return to life after three days" (xii). Knohl understands this messianic text as a response to brutal suppression of the Jewish rebellion against Rome in the year 4 BCE after the death of Herod the Great. According to Knohl, the *Gabriel Revelation* with its combination of a Messiah son of Joseph and a resurrection of this Messiah after three days reflects the messianic ideology of a suffering messiah which motivated Jesus' self-sacrificial death.

A. Lange, *Handbuch der Textfunde vom Toten Meer*, vol. 1: *Die Handschriften biblischer Bücher von Qumran und den anderen Fundorten* (Tübingen: Mohr Siebeck, 2009. Pp. xvi + 583. Hardback. €89.00. ISBN 978-3-16-149734-6. Paperback. €49.00. ISBN 978-3-16-149733-9)

The first volume of this multivolume handbook of the Dead Sea Scrolls studies the Biblical manuscripts. Lange asks to what extent the manuscripts of the biblical books found at the various sites around the Dead Sea shed new light on their textual histories in the Second Temple Period. For this purpose he describes each manuscript (content, palaeography, orthography, and text-type) and analyzes the texts of the quotations of and allusions to each biblical book in the non-Biblical Dead Sea Scrolls. For each biblical book, Lange shows how the Dead Sea Scrolls altered our perception of its textual history. Lange demonstrates that the biblical books had their own individual textual history in the Second Temple period and emphasizes the textual plurality of this time. MT attests not in every case to the most original text of a given biblical book. The three main medieval textual traditions, MT, SP, and LXX, are the products of textual standardization, which began for the consonantal text of MT during the time of Herod the Great.

B. M. Levinson, *"The Right Chorale:" Studies in Biblical Law and Interpretation* (FAT 54; Tübingen: Mohr Siebeck, 2008. Pp. xxiii + 432. Hardcover. €99.00. ISBN 978-3-16-149382-9)

This collection of essays is a testimony to Levinson's methodological brilliance and broad perspective as a bridge-builder between the various factions of Hebrew Bible scholarship. The essays collected in this volume "explore the interplay between synchronic and diachronic method, higher and lower criticism, between the Bible and its Near Eastern context, between narrative and law" (3). "'The Right Chorale:' From the Poetics of Biblical Narrative to the Hermeneutics of the Hebrew Bible," 7–39; "The Seductions of the Garden: The Genesis of Hermeneutics as Critique," 40–47; "The Sinai Covenant: The Argument of Revelation," 48–51; "Deuteronomy's Conception of Law as an 'Ideal Type:' A Missing Chapter in the History of Constitutional Law," 52–92; "The 'Effected Object' in Contractual Legal Language: The Semantics of 'If You Purchase a Hebrew Slave' (Exodus 21:2)," 93–111; "Textual Criticism, Assyriology, and the History of Interpretation: Deuteronomy 13:7a as a Test Case in Method," 112–44; "Recovering the Lost Original Meaning of ולא תכסה עליו (Deuteronomy 13:9)," 145–65; "'But You Shall Surely Kill Him!' The Text-Critical and Neo-Assyrian Evidence for MT Deuteronomy 13:10," 166–200; "The Case for Revision and Interpolation within the Biblical Legal Corpora," 201–23; "Calum M. Carmichael's Approach to the Laws of Deuteronomy," 224–55; "The Hermeneutics of Tradition in Deuteronomy: A Reply to J. G. McConville," 256–75; "Is the Covenant Code an Exilic Composition? A Response to John Van Seters," 276–330.

N. B. Levtow, *Images of Others: Iconic Politics in Ancient Israel* (Biblical and Judaic Studies from the University of California at San Diego 11; Winona Lake, Ind.: Eisenbrauns, 2008. Pp. xii + 211. Hardcover. $39.50. ISBN 978-1-57506-146-7)

Levtow compares Mesopotamian with Israelite iconoclastic traditions. He shows that by drawing on and reconfiguring authoritative mythical, ritual, and rhetorical traditions from ancient Israel and Mesopotamia, "Israelite authors wielded power in their societies through their representation of iconic ritual." Icon parodies are "not … static descriptions of Mesopotamian iconic cult by intellectually privileged Israelite exiles but … dynamic reconstructions of seemingly natural taxonomies by and for Israelite social groups. These poems were written by literate Judahites whose instrument of power, after the destruction of their traditional political and ritual modes of social formation, was discourse. The symbolic power of their compositions derived from their authoritative classification of ritual practice and was a function of legitimacy that their classification of cult was granted" (164).

S. Mason, *Flavius Josephus: Translation and Commentary*, vol. 1b: *Judean War 2* (with H. Chapman; Leiden: Brill, 2008. Pp. xx + 522. Hardcover. €168.00 / $269.00. ISBN 978-90-04-16934-0)

This volume represents a complete translation and commentary on book 2 of Josephus's Judean war. The primary interest of this commentary is not in the reconstruction of the historical events of the years 4 BCE–66 CE but in the meaning of Josephus's text. "'Meaning' here signifies first what he wished to communicate through this text to his real audiences, something that one tries to recover through equal attention to

his verbal clues … and to what these codes might have evoked from first-century audiences … Secondarily, I discuss what Josephus – i. e. the implied author of this narrative … – had in view, even if this could not likely have been clear to his audience; his models, sources, and inspirations. Finally, I raise the question of the *things* to which Josephus refers, and the possible implications of his narrative for various historical scenarios" (xv).

S. Mason, *Josephus, Judea, and Christian Origins: Methods and Categories* (with the editorial assistance of M. W. Helfield; Peabody, Mass.: Hendrickson, 2009. Pp. xx + 443. Paperback. $ 34.95. ISBN 978-1-59856-254-5)

This volume (re)publishes articles by S. Mason focused on Josephus, Judea, and the origins of Early Christianity. For the study of ancient Judaism the following articles are of interest: "Josephus as Authority for First-Century Judea," 7–43 (previously unpublished); "Of Audience and Meaning: Reading Josephus's *Judean War* in the Context of a Flavian Audience," 45–67; "Figured Speech and Irony in T. Flavius Josephus," 69–102; "Contradictions or Counterpoint? Josephus and Historical Method," 103–37; "Jews, Judeans, Judaizing, Judaism: Problems of Categorization in Ancient History," 141–84; "Pharisees in the Narratives of Josephus," 185–215; "The Philosophy of Josephus's Pharisees," 217–38; "The Essenes of Josephus's *Judean War*: From Story to History," 239–79; "Chief Priests, Sadducees, Pharisees, and Sanhedrin in Luke-Acts and Josephus," 329–73.

T. Muraoka, *A Greek English Lexicon of the Septuagint* (Leuven: Peeters, 2009. Pp. xl + 757. Hardcover. € 95.00. ISBN 978-90-429-2248-8)

Sixteen years after Muraoka published his *A Greek-English Lexicon of the Septuagint: Twelve Prophets* and seven years after his *A Greek-English Lexicon of the Septuagint: Chiefly of the Pentateuch and the Twelve Prophets* appeared, he now has completed a comprehensive lexicon of the whole Septuagint. Muraoka's dictionary meets and exceeds all expectations raised by the earlier samples. The typical entry provides morphological information, lists and defines the various meanings and translation equivalents of a lexeme (including Greek text samples), deals with the syntactic and semantic relationships a given headword may share with other words, and gives information on secondary literature. For 5548 out of 9548 lexemes, all occurrences in the Septuagint are mentioned. Unlike earlier Greek-English dictionaries on the Septuagint, Muraoka's lexicon is the first comprehensive scholarly dictionary and can only be compared to H. G. Liddell's and R. Scott's famous *A Greek-English Lexicon*. It is an indispensable tool for everyone who studies the Septuagint or works with it in any way.

