Asceticism in Scripture and in Qumran and Rabbinic Literatures

7.1 Introduction

The question of whether asceticism and suffering were perceived as auspicious in the Qumran community and rabbinic society is a matter for debate among scholars. Asceticism in Christianity, as well as descriptions of the Essenes by Greek historians such as Philo, Pliny the Elder and Josephus, has influenced scholarly opinions that some types of asceticism were similarly practised by both the Essenes and the rabbis. This theory is presented by Fraade with respect to the Essene/Qumran community and rabbinic society.¹ While I agree with Fraade's general definition of asceticism, I dispute his evidence and disagree with his definition of mourning and Nazirite practices as aspects of asceticism.² In this chapter, by scrutinizing scriptural dicta, rabbinic literature, and writings from Qumran (which most scholars consider to be identical with the Essene community), I argue that both Scripture and rabbinic literature characterize the desire for pleasure, its practice, and its enjoyment as a necessary and auspicious human attribute, subject to the judicious exercise of a sense of right and wrong. As against theories about asceticism in ancient Israel and the association between asceticism and holiness, I argue that both Scripture and the rabbinic literature affirm the enjoyment of life, carried out according to the law. Likewise, we have no evidence in the Qumran writings that suffering was believed to confer spiritual or other benefits, nor any evidence of denial of legitimate pleasures and joy—just as we would expect from a Torah-centred group that habitually adhered scrupulously to the simple interpretation of its foundational text.³ Ancient Judaism, in effect, affirmed the worship of God with joy and opposed any form of self-denial other than

1 Steven D. Fraade, "Ascetical Aspects of Ancient Judaism," in *Jewish Spirituality from the Bible through the Middle Ages* (ed. Arthur Green; New York: Crossroads, 1986) 252–88.

2 In a separate study I will address the concept of "instrumental asceticism" proposed by Eliezer Diamond, *Holy Men and Hunger Artists: Fasting and Asceticism in Rabbinic Culture* (Oxford: Oxford University Press, 2004).

3 See Heger, *Challenges*, 15–101, esp. at 2–35.

those commanded in Scripture and those deemed necessary to ensure the correct accomplishment of God's commandments.

Although my core subject here is women and sexual relations, I propose to examine the topic of asceticism as it relates to both sexuality and food, because the philosophy behind these two aspects of asceticism is identical: the denial of pleasure and the virtue of abstention. Many of the rabbinic passages scrutinized below relate to both topics, which makes it difficult to divide them. Because the Qumran texts do not explain their authors' theology as the rabbinic texts do, and because scholarly studies of asceticism in Qumran are strongly influenced by the Greek historians, my discussion of rabbinic and Qumranic texts focuses mainly on the ample relevant rabbinic literature and on scholarly views of the rabbis' alleged theories. For this reason, and because of the relative scarcity of Qumran material on this topic, I deviate from the regular sequence of discussion based on chronology (first Qumran and then rabbinic literatures) by reversing the order of presentation. This approach is imperative because rabbinic attitudes towards asceticism may be seen as implying a similar attitude in the Qumran community, whose writings have much in common with rabbinic *halakhot* and doctrines, despite their well-known disagreements.⁴ I begin with a brief discussion of the meaning of asceticism, a topic of debate among scholars.

7.2 What Is Asceticism?

The modern term *asceticism* derives from the Greek *askesis*, which denotes exercise or training leading to physical excellence.⁵ In current language, however, *asceticism* refers to a practice of self-denial and the "virtue" of abstention from pleasures, culminating in suffering. Fraade surveys various scholarly opinions on the definition of asceticism in general,⁶ including those of Weber and Yinger,⁷ and the views of Urbach and Baer⁸ regarding rabbinic ideology

4 Fraade, "Ascetical Aspects," 265–69, citing the Greek historians, asserts that the Essenes practised asceticism, and (at 270) that the rabbis likewise saw abstinence as the favoured method of attaining spiritual perfection.

5 Ibid., 256.

6 Ibid., 254–60.

7 Max Weber, *The Sociology of Religion* (4th Rev. Ed.; trans. E. Fischhoff; Boston: Beacon, 1963) 164–84; J. Milton Yinger, *Religion, Society and the Individual: An Introduction to the Sociology of Religion* (New York: Macmillan, 1957) 417–20 and 519–21.

8 Ephraim E. Urbach, "Ascesis and Suffering in Rabbinic Writings," in *The World of the Sages: Collected Studies* (Hebrew; Jerusalem: Magnes Press, 2002); Yitzhak Fritz Baer, *Yisra'el Ba-Amim* (Jerusalem: Bialik, 1955).

on this topic. I can therefore focus on the primary texts of the three literary corpora, with occasional supporting scholarly citations, in presenting my own understanding of the term “asceticism.” I discuss somewhat more extensively Boyarin’s thesis on the positive element of divinely implanted desire in humankind, as he discerns it in the rabbinic literature—the antithesis of asceticism. I then debate at length Fraade’s theory on the practice of asceticism, which he claims to deduce from rabbinic writings.

I understand asceticism as self-denial or abstention from what is permitted, either to attain personal spiritual perfection, or to achieve an uncommon degree of self-control (a virtue admired in Classical Greek philosophy), or in the belief that one can please or honour God through “sacrifice” or “restraint” for a higher purpose and receive the consequent reward; this definition concurs with Fraade’s.