Northern Lights on the Dead Sea Scrolls: Proceedings of the Nordic Qumran Network 2003–2006 (eds. A. Klostergaard Petersen et al.; STDJ 80; Leiden: Brill, 2009. Pp. xiv + 314. Hardcover. € 104.00 / $ 154.00. ISBN 978-90-04-17163-3)

This volume publishes selected contributions to the first four symposia of the Nordic Qumran Network (Helsinki 2003, Oslo 2004, Jerusalem 2005, and Copenhagen 2006). The articles are loosely grouped around four themes. The first five articles focus on the literary analysis of particular Qumran texts (G. Brooke, "From Bible to Midrash: Ap-

proaches to Biblical Interpretation in The Dead Sea Scrolls by Modern Interpreters," 1–19; D.K. Falk, "Anatomy of A Scene: Noah's Covenant in Genesis Apocryphon XI," 21–39; E. Eshel, "The Dream Visions in the Noah Story of the Genesis Apocryphon and Related Texts," 41–61; J.M. Saukkonen, "Selection, Election, and Rejection: Interpretation of Genesis in 4Q252," 63–81; J. Høgenhaven, "Geography and Ideology in the Copper Scroll [3Q15] from Qumran," 83–106), while the following three articles are historically oriented (H. Eshel, "The Two Historical Layers of Pesher Habakkuk," 107–17; M. Kartveit, "Who are the 'fools' in 4QNarrative and Poetic Composition^{a-c}," 119–33; J. Norton, "The Question of Scribal Exegesis at Qumran," 135–54). The next series of articles is dedicated to various questions of methodology (M. Popović, "Reading the Human Body and Discerning Zodiacal Spirits: A Proposal for the Use of Physiognomics in the Dead Sea Scrolls," 155–72; J. Jokiranta and C. Wassen, "A Brotherhood at Qumran? Metaphorical Familial Language in the Dead Sea Scrolls," 173–203; I. Werrett, "The Reconstruction of 4QMMT: A Methodological Critique," 205–16; H. von Weissenberg ("4QMMT – Some New Readings," 217–21; T. Elgvin, "How to Reconstruct a Fragmented Scroll: The Puzzle of 4Q422," 223–36). The last two articles treat, respectively, with the ancient Jewish context of the Dead Sea Scrolls and their meaning for a better understanding of early Christian literature (G. Haaland, "A Villain and the VIPs: Josephus on Judas the Galilean and the Essenes," 237–49; H. Ulfgard, "The Songs of the Sabbath Sacrifice and the Heavenly Scene of the Book of Revelation," 251–66).

R.A. Ohrenstein and B.L.J. Gordon, *Economic Analysis in Talmudic Literature: Rabbinic Thought in the Light of Modern Economics* (3rd revised edition; Leiden: Brill, 2009. Pp. xviii + 234. Hardcover € 90.00 / $130.00. ISBN 978-90-04-17462-7)

The present third edition of *Economic Analysis in Talmudic Literature* fell to Roman Ohrenstein, due to the untimely death of Barry Gordon. It retains the extensions of the second edition (2003) and provides further insights into the relevance of Talmudic thought to current economic problems. The text shows, for example, the relevance of Talmudic thought for current concerns about economic recession and inflation in the USA and elsewhere. The book is the only one in existence to provide a deep analysis of economics in the Talmud. It is abundantly clear from this work that many of the central concepts (Macro and Micro Economic Issues [47–144]) and theories of modern economics (Welfare Dimension [145–70] and Categories of Value [171–202]) have been foreshadowed in the Talmud and in the discussions surrounding it. The work also highlights how the Talmudic tradition may have influenced the development of western economic thought, giving particular attention to the impact of cultural interpenetrations in the Iberian Peninsula and to interactions between Christians and Spanish Jewry, which accelerated the conversion of Jews to Christianity (204–24). This updated edition has added quotations and commentaries of Talmudic economic thought, which were not present in the first and second edition.

B. Pinçon, *L'énigme du bonheur: Étude sur le sujet du bien dans le livre de Qohélet* (VTSup 119; Leiden: Brill, 2008. Pp. xiv + 314. Hardcover. € 99.00 / $158.00. ISBN 978-90-04-16717-9)

This study is a revised edition of the author's PhD thesis, which was supervised by Eberhard Bons at the Université Marc Bloch de Strassbourg. Pinçon studies the idea

of happiness in the Book of Qohelet. He argues that Qohelet employs two different concepts of happiness. In chapters 1–6, the only thing left to humans is to enjoy the simple pleasures of life. Humans are unable to penetrate the mystery of being which was sealed to them by an unfair deity. In chapters 7–12, "another question is raised: the future of man. Some kind of realism as well as an encouragement to happiness stand out. The latter no longer rests on past times but on the future. What will be only God knows. Man cannot do much. What is left to him is to enjoy occasions of happiness which are already available and fear God above all" (303).

The Prestige of the Pagan Prophet Balaam in Judaism, Early Christianity and Islam (eds. G. H. van Kooten and Jacques T. A. G. M. van Ruiten; Themes in Biblical Narrative 11; Leiden: Brill, 2008. Pp. xx + 328. Hardcover. €119.00 / $177.00. ISBN 978-90-04-16564-9)

This volume publishes the proceedings of a conference held at the University of Groningen in June 2005. It explores the depiction of Balaam in the biblical narratives and its reception in Judaism, Christianity, and Islam. This reception history is marked by both praise for and criticism of the pagan prophet, in an ambiguity that goes back to his depiction in the Pentateuch itself. E. Noort, "Balaam the Villain: The History of Reception of the Balaam Narrative in the Pentateuch and the Former Prophets," 3–23; É. Puech, "Bala'am and Deir 'Alla," 25–47; J. N. Bremmer, "Balaam, Mopsus and Melampous: Tales of Travelling Seers," 49–67; F. García Martínez, "Balaam in the Dead Sea Scrolls," 71–82; E. Tigchelaar, "A Qumran Cave 2 Fragment Preserving Part of Numbers 23:5–7[8] (2Q29 1)," 83–86; E. Tigchelaar, "Balaam and Enoch," 87–99; J. T. A. G. M. van Ruiten, "The Rewriting of Numbers 22–24 in Pseudo-Philo, Liber Antiquitatum Biblicarum 18," 101–30; G. H. van Kooten, "Balaam as the Sophist Par Excellence in Philo of Alexandria: Philo's Projection of an Urgent Contemporary Debate onto Moses' Pentateuchal Narratives," 131–61; S. Beyerle, "'A Star Shall Come out of Jacob': A Critical Evaluation of the Balaam Oracle in the Context of Jewish Revolts in Roman Times," 163–88; A. Houtman and H. Sysling, "Balaam's Fourth Oracle (Number 24:15–19) according to the Aramaic Targums," 189–211; R. Nikolsky, "Interpret Him as Much as You Want: Balaam in the Babylonian Talmud," 213–30; T. Nicklas, "Balaam and the Star of the Magi," 233–46; J. W. van Henten, "Balaam in Revelation 2:14," 247–63; T. Fronberg, "Balaam and 2 Peter 2.15: 'They Have Followed in the Steps of Balaam' (Jude 11)," 265–74; I. Czachesz, "Speaking Asses in the Acts of Thomas: An Intertextual and Cognitive Perspective," 275–85; J. Leemans, "'To Bless with a Mouth Bent on Cursing:' Patristic Interpretations of Balaam (Num 24:17)," 287–99; F. Leemhuis, "Bal'am in Early Koranic Commentaries," 303–08.