It appears to me that some scholars, influenced by Greek historical and philosophical writings and by the unconventional opinions of some individual rabbis, have concluded *a priori* that abstinence—that is, some type of asceticism—was advocated and practised by the rabbis, and thus was part of their theology and of their theory on the optimal way of life. When the bulk of the evidence seems to oppose our current notion of asceticism, and thus to conflict with that conclusion, supplementary types or aspects of asceticism have been devised. Fraade, in the course of disputing the view that early Judaism “eschewed asceticism root and branch,”⁹ attempts to reconcile the “facts” (that is, his interpretation of rabbinic dicta) with his theory by arguing that “*perushim* [Pharisees] are identified with separation¹⁰ and abstinence”¹¹ and that

9 Fraade, “Ascetical Aspects,” 257.

10 He writes at 270: “They organized themselves separately but not in isolation from the larger Israelite society.” It is unclear to me what type of separation he means. The origin of the name *perushim* is doubtful. While the meaning of separation is common, the meaning of “interpreter” from the root פִּרַשׁ “define/interpret” is plausible; Josephus’ portrayal of the Pharisees in *Wars* II:162 indicates in the first instance their reputation as being “considered the most accurate interpreters of the law.”

11 Ibid., 271: “we find a clear tension within rabbinic literature between the promoting of abstinence as an ideal to which all of Israel should, in fact are commanded to, aspire and the realization that many who undertake forms of *perishut* do so for vain, self-serving reasons.” Fraade arrives at this conclusion from his interpretation of and deductions from rabbinic dicta listed in nn. 69 and 70, which I discuss below. In fact, there is no tension between the abstract ideal and the reality; there is, as I understand it, a severe condemnation of what some fools do wrong in practice, in contrast to what the rabbis do. Generally, the rabbis advocate the fulfilment of precepts even with the wrong intentions, as we read for instance in *b. Sotah* 22b, because [by doing them] not for their own sake, he will [ultimately] attain [the spiritual rank to perform them] for their own sake.”

“the rabbis prefer a milder and more symbolic form of self-denial.”¹² Eliezer Diamond, similarly, perceives *a priori* that the rabbis practised an “‘instrumental’ asceticism,” not “the ‘essential’ asceticism which is usually discussed,”¹³ thus nullifying, in effect, any association with asceticism as a method of attaining spiritual perfection through self-denial. On the other hand, I assume we can all agree that scriptural prohibitions are not perceived as enjoining any kind of asceticism, even though Israelites are required to deny themselves the enjoyment of physical pleasures permitted to other nations.¹⁴ The same perspective applies to the rabbinic preventive principle of שִׁמּוּץ “perhaps”—that is, prohibiting a permitted act because it may lead inadvertently to performing a prohibited act. This system, obligatory for all Israelites, is presented not as an ascetic custom but as a practical and efficient way to ensure the foolproof accomplishment of divine decrees. *M. Sabb.* 1:3 offers this example: a tailor should not carry a needle on Friday close to dusk, because he may leave his home for the public street after dark, forgetting that he is carrying it, an act prohibited on Sabbath. This principle is a cornerstone of the rabbis’ halakhic system; it establishes a method for ensuring that the biblical rules are not inadvertently transgressed. Like the scriptural rules themselves, the rabbis’ preventive principle bears no relation to asceticism.

7.3 Fraade on Rabbinic Asceticism

To support his theory of rabbinic asceticism, after describing the Pharisees’ behaviour (such as being scrupulous in the fulfilment of divine precepts that do not seem to me to indicate asceticism), Fraade concludes that “according to one later rabbinic tradition (*Avot de-Rabbi Nathan* 5), they [the Pharisees, the forerunners of the rabbis] expected their self-denial in this world to be rewarded in the future world.”¹⁵ Fraade’s supporting quotation seems to me imprecisely interpreted, as I will demonstrate. We read in *Abot R. Nat.* Recension a, Chapter 5 (paraphrased): Antigonus from Sokho קבל received traditions from Simeon the Just; he was saying: “Do not serve God like a slave לקבל פרס expecting reward from his master, but serve God without expecting reward; the fear of God should guide your deeds and ultimately תקבלו you will receive remuneration as if you have done it in this world and in the world to come.”

¹² Ibid., 272.

¹³ Diamond, *Holy Men*, 12.

¹⁴ See discussion of *Sifra Qedoshim*, parsha 10, on p. 268.

¹⁵ Fraade, “Ascetical Aspects,” 270.

The paraphrased narrative continues: Antigonus from Sokho had two students, Zadok and Boethus, who taught to their students what they learned from him. They cogitated on his maxim: "Why did our fathers [rabbis] say that there is no reward for good deeds; is it plausible assuming that a labourer would work all day, without receiving his pay in the evening? Hence, if our fathers/rabbis had known that there really is resurrection and another world, they would not have said that." Consequently, they ceased fulfilling the Oral Torah precepts, and rejected the belief of resurrection and the World to Come. From their action two schisms occurred: Sadducees after Zadok and Boethusians after Boethus. They were using precious vessels all their lives, because they were not insolent about it.¹⁶ But the Sadducees say that the Pharisees have a tradition of distressing themselves in this world, and have nothing in the world to come.¹⁷

This narrative shows many irregularities in the redaction process. The second sentence repeats the name and origin of Antigonus, indicating that two separate passages, each relating to another issue, were later amalgamated into one narrative. There is no consistency between the two constituent passages. In the first part Antigonus is assumed to have clearly stated: "and you will ultimately receive remuneration," whereas in the second element, the students seem to have misunderstood him, asserting that there is no reward. It is difficult to bridge this inconsistency between what Antigonus said and what his students are supposed to have understood. The students' cogitation and the alleged basis of the schism between the Pharisees/Rabbis and the Sadducees/Boethusians is built on this inexplicable misunderstanding. Antigonus' assertion "you will receive remuneration as if you have done it in this world and in the world to come" does not make sense; it seems likely to be a corruption of: receive remuneration in this world and in the World to Come. The assertion that the Sadducees/Boethusians used silver and golden vessels all their lives seems unconnected to the preceding narrative. The two component parts explicitly contradict each other; the redactor has evidently joined incompatible dicta from different sources. Indeed, the last sentence giving the Sadducees' opinion about the Pharisees does not appear in Recension B, and

16 It is not clear from the text whether this sentence relates to them personally or to their sects/movements. The sentence is bizarre, and the commentators have no reasonable translation or explanation for it. I have translated it literally, even though it makes no sense.