B. Rebiger and P. Schäfer, *Sefer ha-Razim I – Das Buch der Geheimnisse I* (in cooperation with E. Burkhardt, G. Reeg and H. Wels; TSAJ 125; Tübingen: Mohr Siebeck 2009. Pp. xi + 261. Hardcover. €169.00. ISBN 978-3-16-149781-0)

This edition of *Sefer ha-Razim* (*Book of Secrets*) provides the first edition of this Late Antique work of Jewish magic to take into account all extant textual witnesses. The text was compiled in the 7th or 8th cent. CE, but one or more fragments could be a few centuries earlier. The work's place of origin is probably Palestine or Egypt. In any case, the oldest fragmentary text witnesses were found in the Cairo Genizah. Loanwords

from the Greek point to a connection with the Hellenistic world, as does the Greek invocation of the sun-god Helios in a corrupted Hebrew transliteration. The work is extant in 40 fragments from the Cairo Geniza, medieval and early-modern manuscripts, as well as translations into Judeo-Arabic and Latin. The *Sefer ha-Razim* is full of healing spells, spells of love and damage, and other invocations for "daily use" (e. g. to win in a race or to light a fire). The edition by Rebiger and Schäfer considers not only the Geniza fragments, but all representative Hebrew manuscripts from the 14th to 19th centuries CE and two Latin translations from the 15th and 16th centuries CE. The present first volume of this edition contains both macroforms *Sefer ha-Razim* I and II. The Hebrew and Judeo-Arabian texts are presented in synoptic form on a double page with up to eight columns. The Latin texts are edited separately and the variations and versions of the textual witnesses who presented synoptically are noted in an apparatus. The fragments from the Cairo Geniza are also edited in transliteration with marvellous facsimilies of the original fragments.

P. L. Reddit, *Introduction to the Prophets* (Grand Rapids, Mich.: Eerdmans, 2008. Pp. xv + 404. Paperback. $ 26.00. ISBN 978-0-8028-2896-5)

This book is not an introduction to Israelite-Jewish prophecy but to the prophetic books of the Hebrew Bible. For each prophetic book Redditt examines its place in the canon, its literary setting, structure, integrity, authorship, main genres, special features, and themes. "It is certainly not clear that there is one overall center around which the prophets rally or to which they all point. Rather, they address a series of themes from different perspectives. Of those themes eight seem most important: God's election of Israel, the oneness of God, the worship of God, Israel's fidelity to its God, social responsibility, punishment for sin, God's fidelity to Israel, and eschatology" (356).

S. Rocca, *Herod's Judaea: A Mediterranean State in the Classical World* (TSAJ 122; Tübingen: Mohr Siebeck, 2008. Pp. xi + 445. Hardcover. € 119.00. ISBN 978-3-16-149717-9)

Rocca describes how Judea's society underwent extensive Hellenization and Romanization during the reign of Herod the Great. In this endeavor, Herod was guided by the role models of Alexander the Great and – more significantly – Augustus. Rocca finds evidence for this Greco-Romanization of Judea in Herod's role as an *euergetes* (e. g. his building program in- and outside of Judea), in the way Herod structured his court and organized his army as well as his administration, and in the Hellenistic architecture of Herod's buildings (incl. the Jerusalem temple) and cities. Imitating the Ptolemaic court, Herod even assembled a group of scholars at his own court which came to Judea after the Roman conquest of Egypt. Herod's Hellenization efforts are further reflected in the fact that in Judea the use of Greek reached its zenith during his reign.

A. Runesson, D. D. Binder, and B. Olsson, *The Ancient Synagogue from its Origins to 200 C. E.: A Source Book* (Ancient Judaism and Early Christianity 72; Leiden: Brill 2008. Pp. xi + 332. 1 fold-out map. Hardcover. € 139.00 / $ 206.00. ISBN 978-90-04-16116-0)

This volume is the first comprehensive source book for the study of ancient Jewish synagogues. In an introduction the reader is provided with a brief survey of synagogue

studies. The collection includes archeological, literary, epigraphic, and papyrological sources from the 3rd cent. BCE until 200 CE, i. e. from the first literary references to synagogues until the Mishnah as the first codification of oral traditions about the Second Temple period. Archeological evidence is only included if a site is recognized by a majority of scholars as a synagogue or is a recent discovery. The sources are organized geographically (Israel and Diaspora) and according to synagogue. Literary, epigraphic, and papyrological texts are quoted both in the original language and in an English translation. For archeological evidence, technical descriptions along with plans and photographs are provided. All listings are accompanied by bibliographic information and comments.

S. D. Sacks, *Midrash and Multiplicity: Pirke de Rabbi Eliezer and the Renewal of Rabbinic Interpretive Culture* (Studia Judaica 58; Berlin: Walter de Gruyter, 2009. Pp. xi + 182 Hardcover. €139.00. ISBN 978-3-11-020922-8)

The present study addresses the question of why scholars label the late *Pirke de Rabbi Eliezer* (*PRE*) a "midrash." Sacks investigates PRE's relationship to scriptural language and traditions and to the rabbinic understanding and representation of scripture that is found in classical midrash. *PRE*'s interaction with the biblical and rabbinic traditions is defined as "inner canonical," which designates rabbinic understanding of midrash as a way to link scripture with scripture. Consequently *PRE* can be identified as a development of classical midrash through its participation in and expansion upon the scriptural component of the inner-canonical process. *PRE* is for Sacks a midrash par excellence in its efforts to combine, reorient, and rearticulate the tradition (whether rabbinic or non-rabbinic) in service of biblical interpretation. A second question explored through this study of *PRE* is the morphology of "tradition building" in rabbinic literature, in hermeneutic, historical, and theological terms. According to Sacks, *PRE* assesses the place of scriptural and rabbinic tradition within the phenomenal world, and it grapples with the relationship between a tradition of interpretation and the language of scripture. Lastly this study elucidates the renewal of Jewish interpretive culture during its transition to the medieval era of the early geonim.

P. Schäfer, *The Origins of Jewish Mysticism* (Tübingen: Mohr Siebeck, 2009. Pp. xv + 398. Hardcover. €99.00. ISBN 978-3-16-149931-9)

Peter Schäfer has dedicated much of his scholarly life to the study of Jewish mysticism. In this book, Schäfer presents a synthesis of his work that is addressed to both a scholarly audience and a broader public. Schäfer traces the pre-Kabbalistic history of Jewish mysticism from the Book of Ezekiel through Enochic literature and other ascent apocalypses, the Qumran community, Philo, and Rabbinic literature until Merkavah mysticism. These forms Jewish mysticism cannot be subsumed under an all-embracing category. "What nevertheless unites all these variegated efforts … is the craving of their authors to bridge the gap between heaven and earth, between human beings and heavenly powers, between man and God. In most cases, moreover, it is an attempt to *restore* the lost relationship of some ancient and originally whole past … So, at stake in our sources … is the attempt to get (back) to God as close as possible, to experience the living and loving God, despite the desolate situation on earth with all its shortcomings and catastrophes" (353).

K. Schifferdecker, *Out of the Whirlwind: Creation Theology in the Book of Job* (HTS 61; Cambridge: Harvard University Press, 2008. Pp. xii + 217. Paperback. $25.00 / £18.95 / €22.50. ISBN 978-0-674-02597-4)

This study of creation theology in the Book of Job is a revised version of the author's PhD thesis, which was supervised by Jon Levenson at Harvard University. In addition to a thorough analysis of creation theology in the Book of Job the author provides the reader with a translation of and commentary on Job 38–42. Schifferdecker argues that for the author of Job, the covenant relationship of YHWH and Israel was no longer an effective framework within which to understand human tragedy. He therefore placed his text in a pre-Sinaitic setting. "Instead of making covenant promises, YHWH shows Job the beautiful, dangerous, but ordered world of creation and challenges him to live in it with freedom and faith" (122). Before the divine speeches, the Book of Job describes Job as a human being given to the centrality of self. "The divine speeches answer this self-preoccupation by proclaiming to Job that he is not the center of the cosmos, that there exist realms and beings outside of himself that he never imagined. The vision of creation that is the divine speeches enlarges Job's own vision, so that he can move out of his self-centered despair and see the world from a God's eye point of view" (124). "The order God establishes in creation is neither what the friends believed it was, nor what Job in his despair feared it was. The world is not a safe place, but it is indeed an ordered one … Job must acknowledge God's sovereignty; but he must also live with the knowledge that God's sovereignty does not exclude forces indifferent toward, and even dangerous to, humanity. Job must submit to God and learn to live in the untamed, dangerous, but stunningly beautiful world that is God's creation" (125).