17 Hebrew text from *Avot de-Rabbi Nathan: Solomon Schechter Edition with references to parallel in the two versions and to the addenda in the Schechter edition with Foreword by Menahem Kister* (Hebrew; New York and Jerusalem: JTS, 1997).

the whole fictional and inaccurate saga of the foundation of the Sadducees and Boethusians appears in no other rabbinic source.¹⁸ This fact raises serious suspicions about its authenticity.¹⁹ Moreover, even the extant text tells us only what the Sadducean founders alleged about the Pharisees' conduct, not what the Pharisees themselves believed.

It is highly plausible that some scribe or copyist of the late Middle Ages, a period when the Ashkenazi Jews were inspired by Christian pietism and exaltation of asceticism,²⁰ added this last sentence.²¹ Moreover, the entire narrative about the origin of the Sadducean and Boethusian sects, found in a misinterpretation of Antigonus' doctrine of the most auspicious way to serve God conflicts with ample rabbinic records of their disputes with the Sadducees and Boethusians on halakhic interpretational issues.²² On the doctrinal issue of whether there is a reward for fulfilling scriptural decrees—an idea that explicitly contradicts the simple meaning of the biblical texts—the Sadducees and

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- 18 Only the traditional commentator *Rashbam* quotes it in his comment on *b. B. Bat.* 115b, without the sentence about the Pharisees' tradition of self-distress and adding that "the students erred by thinking that he [Antigonus] said: 'serve God without receiving reward,' and said that as this axiom is futile, so are all the rabbinic dicta, and they erred and repudiated the rabbinic dicta."
- 19 Kister, in his foreword to the Schechter edition, writes at 12 that comparing the text of *Abot R. Nat.* with the parallels of the *Midrashei Halakhah* and other tannaitic data indicates clearly the gap between them. The text of *Abot R. Nat.* is the result of multiple transmissions over centuries, in which many errors and erroneous corrections were inserted, which gives the book a character of a very low standard, with texts that are sometimes impossible to understand. Our analysis of this text seems to concur with Kister's negative evaluation, and I think we should hesitate to deduce from it opinions about rabbinic philosophy, particularly against overwhelming conflicting dicta. (My paraphrased translation from the original Hebrew).
- 20 Extreme asceticism appears in and among Twelfth- and Thirteenth-Century German Hasidism.
- 21 In his comments on this sentence, Schechter conjectures that it is was added by some scribe who had also copied the writings of Josephus, who states in *Ant.* XIII:298: "the Sadducees are able to persuade none but the rich." Perhaps the second part of the sentence about the Pharisees was also added from *Ant.* XVIII:12: "Now, for the Pharisees, they live meanly, and despise delicacies in diet; and they follow the conduct of reason." I demonstrate below the inconsistency of Josephus' portrayal of the Pharisees, the rabbis' forefathers.
- 22 For a discussion with examples, see Heger, *Cult as the Catalyst*, 44, n. 17.

prohibited by rabbinic restrictions in this world. This is the consequence of the rabbinic *midrashim* and preventive restrictions of the Oral Torah,²⁸ which the Sadducees rejected;²⁹ in the end, the Sadducees reasoned, these self-restraints will be in vain, and they “will have nothing in the world to come,” since no such world exists. The Sadducees accused the Pharisees of not divulging their true opinion that there is no world to come. Thus, even if we accept the authenticity of this addition, it has no association with asceticism, since the entire narrative relates to the question of reward and punishment in the Next World; it does not concern attaining spiritual perfection, through asceticism or otherwise. The restrictions the rabbis imposed by applying their preventive method cannot be perceived as asceticism, and nor does Fraade make this claim. The Pharisees denied the Sadducees’ allegation,³⁰ made on the basis of their mistaken interpretation of Antigonus’ dictum, which thus cannot serve as evidence for the existence of a rabbinic conception of asceticism, for the reasons argued above.

The same applies to another passage from the same late source, *Abot R. Nat.* 28, which Fraade translates as an epigraph to his article: “Whoever accepts the pleasures of this world is denied the pleasures of the world to come. And whoever does not accept the pleasures of this world is granted the pleasures of the world to come.”³¹ The original Hebrew text, Recension A, reads: “Rabbi Judah the Prince says **המקבל עליו** the one who receives the pleasures of this world, one withholds from him the pleasures of the next world; and the one who does not receive the pleasures of this world, **נותנין לו** one gives him the pleasures of the world to come.” This dictum does not appear at all in Recension B, which may indicate that here again is a later fictitious addition to the text. The use of the phrase **המקבל עליו** in *Abot R. Nat.* 28, which Fraade interprets as “accept,” is an inappropriate expression in association with accepting pleasure; it indicates the stylistic irregularity of this dictum.

correct interpretation, fitting what we know about the rabbis’ preventive method and their conduct.

- 28 One of the three principal pillars of Jewish conduct affirmed in the exhortations by the members of the Great Assembly in *m. Abot* 1:1. For example, *B. Hul.* 4b prohibits the consumption of fowl with milk, permitted in Scripture, because it may lead to involuntary consumption of animal meat with milk.
- 29 We have no authentic Sadducean documents; see *Ant.* XIII:297–98 about the Sadducees’ rejection of the pharisaic rules, claimed to be of ancient tradition, transmitted orally. *Sifra Behar parsha 1* asserts that the entire Oral Torah was given by God to Moses at Sinai, and Moses transmitted it to the entire people.
- 30 Although the narrative does not explicitly state this, we must assume it, because of the context and the rabbis’ unquestionable belief in the Next World.
- 31 Fraade, “Ascetical Aspects” 253.

קבל usually means “receive,” although it may also mean “accept,” but the context in our dictum requires to understand it as “receive”:³² the protasis identifies the one who does not receive the pleasures of this world, and the apodosis affirms that he will be given the pleasure of the world to come. This interpretation gives the dictum a sensible meaning, although carelessly expressed here, as in other occasions in the narrative, demonstrated above. In contrast to Fraade’s interpretation, I conjecture that the dictum’s author had in mind an entirely different concept, similar to the assertion in *b. Qidd.* 39b: one whose sins outweigh his merits is recompensed for his merits in this world, thus forfeiting any reward in the Next World; the one whose merits outweigh his sins, is punished for those sins in this world, and thus receives all the pleasures in the Next World.³³

Further, this passage, assumed to glorify abstention from pleasure in this world, the enjoyment of which precipitates the loss of pleasure in the Next, is quoted in the name of Rabbi Judah the Prince, who is said in *b. Ber.* 57b to have enjoyed the best amenities of life, like his friend the Roman emperor Antoninus Pius. *B. Moed Qat.* 28a records a similar narrative about the wealthy Rabbi Hisda, called צדיק most righteous, and the affluent life of his household. These rabbis are not criticized for enjoying their opulent style of living.³⁴ In effect, renowned and wealthy rabbis enjoyed the culinary pleasures they could afford.³⁵ The idea that Rabbi Judah the Prince could have made the above statement is therefore inconceivable, which confirms our doubts about its authenticity. Hence, the authenticity of these quotations is more than doubtful,³⁶ and his interpretation is flawed; it cannot serve as evidence of any rabbinic theology or *halakhah*.

32 See, for example *m. Abot* 1:1: Moses קבל received the Torah at Sinai.

33 We encounter a similar pronouncement in *Psalms of Solomon* 13:8–10: “For He correcteth the righteous as a beloved son, And his chastisement is as that of a firstborn. For the LORD spareth His pious ones, and blotteth out their errors by His chastening.” Translated from Greek and Syriac manuscripts by G. Buchanan Gray in *The Apocrypha and Pseudepigrapha of the Old Testament in English* (ed. R. H. Charles; Oxford: Clarendon Press, 1913) 2: 631–652.

34 Josephus’ portrayal of the Pharisees as shunning the good life in *Ant.* 18:12 does not constitute reliable evidence. His statement is equivocal, and its interpretation varies. Moreover, Josephus’ intent to present to the Hellenistic readers the Jewish sect as exalted is known, and is confirmed in his statement in *Life* 12, in which he compares the Pharisees to the Stoics (transl. H. St. J. Thackeray; Loeb Classical Library; Cambridge, MA: Harvard University Press, 1926).

35 Urbach, *The World*, 445 (56), quotes another general maxim to this effect. *T. Arak.* 4:27 recommends adapting the quality of the food to one’s income; the higher the income, the better the food. A scriptural verse is cited to bestow a biblical connection on this maxim.

36 See n. 19 for Kister’s negative evaluation of *Abot R. Nat.*

Fraade's interpretation of this passage and his deductions from it seem to assert that the denial of pleasure *in itself* ensures the achievement of that most precious reward, the pleasures of the world to come. This theory seems to me flawed, since it conflicts with the fundamental doctrine of Jewish faith and teachings. Judaism requires that one fulfil the divine commands, and refrain from transgressing the divine prohibitions, to be rewarded.³⁷ Abstention from permitted pleasure is definitely not one of the virtues that gain reward; on the contrary, this is a sinful act, as I shall demonstrate below. Fraade, indeed, does not use this passage from *Abot R. Nat.* to support his thesis that the rabbis "expected their self-denial in this world to be rewarded in the future world,"³⁸ although it would seem to be the strongest explicit evidence for his idea that asceticism existed in rabbinic Judaism; nor does he elaborate upon it, as he does on many of the other passages he quotes. Instead, he uses it as one of two epigraphs, deducing from two contradictory dicta a tension between two rabbinic theories (one opposing asceticism, the other promoting it), and hence concluding that a segment of rabbinic Judaism practised asceticism; thus, he does implicitly affirm that this passage promotes asceticism.

Fraade's other epigraph, presumed to extol the enjoyment of pleasure, comes from *y. Qidd. 4:12* (66b): a person will be punished for not eating what he has seen. Fraade appears to understand this dictum (the supposed opposite of the antecedent quoted epigraph) as glorifying pleasure by severely criticizing abstention from eating and enjoying whatever one has seen and has been able to acquire. I would have liked to use this passage to support my thesis that the rabbis strongly upheld the advantages of pleasure and severely disapproved of abstaining from the pleasures available to humankind; I cannot do so, however, because this is not what this dictum is meant to express. The context in which it appears relates to a quite different issue: namely, that it is prohibited to live in a town in which there is no doctor, no bathhouse, no Court to combat delinquency, and no garden to cultivate vegetables. It is recorded that a poor rabbi collected small coins to enable him to purchase and eat many types of vegetables, at least once yearly.

37 We read in *m. Abot* 6:5 that the Torah is outstanding: it grants life to those who engage with it in this world and in the Next World." *M. Abot* 2:7 declares: "who studies the Torah and performs its decrees, acquires the life of the Next World." The identical attitude is diffused throughout Scripture, and I would quote one example in *Lev* 26:3–13 of God's rewards for good deeds, and opposing it in *vv.* 14–39 His harsh punishments for disobeying His commands.

38 "Ascetical Aspects," 270.