L. H. Schiffman, *The Courtyards of the House of the Lord: Studies on the Temple Scroll* (ed. F. García Martínez; STDJ 75; Leiden: Brill, 2008. Pp. xxxvi + 610. Hardcover. €133.00 / $197.00. ISBN 978-90-04-12255-0)

This volume is an impressive collection of articles by one of the most respected experts in the study of the *Temple Scroll*. It contains no fewer than 34 studies, all originally published in scattered books and periodicals between 1985 and 2002. One of the studies serves as an Introduction to the volume ("The Enigma of the Temple Scroll," xvii–xxxvi). The other studies have been arranged in six parts. The first part addresses general issues at stake in the study of the *Temple Scroll* ("The Law of the Temple Scroll and its Provenance," 3–18; "The Theology of the Temple Scroll," 19–32; "The Temple Scroll and the Nature of its Law: The Status of the Question," 33–51; "'Ir Ha-Miqdash and its Meaning in the Temple Scroll and Other Qumran Texts," 53–65; "The Architectural Vocabulary of the Copper Scroll and the Temple Scroll," 67–82). The second part deals with the *Temple Scroll* in relation to other Jewish writings ("The Septuagint and the Temple Scroll: Shared 'Halakhic' Variants," 85–98; "The Sacrificial System of the Temple Scroll and the Book of Jubilees," 99–122; "Miqṣat Maʿaśe Ha-Torah and the Temple Scroll," 123–47; "The Relationship of the Zadokite Fragments to the Temple Scroll," 149–62; "The Temple Scroll and the Halakhic Pseudepigrapha of the Second Temple Period," 163–74; "Descriptions of the Jerusalem Temple in Josephus and the Temple Scroll," 175–87; "The Prohibition of Judicial Corruption in the Dead Sea Scrolls, Philo, Josephus and Talmudic Law," 189–212). The third part

explores the architecture described in the *Temple Scroll* ("Architecture and Law: The Temple and its Courtyards in the Temple Scroll," 215–32; "The Construction of the Temple according to the Temple Scroll," 233–51; "The Furnishings of the Temple according to the Temple Scroll," 253–68; "The House of the Laver in the Temple Scroll," 269–80; "Sacred Space: The Land of Israel in the Temple Scroll," 281–94). The fourth part focuses on sacrifices ("Sacral and Non-Sacral Slaughter according to the Temple Scroll," 297–313; "The Milluim Ceremony in the Temple Scroll," 315–31; "The Case of the Day of Atonement Ritual," 333–40; "Some Laws Pertaining to Animals in Temple Scroll, Column 52," 341–52; "'Ôlâ and ḥaṭṭā't in the Temple Scroll," 353–63; "Shelamim Sacrifices in the Temple Scroll," 365–77). The fifth part discusses purity regulations ("Exclusion from the Sanctuary and the City of the Sanctuary in the Temple Scroll," 381–401; "The Impurity of the Dead in the Temple Scroll," 403–23; "Pharisaic and Sadducean Halakhah in Light of the Dead Sea Scrolls: The Case of Ṭevul Yom," 425–39). The sixth part examines various other laws ("The Deuteronomic Paraphrase of the Temple Scroll," 443–69; "Laws concerning Idolatry in the Temple Scroll," 471–86; "The King, his Guard, and the Royal Council in the Temple Scroll," 487–504; "Laws of War in the Temple Scroll," 505–17; "Laws Pertaining to Women in the Temple Scroll," 519–40; "Priestly and Levitical Gifts in the Temple Scroll," 541–56; "The Law of Vows and Oaths (Num 30, 3–16) in the Zadokite Fragments and the Temple Scroll," 557–72).

K.-D. Schunck, *Nehemia* (BKAT 23.2; Neukirchen-Vluyn: Neukirchener Verlag, 2009. Pp. xx + 427. Hardcover. €104.00. ISBN 978-3-7887-2338-5)

In this commentary to Nehemiah, Schunck defends the literary unity of Ezra/Nehemiah. His commentary is restricted to Nehemiah for practical reasons only. The books of Ezra/Nehemiah on the one hand and 1–2 Chronicles on the other are two independent works and not two parts of an overall chronistic history. *3 Ezra* (also known as *1 Esdras* or *Esdras α)* is a later rewriting of Ezra-Nehemiah from the 2nd half of the 2nd cent. BCE. For the Nehemiah part of Ezra/Nehemiah, Schunck thinks that the author of the book employed various sources such as the Nehemiah memoir (1:1a–7:5; 7:72a; 11:1–2; 12:31–13:31), a list of returnees from Mesopotamia out of the temple archive (Neh 7:6–71), and two lists of names (Neh 11:4b–19; 12:12–21, 24–26a). The Nehemiah memoir goes back to the years 431–424 BCE and is a historical report. The book of Ezra/Nehemiah itself was written in the 4th cent. BCE. Later levitical redactions and extensions (Neh 1:5–11aα; 10:2–28; 11:21–24; 12:1–11, 22–23, 27–47; 13:1–3) led to its final stage in early 3rd cent. BCE. According to Schunck, the establishment of Jerusalem as the center of a relatively independent Yehud, the rebuilding of the Jerusalem temple, and the renewed commitment of Judaism to the Torah points to the reestablishment of the Jewish people and their religion after the exile.

D. R. Schwartz, *2 Maccabees* (Commentaries on Early Jewish Literature; Berlin: Walter de Gruyter, 2008. Pp. x + 617. Hardcover. €128.00 / $168.00. ISBN 978-3-11-019118-9)

This commentary is a significantly revised English version of the author's Hebrew commentary to the book of *2 Maccabees*. In addition to an English translation, Schwartz provides general comments, verse-by-verse commentaries, and bibliographies for each chapter of the book. Schwartz understands *2 Maccabees* as a product of Hellenistic diaspora Judaism and reconstructs a complicated history of literary growth for

it. *2 Maccabees* is not a simple epitome to the work of Jason of Cyrene. The author of *2 Maccabees* abbreviated the work of Jason of Cyrene and also added the Heliodorus story in *2 Maccabees* 3 and the martyrologies of *2 Macc* 6:18–7:42, as well as a preface (*2 Macc* 2:19–32), an afterword (*2 Macc* 15:37–39), and several reflective sections (*2 Macc* 4:16–17; 5:17–20; 6:12–17). Furthermore, the author included source material in *2 Macc* 10:9–11:38; 13:3–8 and rearranged the original sequence of chapters 13,12, and 9 into today's sequence of 9–13. In the years 143 or 142 BCE, *2 Maccabees* was further extended, with the addition of *2 Maccabees* 1:1–2:18 and 10:1–8, to encourage Egyptian Jews to celebrate the *Hanukkah* festival.

D. Schwiderski, *Die alt- und reicharamäischen Inschriften/The Old and Imperial Aramaic Inscriptions*, vol. 1: *Konkordanz* (Fontes et Subsidia ad Bibliam Pertinentes 4; Berlin: Walter de Gruyter, 2008. Pp. xxvi + 983. Hardcover. €198.00 / $277.00. ISBN 978-3-11-017455-7)

Schwiderski provides a key-word-in-context concordance for the more than 2500 Old and Imperial Aramaic inscriptions from the 10th–3rd cents. BCE, which appear in the second volume of this work. In several appendices, Schwiderski edits inscriptions that he could not include in this text volume, gives a German-Aramaic and an English-Aramaic index, and provides a list of the proper names used in the inscriptions.