Clearly, then, the entire lemma is focused, not on enjoying the pleasure of eating a great variety of food, but rather on the broader practical issue of assuring an orderly and healthy life in order to preserve well the body that God gave to humans.³⁹ Fraade seems to have overlooked this context. He could have quoted other rabbinic dicta that encourage enjoyment; an example is a guidance in *m. Ta'an.* 4:6 and *b. Ta'an.* 29a to limit joyful events (those that are practised all year) at the beginning of the month Ab, and to intensify such events in the beginning of the month Adar.⁴⁰ Enjoying the holidays is an explicit Torah obligation (Deut 16:14), and *b. Pesah.* 109a elucidates how best to accomplish it: one rabbi advises offering wine, and another qualifies it specifically: wine to men and dresses to women, to each as is most appropriate, even different clothes for women in Babylon and in Israel. We observe the significance accorded to enjoyment through the rabbis' efforts to ensure its perfection by adjusting their gift recommendations to male and female lifestyles.

Fraade's arguments and supporting citations, outlined above, demonstrate that in his opinion, the Pharisees believed that self-denial in this world would be rewarded in the world to come.⁴¹ He further claims that *perishut* (the source of the name "Pharisee") is "a *stage* in the attaining of spiritual perfection,"⁴² and thus considers that the rabbis, their ideological descendants, practised a form of asceticism. While, as stated, I agree with Fraade's definition of conventional asceticism, I refute his assumption that his quoted evidence supports his argument, and I shall quote below other rabbinic dicta that contradict it. Scripture asserts explicitly on many occasions the obligations the Israelites must accomplish to reach the highest degree of perfection, that is, to be holy like God is holy; nothing more is expected or required. We have all agreed that obeying the biblical prohibitions is not deemed to be asceticism.⁴³

39 *Lev. Rab. parsha* 34 records that Hillel told his students that in going to the bathhouse, he was fulfilling a precept to preserve and care for his body, given to him by God. He compared it to the work of the official custodians, who care for the perfect maintenance of the state's statues.

40 According to tradition, both Temples were destroyed in the month of Ab, and the miracle of Purim occurred in the month of Adar; one is adjured to re-enact these momentous historical events symbolically.

41 Fraade, "Ascetical Aspects," 270.

42 Ibid. I discuss Fraade's concept of *perushim* separately below.

43 I disagree with Fraade's assertion at 257 that "for the ancients including Jews, *askesis* was not simply the negative denial of the world, body, sense, pleasure and emotion, but the willful and arduous training and testing, often through abstention from what was generally permitted, of one's creaturely faculties in the positive pursuit of moral and spiritual perfection." I agree with Fraade that Hellenistic intellectuals, possibly including also

In support of his theory regarding *perishut*, Fraade quotes from *b. Abod. Zar.* 20b (his translation): “It is taught: ‘Be on your guard against anything evil’ (Deut 23:10): A person should not have impure thoughts during the day, lest he encounter impurity at night. From here R. Phinehas ben Jair says: זְהִירוּת heedfulness leads to cleanliness, נְקִיּוּת cleanliness leads to abstinence (*perishut*), abstinence leads to טְהוּרָה purity, purity leads to קְדוּשָׁה holiness, holiness leads to עֲנוּה modesty, modesty leads to fear of sin, fear of sin leads to חֲסִידוּת saintliness, saintliness leads to רֹחַ הַקֹּדֶשׁ the Holy Spirit, the Holy Spirit leads to the revivification of the dead.”⁴⁴ Fraade translates *perishut* as abstinence, relying on *m. Sotah* 3:4, in which the term may once be so interpreted, but he ignores the other two quotations of this term in the same *mishna*, which absolutely cannot be interpreted as abstinence.

It seems curious that Fraade decided to deduce or defend his theory from this vague and undefined pious play of words, with no precisely defined doctrinal or concrete consequences, which appears in different versions in rabbinic literature in the name of the same rabbi. My version of the same source shows different stages of progression, and in a different order. Further, the highest degree in my version is modesty according to one rabbi and piety according to another. In the parallel narrative in *m. Sotah* 9:15 resurrection is indeed the highest degree, but it is said to be brought by Elijah, the prophet. There is a lack of logic in their progression, as betrayed by the different order of the stages in the two MSS. How does heedfulness זְהִירוּת (זְרִירוּת “zeal” in my version) lead to cleanness, and what precisely does cleanness mean in any case? It is not purity, which is mentioned later as טְהוּרָה. How does cleanness lead to *perishut* in Fraade’s version? In the parallel *m. Sotah* 9:15, the order of *perishut* and purity is reversed: cleanness leads to purity and purity leads to *perishut*.

In *b. Abod. Zar.* 20b, Rabbi Phinehas ben Jair’s dictum appears after an array of advice on how to avoid staring at things and events (women and their colourful dresses; the sexual acts of animals) that lead to arousal, which indicates the purpose of the dictum: that obeying these warnings will lead the person on the righteous path to avoid sin, and thus to reach perfect conduct. This exhortation does not validate Fraade’s deduction from this erratic lemma that the rabbis

Jews, had such ideas, but Judaism, scriptural, Qumranic (CD V:1; 4Q370 (4QAdmonFlood) I:1; 4Q418 (4Q Instr^d) 81+81a:18–20), and rabbinic, does not deny the world; on the contrary it affirms it, as God’s creation perceived by Him as good. In this respect, Greek philosophy is the antithesis of Israelite philosophy. Perfection and holiness is attained by correctly fulfilling the divine rules; this is the Israelite ethos, absent in Greek culture.

44 Ibid., 270.

embraced asceticism; heedfulness to avoid sin is not asceticism, even according to Fraade's definition. In the parallel *m. Sotah* 9:15, this dictum appears in a totally different context: it is attached to distressing events that occurred after the death of certain great rabbis and national afflictions.