The Sculptural Environment of the Roman Near East: Reflections on Culture, Ideology, and Power (eds. Y. Z. Eliav, E. A. Friedland, S. Herbert; Interdisciplinary Studies in Ancient Culture and Religion 9; Peeters: Leuven, 2008. Pp. xxvii + 770. €85.00. ISBN 978-90-429-2004-0)

This volume utilizes the full range of ancient textual and archeological sources to examine the meanings and functions of sculptures as an ancient "mass medium" in the Roman Near East. M. Sartre, "The Nature of Syrian Hellenism in the Late Roman and Early Byzantine Periods," 25–49; A. Oppenheimer, "The Jews in the Roman World," 51–66; G. Foester, "Marble Sculpture of the Roman Period in the Near East and Its Hellenistic Origins," 69–90; P. Rockwell, "The Sculptor's Studio at Aphrodisias: The Working Methods and Varieties of Sculpture Produced," 91–115; Y. Tsafir, "The Classical Heritage in Late Antique Palestine: The Fate of Freestanding Sculptures," 117–42; F. R. Trombley, "The Destruction of Pagan Statuary and Christianization (Fourth-Sixth Century CE)," 143–64; J. Pollini, "The Imperial Cult in the East: Images of Power and the Power of Intolerance," 165–94; E. M. Moormann, "Statues on the Wall: The Representation of Statuary in Roman Wall Building," 197–224; F. Millar, "Narrative and Identity in Mosaics from the Late Roman Near East: Pagan, Jewish, and Christian," 225–56; S. Herbert, "The Missing Pieces: Miniature Reflections of the Hellenistic Artistic Landscape in the East," 257–72; W. Eck, "Statues and Inscriptions in Iudaea/Syria Palaestina," 273–93; P. Stewart, "Baetyls as Statues? Cult Images in the Roman Near East," 297–314; E. A. Friedland, "Visualizing Deities in the Roman Near East: Aspects of Athena and Athena-Allat," 315–50; F. Zayadine, "Roman Sculpture from the Exedra in the *Temenos* of the Qasr al-Bint at Petra," 351–62; T. M. Weber, "Sculptures from Southern Syrian Sanctuaries of the Roman Period," 363–96; M. Gawlikowski, "The Statues of the Sanctuary of Allat in Palmyra," 397–411; S. B. Downey, "The Role of Sculpture in Worship at the Temples

of Dura Europos," 413–35; E. Perry, "Divine Statues in the Works of Libanius of Antioch: The Actual and Rhetorical Desacralization of Pagan Cult Furniture in the Late Fourth Century C.E.," 437–48; R. Van Dam, "Imagining an Eastern Roman Empire: A Riot at Antioch in 387 C.E.," 451–81; M. L. Fischer, "Sculpture in Roman Palestine and Its Architectural and Social Milieu: Adaptability, Imitation, Originality? The Ascalon Basilica as an Example," 483–508; R. Gersht, "Caesarean Sculpture in Context," 509–38; K. G. Holum, "Caesarea's Fortune: Ancient Statuary and the Beholder in a Late Antique City," 539–58; Z. Weiss, "Sculptures and Sculptural Images in Urban Galilee," 559–74; B. Isaac, "Roman Victory Displayed: Symbols, Allegories, Personifications?" 575–604; Y. Z. Eliav, "The Desolating Sacrilege: A Jewish-Christian Discourse on Statuary, Space, and Sanctity," 605–27; R. Kalmin, "Idolatry in Late Antique Babylonia: The Evidence of the Babylonian Talmud," 629–57; D. Frankfurter, "The Vitality of Egyptian Images in Late Antiquity: Christian Memory and Response," 659–78.

Seeking the Favor of God. Volume 3: The Impact of Penitential Prayer Beyond Second Temple Judaism (eds. M. J. Boda, D. K. Falk and R. A. Werline; SBL-Early Judaism and its Literature 23; Leiden: Brill, 2009. Pp. xiv + 306. Hardcover. €99.00 / $147.00. ISBN 978-90-04-16914-2)

This volume is the third in a series exploring the development of penitential prayer in post-Biblical Judaism. It was preceded by two volumes on Second Temple Judaism (2006–07). The present volume deals with the topic in post-70 Judaism and in early Christianity. R. S. Sarason introduces it with a substantial survey of penitential prayer in Rabbinic Judaism; he emphasizes the relatively minor place such prayer holds in the daily communal prayers such as the Amidah, compared with its importance on occasions of extreme need at communal fast days and in private prayers. An appendix presents all relevant prayer texts in the original and in translation (as most of the following articles on Jewish liturgy do). R. Langer analyzes the early history of the Tahanun in the Palestinian and Babylonian rites, based on texts found in the Genizah; the strong penitential voice of these early texts is much diluted in the later regional rites. R. Kimelman deals with the penitential part of the weekday Amidah, mainly the blessings 4–7, concerned with personal redemption. S. C. Reif studies the fifth benediction of the Amidah (forgiveness) in its textual evolution and its theology. L. Lieber concentrates on literary aspects of prayers seeking pardon and confessions in the synagogue and in early piyyut. The final chapter in the Jewish part of the volume is by L. Fine who turns to a much later period, penitential practices in 16th century Kabbalah. The Christian part of the volume contains papers by R. A. Werline on the tradition of penitential prayer in New Testament theology, by P. Bradshaw on Early Christianity, and C. Claussen on repentance and prayer in the Didache. The East Syrian Rite of Penance is studied by B. D. Spinks, and the development in Byzantine Christianity by R. R. Phenix and C. B. Horn. A summary by R. Sarason concludes the volume. The editors have succeeded in bringing together the best living specialists in the early history of Jewish and Christian liturgy; the interaction between both liturgical traditions, their parallels and differences are very well highlighted. The volume is a significant step forward in comparative liturgical studies, both for its textual basis and for the sophisticated methodology of most papers; it is a worthy contribution to a growing field of studies.

Septuaginta Deutsch: Das griechische Alte Testament in Deutscher Übersetzung (eds. W. Kraus, M. Karrer et al.; Stuttgart: Deutsche Bibelgesellschaft, 2009. Pp. xxviii + 1507 + 3 maps. Hardcover. €59.00. ISBN 978-3-438-05122-6)

Septuaginta Deutsch (LXX.D) is the first translation of the Septuagint into German. *Septuaginta Deutsch* will allow students and a broader public easy access to one of the most important achievements of Greek speaking Judaism. In *Septuaginta Deutsch*, each book of the Septuagint is translated into German based on the text of the critical Göttingen edition. In cases where the Göttingen edition does not exist, the latest text of the Rahlfs edition was used. If a book is preserved in more than one Greek text, the most important Greek versions are translated in column synopses. This includes also Greek versions which are neither part of the Göttingen nor the Rahlfs edition, such as the so-called Antiochene text. If deemed necessary by the translators, footnotes provide information on variant readings and *cruces interpretum*. Introductions are given both to the larger sections of the LXX ("Pentateuch," "Die vorderen Geschichtsbücher," "Erzählwerke und jüngere Geschichtsbücher," "Psalmen und Oden," "Weisheitsbücher," "Prophetische Bücher") and to each book. A preface informs the reader about the history of the Septuagint and how *Septuaginta Deutsch* should be read.

Die Septuaginta – Texte, Kontexte, Lebenswelten. Internationale Fachtagung veranstaltet von Septuaginta Deutsch (LXX.D), Wuppertal 20.–23. Juli 2006. (eds. M. Karrer and W. Kraus, in cooperation with M. Meiser; WUNT 219; Tübingen: Mohr Siebeck 2008. Pp. xiii + 771. Cloth. €139.00. ISBN 978-3-16-149317-1)

This volume publishes the proceedings of the international meeting of the German Septuagint Project held in July 2006. It offers a wide range of studies not only about the edition and translation of the *LXX* itself, but also about its background, philological questions, and various issues. The first part deals with the text, edition, and translations of the *Septuagint*, focusing on the special problems of the German translation. The opening article of R. Hanhart about the *Septuagint* edition of Alfred Rahlfs serves as introduction to this valuable volume. The title of the next part is *Umwelt und Kontexte*. The authors examine the background and context of the *Septuagint*: the Jewish community of Leontopolis and Herakleopolis, the *Letter of Aristeas*, etc. Among the sources, inscriptions and papyri are also discussed. The contributions in the third part focus on methodological aspects: the lexicography and grammar of the LXX is in their focus. The largest section (with 24 papers) includes essays about the individual parts of the LXX. Examples include K. de Troyer's examination of the origins of the Pentateuch and E. Tov's comparison of the rewritten compositions from Qumran with three books of the LXX. The last part of the volume addresses the influence of the LXX on the Jewish and Christian worlds and literatures.

S. Sharvit, *Studies in Mishnaic Hebrew* (Hebrew; Asuppot 2, Jerusalem: Bialik Institute, 2008. Pp. 386. Hardcover. $29.71. ISBN 978-965-342-955-0).

S. Sharvit collects in this volume 28 of his studies on Mishnaic Hebrew, which have appeared over more than thirty years in different venues, many of them not easily accessible. Most studies are reprinted in their original form or only slightly updated;

only the first section has been revised more extensively in order to avoid overlaps. The first two articles offer an introduction to the research of Mishnaic Hebrew, the next one is dedicated to the history of the interpretation of *mEd* I:3, that a man is obliged to quote his teacher verbatim. The next section assembles four studies in orthography and phonology. The bulk of the collection consists of a group of studies in morphology and another in the syntax and style of Mishnaic Hebrew. These essays cannot, of course, replace a systematic grammar of Mishnaic Hebrew, but they come very close to it with their wide coverage of central aspects especially of the verb system. It is highly welcome that Sharvit includes also his transcription and linguistic analysis of MS British Museum Harley 5794, an important textual witness to a large part of tractate *Avot,* which should be seen in the context of Sharvit's critical edition of *Mishnah Avot* (*Tractate Avoth through the Ages: A Critical Edition, Prolegomena and Appendices* [Jerusalem: Bialik Institute, 2004). The collection is a welcome addition to the small, but growing, corpus of comprehensive modern studies in Mishnaic Hebrew and is highly recommended to everyone working with early rabbinic literature.

The Significance of Sinai: Traditions about Divine Revelation in Judaism and Christianity (eds. G. J. Brooke, H. Najman, and L. T. Stuckenbruck; Themes in Biblical Narrative 12; Leiden: Brill, 2008. Pp. xiv + 386. Hardcover. €119.00 / $189.00. ISBN 978-90-04-17018-6)

This volume publishes the proceedings of a conference held in July 2007 at the University of Durham. "The essays presented here provide glimpses of how in antiquity and more recently some Jews and Christians sought to rewrite or even replace the moment of Sinai with other important moments of revelation and communication with the divine. In this it seems in particular that the *location* was seen as less and less significant; until modern times Sinai as a place was not significant for pilgrimage" (ix-x). J. L. Kugel, "Some Unanticipated Consequences of the Sinai Revelation: A Religion of Laws," 1–13; M. Z. Brettler, "'Fire, Cloud, and Deep Darkness' (Deuteronomy 5:22): Deuteronomy's Recasting of Revelation," 15–27; J. H. Newman, "Priestly Prophets at Qumran: Summoning Sinai through the *Songs of the Sabbath Sacrifice*," 29–72; G. J. Brooke, "Moving Mountains: From Sinai to Jerusalem," 73–89; E. Mroczek, "Moses, David and Scribal Revelation: Preservation and Renewal in Second Temple Jewish Textual Traditions," 91–115; M. Tso, "The Giving of the Torah at Sinai and the Ethics of the Qumran Community," 117–27; Z. Rodgers, "Josephus' '*Theokratia*' and Mosaic Discourse: The Actualization of the Revelation at Sinai," 129–48; G. H. van Kooten, "Why Did Paul Include an Exegesis of Moses' Shining Face (Exod 34) in 2 Cor 3? Moses' Strength, Well-Being and (Transitory) Glory, according to Philo, Josephus, Paul, and the Corinthian Sophists," 149–81; A. Orlov, "In the Mirror of the Divine Face: The Enochic Features of the *Exagoge* of Ezekiel the Tragedian," 183–99; M. Henze, "Torah and Eschatology in the *Syriac Apocalypse of Baruch*," 201–15; I. Rosen-Zvi, "Can the Homilists Cross the Sea Again? Revelation in Mekhilta Shirata," 217–45; S. D. Fraade, "Hearing and Seeing at Sinai: Interpretive Trajectories," 247–68; C. T. R. Hayward, "The Giving of the Torah: Targumic Perspectives," 269–85; D. Lipton, "God's Back! What did Moses See on Sinai?," 287–311; D. Brown, "Sinai in Art and Architecture," 313–31; P. Franks, "Sinai Since Spinoza: Reflections on Revelation in Modern Jewish Thought," 333–54.

M. S. Smith, *God in Translation: Deities in Cross-Cultural Discourse in the Biblical World* (FAT 57; Tübingen: Mohr Siebeck, 2008. Pp. xxvi + 382. Hardcover. €119.00. ISBN 978-3-16-149543-4)

Smith critically reflects upon Jan Assmann's idea of the translatability of divinity (see J. Assmann, *Moses the Egyptian: The Memory of Egypt in Western Monotheism* [Cambridge: Harvard University Press, 1997]). Case studies on the late Bronze Age, national gods in Iron Age Israel, the impact of Mesopotamian empires on Israel, Biblical censorship in post-exilic Israel, divine translatability in the Graeco-Roman world, and the limits of Jewish and Christian divine translatability point to the fallacies of Assmann's hypothesis. "All in all, Assmann's treatment conflates the diachronic dimensions of the phenomenon that he otherwise so deftly evokes. As a result, his treatment can seem anachronistic or unduly static at points. This issue applies equally to the larger persistent goal to which he puts the notion of translatability. At the end of the day, he wishes to hold up translatability as a model of religious tolerance in contrast with the religion of 'the Mosaic distinction.' This is a rather modern political and religious goal on Assmann's part. Everyone can and should affirm the value of religious tolerance, but the ancient correlations that Assmann posits between monotheism and violence, and between translatability of divinity and tolerance, hardly hold up to scrutiny" (325–26). Against Assmann, Smith shows that the practice of religious translatability or its rejection in the religious history of Judaism in particular and the Ancient Near Eastern and Mediterranean worlds in general responded to various historical factors and events. That e. g. Judaism developed the idea of a single god who is powerful over all is to be seen as a response to the impact of the neo-Assyrian and neo-Babylonian empires.

S. Sorek, *The Jews against Rome: War in Palestine AD 66–73* (London: Continuum, 2008. Pp. ix + 175. Hardcover. £20.00. ISBN 978-1-8472-5248-7)

Sorek explores the prehistory, causes, events, and consequences of the first Jewish War by critically reflecting the account of Flavius Josephus in the context of other literary and archeological sources. Sorek identifies a variety of underlying causes, which sparked the revolt against Rome. "What is apparent is that the war with Rome was running simultaneously with a civil war instigated by the collapse of the ruling class, which in turn opened the floodgates for dissident elements who had been waiting in the wings for just such an opportunity" (44). Sorek sees the dissidents as spurred by an "apocalyptic storm brewing over first-century Palestine" (vii). When a dispute over civic rights between the Greek and Jewish populations of Caesarea led to street fighting, this was the fuse that ignited the revolt.