At any rate, in rabbinic thought, the *midrash* that recommends abstaining from lustful thoughts to attain *perishut* and holiness is not perceived as asceticism. Rather, it is a fundamental element of the rabbis' preventive system, as demonstrated above.⁴⁵ In fact, preventive abstention leads straightaway to holiness, without the intermediate stages described as in the lemmas quoted above. Indeed, *b. Yeb.* 20a, relating to *m. Yeb.* 2:4, advises to sanctify oneself by abstaining from doing what is preventively prohibited by the Sages, although permitted by Scripture.

Even were we to admit that the passage from *Abod. Zar.* can be interpreted as Fraade suggests, it would, it seems to me, represent an isolated voice with no halakhic or other concrete consequences, and thus could not be classified as representing rabbinic asceticism.⁴⁶ The variety of conflicting halakhic opinions in rabbinic literature is well known; this theoretical freedom of thought and speech, however, turned into a strict authoritarian system when an individual rabbi actively took the initiative to enforce his own halakhic decision in opposition to the final consensus. An example is the story told in *b. B. Meš'ia.* 59b about Rabbi Eliezer, who was excommunicated because he did not agree to the majority decision and continued to dispense his own halakhic decisions.⁴⁷ Similarly, while *m. Sanh.* 11:2 sanctions the behaviour of a rabbi who diffuses his halakhic decision as a non-binding conflicting opinion after its rejection by the majority, it condemns him to capital punishment if he propagates it as a binding *halakhah*.

These are only a few of a range of arguments showing that this lemma, which is not a *halakhah*,⁴⁸ is not an appropriate source from which to deduce rabbinic

45 See p. 252 and n. 28.

46 *Abot. R. Nat.* Recension a, quoted in Chapter 2 p. 87, criticizes Adam severely for applying the preventive method in his directive to Eve, thereby provoking the first human sin. We do not, however, deduce that there was a rabbinic minority group that opposed the preventive method. The same should apply in our consideration of this solitary homily in *Abod. Zar.*

47 See an extended deliberation about this topic in Paul Heger, *The Pluralistic Halakhah: Legal Innovations in the Late Second Commonwealth and Rabbinic Periods* (Berlin: De Gruyter, 2003) 64; and in Heger, *Cult*, 123.

48 One dissenting *midrash* or homily does not indicate a different ideological strain; many *midrashim* and homilies were created and developed by accretion, with no intent or

doctrines on concrete and behavioural issues that contradict many other rabbinic texts explicitly declaring the opposite—in this case, an unquestionable opposition to asceticism—as I will show.⁴⁹ On the other hand, no explicit rabbinic dicta exist that praise asceticism, in the sense of suffering as a virtue *per se*, as we find in Christian writings; Fraade's claim that rabbinic thought has ascetic aspects is based on his own deductions from some rabbinic texts, which can be interpreted as endorsing asceticism but do not unequivocally do so. Hence, the passages that Fraade adduces in support of a rabbinic asceticism are not hard evidence for his opinion, and have no prevalence over opposing viewpoints.

7.4 The Biblical Attitude towards Pleasure: The Antithesis of Asceticism

Whereas the Bible does not condemn pleasure or enjoyment, we do find in it an array of passages promoting enjoyment of the bounty God has provided for humanity. Since the Bible's affirmation of joy and pleasure are generally acknowledged, I shall quote only one passage relating to each type of enjoyment and pleasure. Deut 14:26 commands enjoyment of food and drink; Deut 26:11 commands enjoyment of God-given bounty; Ps 100:2 commands the Israelites to worship God with joy, and in Deut 28:15–68, we find a long list of curses as the punishment for not doing so, with the justification at v. 47: “Because you did not serve the LORD your God joyfully and gladly in the time of prosperity.”

We also find favourable attitudes towards sexual activity. In Gen 1 we read God's blessing and first command to humanity to procreate (Gen 1:28), as well as God's evaluation of it: **טוב מאוד** “and it was very good”⁵⁰

pretence of representing a rigid ideology. We do not deduce, for example, that the author of the *midrash Gen. R.* 18:2, discussed in Chapter 1 pp. 49–50 rejected belief in God's omnipotence, the consequence of the divine failure to create the woman as he intended, nor that the *midrash* represents a rabbinic minority contending as such. The same should apply to our present *midrash*.

49 Leopold Zunz, *Hadrashot Be'Israel and Their Historical Development* (Hebrew; ed. H. Albeck; Jerusalem: Mossad Bialik, 1954) 32, states that “the *aggadah* is the outcome of the individual's free cogitation, whereas the *halakhah* derives from the solemn prerogative of the authority... what the *halakhah* develops is something of permanence that reveals itself in practical life, whereas the *aggadah*'s aim is mainly the perception of the idea's significance.”

50 In a *midrash* in *Gen. Rab.* 9:7, quoted below, the outstanding evaluation **טוב מאד** “very good” is linked to procreation.

(Gen 1:31), whereas all other creations are evaluated as *“good.”* Consequently, Deut 24:5 exempts the newly married man from military service, even during wartime,⁵¹ to ensure the fulfilment of woman’s God-given right to sexual pleasure; for one year he is to stay at home *ושמח את אשתו* and bring happiness⁵² to the wife he has married. Finally, we find the conclusive axiom that obedience to divine commands is rewarded by a good life. The promise *למען ייטב לך* so that it may [always] go well with you [in this world]⁵³ appears in various styles, referring to those who obey the divine commands. The significance of joy in Israelite theology is also manifest in the prophetic and hagiographic literature, demonstrating Scripture’s positive stance towards all aspects of life⁵⁴ and thus negating any virtue in suffering.⁵⁵