Studies in the Book of Ben Sira: Papers of the Third International Conference on the Deuterocanonical Books, Shime'on Centre, Pápa, Hungary, 18–20 May, 2006 (eds. G. Xeravits and J. Zsengellér; JSJSup 127; Leiden: Brill, 2008. Pp. xiv + 267. Hardcover. €99.00 / $147.00. ISBN 978-90-04-16906-7)

This volume publishes twelve papers presented at the Third International Conference on the Deuterocanonical Books, organized by the Shime'on Centre for the Study of Hellenistic and Roman Age Judaism in Pápa, Hungary. The contributions are divided into three parts. The first part, titled "Introductory Matters," includes

articles on ancient versions of the book of Ben Sira (M. Gilbert, "The Vetus Latina of Ecclesiasticus," 1–9; F. Feder, "The Coptic Version[s] of the Book of Jesus Sirach," 11–20), its social and intellectual context (G. Boccaccini, "Where Does Ben Sira Belong? The Canon, Literary Genre, Intellectual Movement, and Social Group of a Zadokite Document," 21–41), and studies focusing on the prologue (S. Schorch, "The Pre-eminence of the Hebrew Language and the Emerging Concept of the 'Ideal Text' in Late Second Temple Judaism," 43–54; A. Lange, "'The Law, the Prophets, and the Other Books of the Fathers' [Sir, Prologue]: Canonical Lists in Ben Sira and Elsewhere?" 55–80). The second part addresses various aspects of Ben Sira's wisdom teaching (N. Calduch-Benages, "'Cut Her Away from Your Flesh:' Divorce in Ben Sira," 81–95; F. V. Reiterer, "Das Verhältnis der חכמה und תורה im Buch Ben Sira: Kriterien zur gegenseitigen Bestimmung," 97–133; J. Zsengellér, "Does Wisdom Come from the Temple? Ben Sira's Attitude to the Temple of Jerusalem," 135–49). The third part contains studies on particular passages in the Praise of the Fathers (J. Corley, "Sirach 44:1–15 as Introduction to the Praise of the Ancestors," 151–81; B. G. Wright III, "The Use and Interpretation of Biblical Tradition in Ben Sira's Praise of the Ancestors," 183–207; P. C. Beentjes, "Ben Sira 44:19–23 – The Patriarchs: Text, Tradition, Theology," 209–28; M. Weigold, "Noah in the Praise of the Fathers: The Flood Story in Nuce," 229–44).

Text, Thought, and Practice in Qumran and Early Christianity: Proceedings of the Ninth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, Jointly Sponsored by the Hebrew University Center for the Study of Christianity, 11–13 January 2003 (eds. R. A. Clements and D. R. Schwartz; STDJ 84; Leiden: Brill, 2009. Pp. xiv + 326. Hardcover. €114.00 / $169.00. ISBN 978-90-04-17524-2)

This volume publishes the proceedings of a symposium held at the Hebrew University in Jerusalem in January 2009 and attempts to formulate a synthesis of the comparative study of the Dead Sea Scrolls and early Christian literature in the six decades since the Dead Sea Scrolls were found. M. Bockmuehl, "The Dead Sea Scrolls and the Origins of Biblical Commentary," 3–29; G. J. Brooke, "Prophets and Prophecy in the Qumran Scrolls and in the New Testament," 31–48; D. R. Schwartz, "Special People or Special Books? On Qumran and New Testament Notions of Canon," 49–60; E. Regev, "Temple and Righteousness in Qumran and Early Christianity: Tracing the Social Differences between Two Movements," 63–87; A. Reinhartz, "We, You, They: Boundary Language in 4QMMT and the New Testament Epistles," 89–105; H. W. Attridge, "The Gospel of John and the Dead Sea Scrolls," 109–26; J. Frey, "Recent Perspectives on Johannine Dualism and Its Background," 127–57; G. A. Anderson, "Towards a Theology of the Tabernacle and Its Furniture," 161–94; M. Kister, "Divorce, Reproof, and Other Sayings in the Synoptic Gospels: Jesus Traditions in the Context of 'Qumranic' and Other Texts," 195–229; S. Ruzer, "Exegetical Patterns Common to the Dead Sea Scrolls and the New Testament, and Their Implications," 231–51; I. Knohl, "Melchizedek: A Model for the Union of Kingship and Priesthood in the Hebrew Bible, *11QMelchizedek*, and the Epistle to the Hebrews," 255–66; H. Lichtenberger, "Demonology in the Dead Sea Scrolls and the New Testament," 267–80; C. Werman, "A Messiah in Heaven? A Re-Evaluation of Jewish and Christian Apocalyptic Traditions," 281–99.

Thinking towards New Horizons: Collected Communications of the XIXth Congress of the International Organization for the Study of the Old Testament, Ljubljana 2007 (eds. M. Augustin and H. M. Niemann; BEATAJ 55; Frankfurt a. M.: Peter Lang, 2008. Pp. 212. Paperback. € 39.00 / $ 56.95. ISBN 978-3-631-58447-7)

This volume publishes selected short papers held at the 2007 meeting of the IOSOT in Ljubljana. C. Carmichael, "The Giving of the Decalogue and the Garden of Eden, 21–24; R. Fidler, "Abraham's Covenants and the Theology of Sequence," 25–34; P. Krueger, "Etiology or Obligation? Genesis 2:24 Reconsidered in the Light of Linguistics," 35–47; C. Lombaard, "Problems of Narratological Analysis of Genesis 22:1–19," 49–62; T. Stanek, "Liturgical Division of the Torah and Its Interpretational Consequences: The Case of the Plague Narrative," 63–71; D. Elgavish, "Inquiring of God before Ratifying a Treaty," 73–84; W. Oswald, "Is There a Prohibition to Build the Temple in 2 Samuel 7?" 85–89; H. N. Rösel, "'The So-Called Deuteronomistic History': A Discussion with Thomas Römer," 91–96; A. Lemaire, "Une Guerre 'Pour Rien' (Amos 6,13)," 97–102; M. Lubetski, "The Land Named for an Insect," 103–12; M. Avioz, "The Story of Saul's Death in 1 Chronicles 10 and Its Sources," 113–19; J. Barbour, "'Like an Error Which Proceeds from the Ruler': The Shadow of Saul in Qoheleth 4:17–5:6," 121–28; M. C. Palmisano, "'Salvaci, Dio Dell'Universo!': Studio dell'Eulogia di Sir 36H,1–17," 129–35; H. A. Thomas, "The Liturgical Function of the Book of Lamentations," 137–47; T. S. Večko, "Prayer in the Midst of the Flames (Dan 3:24–50 'Greek')," 149–59; M. Leuenberger, "Die Segensinschriften auf Pithoi in Kuntillet 'Ağrud: Ein Beitrag zur religions- und theologiegeschichtlichen Relevanz und Eigenart von Segen und Segenstheologien in den althebräischen Primärtexten," 161–71; J. Stökl, "The Role of Women in the Prophetical Process in Mari: A Critique of Mary Keller's Theory of Agency," 173–88; M. Matjaž, "Die Bedeutung des ARXH-Begriffs für die Einheit der Schrift: Kontinuität zwischen Altem und Neuem Bund," 189–201; A. Jones Nelson, "Contrapuntal Hermeneutics: Semantics, Edward W. Said, and a New Approach to Biblical Interpretation," 203–12.