This attitude does not foster abstinence from pleasure or from performing permitted deeds; I would not hesitate to state, in fact, that it opposes such abstinence. The Israelites’ abstention from sexual relations before participating in the Sinai revelation (Exod 19:15)⁵⁶ does not suggest that there is anything evil about sexual activity,⁵⁷ only that—like touching or carrying the carcass of an animal (Lev 11:26–28)—it ritually pollutes the participants, who must not approach a holy place before being cleansed. For this reason, Moses orders abstention from sexual relations before participating at the Sinai revelation, though this is not specified in God’s directives to Moses.⁵⁸

51 The rule in Deut 24:5 implicitly refers to wartime; the parallel rule in Deut 20:7 declares this explicitly.

52 This is the NIV translation, but *שמח* in *piel* should be translated “will enjoy his wife [make her enjoy].”

53 In Deut 6:18 and on many other occasions.

54 I will cite a few examples: Ps 68:4 (v. 3 in KJV), Eccl 9:7, Ezra 6:22, 1 Kgs 8:66, Isa 28:9, 56:7, 61:7, Jer 15:17, Joel 2:23, and Zech 2:14.

55 Rob Kugler, “Making All Experience Religious: The Hegemony of Ritual at Qumran,” *JSJ* 33/2: 131–52 at 133, states that “religious experience is not characterized by ecstasy, fanaticism, or fervor, but by a patterned daily existence”; neither, I would add, is it characterized by suffering.

56 This is the common interpretation of Moses’ undefined command *אל תגשו אל אשה* (Exod 19:15), but it does not exclude other interpretations of this odd instruction. See Chapter 4 pp. 133 ff.

57 Jacob Neusner, *Aphrahat and Judaism: The Christian-Jewish Argument in Fourth-Century Iran* (Leiden: Brill, 1971) 178–80, referring to the Jewish–Christian polemic, asserts that “the rabbinical tradition could never reconcile itself to the life of celibacy and regarded marriage as the normal condition of man,” although they “had an ambivalent view of women.”

58 God said to Moses: “consecrate them today and tomorrow; have them wash their clothes.”

Human beings, with their good and bad inclinations—their hearts of stone and of flesh (Ezek 36:26)—are God's creation, and whatever God has created is good. Humanity's strong desire, implanted by God in the process of creation, is not inherently wicked; it is good or evil depending on how humans use it. The term **תאבה** "strong desire" is used both for good purposes, as in Prov 11:23, and for evil deeds, as in Ps 112:10.

In fact, the Tenth Commandment in Exod 20:14: **לֹא תַחְמֹד** do not covet your neighbour's house, wife, servants, household animals or anything else he owns⁵⁹ is understood both by the rabbis⁶⁰ and by modern scholars⁶¹ as applying only to practical schemes and concrete actions aimed at acquiring the neighbour's wife or property. Desire (coveting) alone is not forbidden, since **חמד** denotes sensuality or lust leading to an action intended to achieve the object of the desire.

59 In Deut 5:18, this commandment appears with some literary alterations; the wife is mentioned first, and the text uses a different verb, **אִוָּה**, translated as "set your desire" by the NIV. The KJV translates **חמד** as "desire" and **אִוָּה** as "covet." The LXX translates both **תחמוד** in Exod 20:13 and Deut 5:18 and **תתאוה** in Deut 5:18 as ἐπιθυμέω "covet/long for/desire." Some scholars, such as Dominik Markl, *Der Dekalog als Verfassung des Gottesvolkes, Die Brennpunkte einer Rechtshermeneutik des Pentateuch in Exodus 19–24 und Deuteronomium 5* (Freiburg: Herder, 2007) 217, perceive a difference in theological approach between the two books. Benno Jacob, on the other hand, in *The Second Book of the Bible: Exodus* (trans. Walter Jacob and Yaakov Elman; Hoboken, NJ: Ktav Publishing House, 1992) 589–90, does not acknowledge different ethical/practical considerations in the two books.

60 *Mek. Jethro, mass. d'Paskhah, parsha 8* interprets the prohibition as applying only to undertaking concrete steps to appropriate the neighbour's belongings.

61 Alexander Rofé, "The Tenth Commandment in the Light of Four Deuteronomic Laws," in *The Ten Commandments in History and Tradition* (ed. Ben-Zion Segal; English version ed. Gershon Levi; Jerusalem: Magnes Press, 1990) 45–65, discusses this point at length, citing the LXX's and Philo's interpretations as well as the commandment's varied developments in the scholarly milieu. He concludes (at 54) that "the original prohibition, as we have interpreted it, applied only to actual machinations and deeds—legal as well as illegal—aimed at acquiring control of someone else's property." Hans Joas, *Die Zehn Gebote, Ein widersprüchliches Erbe?* (Cologne: Böhlau Verlag, 2006) 145–57, after a lengthy philosophical discussion of desire, concludes that because, in practice, human nature empowers one's will not to yield to one's desire, but is incapable of stopping one from desiring something, desire cannot be prohibited, and the Tenth Command therefore does not prohibit it. Bernard S. Jackson, "Liability of Mere Intention in Early Jewish Law," *HUCA* 42 (1971), 197–225, elaborates on the issue of liability for mere intention from a legal perspective, and concludes (at 213) that in ancient Jewish law, as in Roman law, intention is not liable.

Whereas Greek mythology records that Prometheus was cruelly punished for teaching humans how to make fire, against the will of Zeus, Judaism teaches that God, who created everything that exists, gave humans the faculty to discover the world and its potential, leaving them free to choose how to use their inborn aptitudes and knowledge for good or evil purposes, and judges them according to their choices and their deeds;⁶² people are rewarded for good behaviour, and punished for doing evil. Thus, Scripture presents an optimistic view of the world: humans are masters of their destiny, and an almighty God, who cares for his creatures, is a righteous judge. I believe that Christianity succeeded in winning hearts in the Hellenistic world relatively quickly because it offered people hope, promising a loving God (a somewhat adjusted view of Judaism's caring God) in place of the frivolous desires and caprices of the Greek gods. This optimistic *Weltanschauung*, based on the biblical idea that God created everything, and what God has created is essentially good, sees no virtue in suffering or in the denial of joy. At the same time, it explains why Judaism has seen no religious movements such as Manichaeism and Gnosticism, or any tradition of a demiurge creator with a negative view of the material world.