E. Tov, *Hebrew Bible, Greek Bible, and Qumran: Collected Essays* (TSAJ 121; Tübingen: Mohr Siebeck, 2008. Pp. xxxii + 458. Hardcover. € 119.00. ISBN 978-3-16-149546-5)

Published less than a decade after his *The Greek and Hebrew Bible: Collected Essays on the Septuagint*, Tov's second collection of essays once again demonstrates both the impressive efficiency and the outstanding quality of his research. The volume includes 28 revised and updated studies originally published between 1990 and 2008, together with indexes of ancient sources and modern authors. The collection is divided into three parts: Hebrew Bible, Greek Bible, and Qumran, but in fact many studies pertain to all three areas. Hebrew Bible: "Review of J. Barr, The Variable Spellings of the Hebrew Bible," 3–16; "Deuteronomy 12 and 11QTemple[a] LII–LIII: A Contrastive Analysis," 17–20; "4QReworked Pentateuch: A Synopsis of Its Contents," 21–26; "Excerpted and Abbreviated Biblical Texts from Qumran," 27–41; "The Text of Isaiah at Qumran," 42–56; "Rewritten Bible Compositions and Biblical Manuscripts, with Special Attention Paid to the Samaritan Pentateuch," 57–70; "The Rewritten Book of Joshua as Found at Qumran and Masada," 71–91; "The Textual Basis of Modern Translations of the Hebrew Bible," 92–106; "The Copying of a Biblical Scroll," 107–27; "The Biblical Texts from the Judean Desert – An Overview and Analysis," 128–54; "The Nature of the Large-Scale Differences between the LXX and MT S T V, Com-

pared with Similar Evidence in Other Sources," 155–70; "The Text of the Hebrew/Aramaic and Greek Bible Used in the Ancient Synagogues," 171–88; "The Biblia Hebraica Quinta – An Important Step Forward," 189–98; "The Ketiv/Qere Variations in Light of the Manuscripts from the Judean Desert," 199–205; "The Writings of Early Scrolls: Implications for the Literary Analysis of Hebrew Scripture," 206–20; "Recording the Dead Sea Scrolls in the Text Editions of Hebrew Scripture," 221–27; The Use of Computers in Biblical Research," 228–46; "Hebrew Scripture Editions: Philosophy and Praxis," 247–70; "Textual Harmonizations in the Ancient Texts of Deuteronomy," 271–82; "Three Strange Books of the LXX: 1 Kings, Esther, and Daniel Compared with Similar Rewritten Compositions from Qumran and Elsewhere," 283–305. Greek Bible: "Introductory Essay to the Second Edition of the Hatch-Redpath Concordance to the Septuagint" (in conjunction with R. A. Kraft), 309–24; "Approaches towards Scripture Embraced by the Ancient Greek Translators," 325–38; "The Greek Biblical Texts from the Judean Desert," 339–64; "The Evaluation of the Greek Scripture Translations in Rabbinic Sources," 365–77; "Biliteral Exegesis of Hebrew Roots in the Septuagint?" 378–97; "The Septuagint and the Deuteronomists," 398–417; "The Special Character of the Texts Found in Qumran Cave 11," 421–27; "The Number of Manuscripts and Compositions Found at Qumran," 428–37.

Translating a Translation: The LXX and its Modern Translations in the Context of Early Judaism (eds. H. Ausloos et al.; BETL 213; Leuven: Peeters, 2008. Pp. x + 317. Paperback. €80.00. ISBN 978-90-429-2038-5)

This volume publishes the proceedings of a *Specialists' Symposium on the Septuagint Translation,* which was organized by the Centre for Septuagint Studies and Textual Criticism of the Katholieke Universiteit Leuven in 2006. The symposium proceedings survey research dedicated to translations of the Septuagint and compare the various new Septuagint translations with each other. J. Cook, "Translating the Septuagint: Some Methodological Considerations," 9–33; R. Sollamo, "Translation Technique as a Method," 35–41; H. Ausloos and B. Lemmelijn, "Rendering Love: Hapax Legomena and the Characterisation of the Translation Technique of the Song of Songs," 43–61; G. Dorival, "'La Bible d'Alexandrie,' Which Changes?" 65–78; K. Hauspie, "Ezek 1 – Approach by Theodoret of Cyr: Notes on Ezekiel's Vision of the Throne-Chariot," 79–87; C. Dogniez, "Some Similarities between the Septuagint and the Targum of Zechariah," 89–102; M. Karrer, "Septuaginta Deutsch (LXX.D): Characteristics of the German Translation Projekt," 105–18; W. Kraus, "Septuaginta Deutsch (LXX.D) – Issues and Challenges: Ps 95 MT / 94 LXX as a Test Case," 119–31; E. Bons, "Translating and Annotating Ps 72 LXX," 133–49; H.-J. Fabry, "'The Lord over Mighty Waters'," 151–65; A. Pietersma, "Translating a Translation: With Examples from the Greek Psalter," 169–82; D. Büchner, "'You Shall Not Give Your Seed to Serve an *Archon*': Lev 18,21 in the Septuagint," 183–96; C. Boyd-Taylor, "Who is Afraid of *Verlegenheitsübersetzungen*?" 197–210; H. P. van Rooy, "Agreement Between LXX and Peshitta Versus MT in Ezekiel: Some Important Examples," 213–27; J. A. Naudé, "It's All Greek: The Septuagint and Recent Developments in Translation Studies," 229–50; A. Piquer, P. Torijano, and J. Trebolle Barrera, "Septuagint Versions, Greek Recensions and Hebrew Editions: The Text-Critical Evaluation of the Old Latin, Armenian and Georgian Versions of III–IV Regnorum," 251–81; N. Fernández Marcos, "A New Spanish Translation of the Septuagint," 283–91.

B. G. Wright, *Praise Israel for Wisdom and Instruction: Essays on Ben Sira and Wisdom, the Letter of Aristeas and the Septuagint* (JSJSup 131; Leiden: Brill, 2008. Pp. xv + 361. Hardcover. €119.00 / $189.00. ISBN 978-90-04-16908-1)

In this collection of his essays, the author focuses on questions of translation, social location, and transmission of tradition in *Ben Sira*, Qumran wisdom texts, the *Letter of Aristeas* and the Septuagint. "Wisdom and Women at Qumran," 3–24; "From Generation to Generation: The Sage as Father in Early Jewish Wisdom Literature," 25–47; "The Categories of Rich and Poor in the Qumran Sapiential Literature," 49–70; "'Who Has Been Tested by Gold and Found Perfect?' Ben Sira's Discourse of Riches and Poverty," 71–96; "'Fear the Lord and Honor the Priest': Ben Sira as a Defender of the Jerusalem Priesthood," 97–126; "'Put the Nations in Fear of You': Ben Sira and the Problem of Foreign Rule," 127–46; "Wisdom, Instruction and Social Location in Ben Sira and *1 Enoch*," 147–63; "Ben Sira on the Sage as Exemplar," 165–82; "B. Sanhedrin 100b and Rabbinic Knowledge of Ben Sira," 183–93; "The Jewish Scriptures in Greek: The Septuagint in the Context of Ancient Translation Activity," 197–212; "עבד/ΔΟΥΛΟΣ – Terms and Social Status in the Meeting of Hebrew-Biblical and Hellenistic-Roman Culture," 213–45; "Access to the Source: Cicero, Ben Sira, the Septuagint and their Audiences," 247–73; "The *Letter of Aristeas* and the Reception History of the Septuagint," 275–95; "Translation as Scripture: The Septuagint in *Aristeas* and Philo," 297–314; "Three Jewish Ritual Practices in *Aristeas* §§ 158–160," 315–34.

A. Yarbo Collins and J. J. Collins, *King and Messiah as Son of God: Divine, Human, and Angelic Messianic Figures in Biblical and Related Literature* (Grand Rapids, Mich.: Eerdmans, 2008. Pp. xix + 261. Paperback. $28.00. ISBN: 978-0-8028-0772-4)

This book traces the idea of a divine messiah from its roots in the Hebrew Bible through ancient Judaism into early Christianity. The authors disagree with the common notion that the expectation of a divine messiah would be a characteristic of Christianity while the Jewish messiah is a human kingly figure. "The idea of the divinity of the messiah has its roots in the royal ideology of ancient Judah, which in turn was influenced by the Egyptian mythology of kingship;" it is embedded and qualified in deuteronomistic literature (e. g. 2Sam 7). "The rise of the Hasmonean dynasty brought a resurgence of hope for a messiah from the line of David, but messianic expectations were often fused with notions of a heavenly deliverer around the turn of the era. In this context, the old idea of the king as son of God took on new overtones, and it becomes more difficult to maintain a clear distinction between the messiah as a human king and the hope for a transcendent savior figure" (xi).