I have devoted much attention to biblical attitudes towards human joy and pleasure because both Qumran and the rabbis shaped their doctrines and *halakhot* on the basis of Scripture, even when their interpretations disagree. We must keep in mind, as we attempt to reveal the motivations behind rabbinic and Qumranic assertions and *halakhot*, that these texts cannot be in conflict with the scriptural text, unless such conflict is explicitly declared and explained. Our assumptions or *ex silentio* conjectures cannot impose on the Qumran texts or on the rabbis ideologies that conflict with Scripture.

7.4.1 *The Scriptural Concept of Fasting*

Although the command "afflict your souls" in Lev 16:29, interpreted as intending fasting, may seem to advocate suffering, this command and its grammatical derivative in the rules for the Day of Atonement in v. 31 are not evidence of the virtue of suffering or self-denial.⁶³ It seems to me that fasting on the

62 In Deut 30:15 God tells humans that they can choose between good and bad, and in 30:19 advises them to choose life and blessings.

63 It is outside the scope of this study to investigate why Leviticus uses the undefined ענה, which is commonly interpreted here as "fast" but has a great array of meanings in Scripture according to context, instead of the defined צום "to fast" (Judg 20:26), practised in times of calamity. It is plausible that the decision to interpret ענה here as "fasting" was deduced from the phrase ענית בצום נפשי "and [I] humbled myself with fasting" (Ps 35:13), but this does not resolve the question of why Leviticus did not use the defined term צום.

Day of Atonement, as prescribed in Scripture, should be seen as a self-inflicted punishment to ensure the forgiveness of sins without enduring punishment inflicted by God. The symbolic self-administered punishment that induces divine forgiveness of sins is similar to the symbolic offering of animals, instead of one's own life, for the identical purpose, as we read in Lev 17:11 that the blood makes atonement for one's life.⁶⁴ The parallel passage in Lev 16:29–30 describes atoning for sin by self-denial (fasting), a self-inflicted punishment. The two passages are intrinsically linked; just as the sprinkling of the blood on the altar, a symbolic sacrifice, induces atonement, the fast, a symbolic self-inflicted punishment, invokes the same result. There is no association with suffering as a virtue, and in fact fasting is not suggested in the Pentateuch except on the Day of Atonement, a celebration for the sake of the entire people of Israel.

Fasting is depicted in Scripture on occasions when calamities befall individuals or the people, and since, according to biblical theology, punishment is imposed by God for human sins, fasting is an attempt to avert divine punishment by symbolic self-affliction. We observe in Judg 20:26 that the people, after suffering heavy casualties, undertake two acts in order to be forgiven for the sin⁶⁵ that has brought their misery. David fasts and prays to God when his child by Bathsheba becomes ill. He knows of his sin and knows that for this reason his son will die, as Nathan the prophet told him (2 Sam 12:14); he hopes that God will accept his fast as atonement for his sin and will save his son, and ceases his fast after the child's death (v. 20).⁶⁶

The LXX translates the term תענו in Lev 16:29 by the verb ταπεινώω “to humble”; this translation may support my proposition that fasting be perceived as humbling oneself before God, as part of the process of praying to be forgiven

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- 64 Cf. David Lambert, “Fasting as a Penitential Rite: A Biblical Phenomenon,” *HTR* 96, 4 (2003): 477–512 at 479–80, who attaches fasting to prayer, stating that “with the exception of mourning the dead, fasting hardly ever occurs without prayer.” He further claims that prayer in a state of affliction is performed to arouse divine attention and pity, instead of my thesis that fasting pleads for forgiveness. At 480–1, however, he admits that the biblical evidence “suggests, at first glance, an association between fasting and penitence,” but adds “that fasting and prayer also occur in the absence of wrongdoing.” This seems unfounded, since the fasting on the Day of Atonement pleads for forgiveness of known and unknown sins, as we read in I Kgs 8:46: “there is no one who does not sin.” At any rate, Lambert’s assumptions do not claim that fasting is associated with asceticism, as Fraade alleges.
- 65 Lambert, *ibid.*, 497, perceives “fasting as an expression of grief,” used to add urgency to their supplication.
- 66 *Ibid.*, 485: “David has indeed sinned; but by fasting and weeping, he is looking for pity—not forgiveness.”

for transgressing his commands. We read in Ps 34:19: “The LORD is close to the brokenhearted,” and Ps 51:19 affirms that God will heed the prayer of a broken spirit more than sacrifices. It seems reasonable to assume that the LXX translator/interpreter used “humble” instead of “deny oneself/inflict” or “fast”—although fasting on the Day of Atonement was practised in Egypt, as Philo writes in *Spec.* 2:193–203—to emphasize the significance of humbling oneself before God as the essence of fasting, conducive to attaining forgiveness of sins. The author may have chosen to use עֲנָה instead of the defined term צוֹם for exactly this reason: that the purpose of the fast is to humble oneself for the sins one has performed, not the suffering of the fast, which only creates a suitable state of mind for genuine repentance.

7.5 Pleasure and Self-Denial in the Rabbinic Literature

7.5.1 *Boyarin's Thesis: The Good and Evil Desires*

I begin with Boyarin's study on the rabbinic attitude towards sexual desire and its implications.⁶⁷ Boyarin quotes rabbinic legends and *midrashim* that go a step further than the Scriptural perception of human desire discussed above. Instead of the common rabbinic opinion that two impulses (or desires), a good one and a bad one, are implanted by God in humans at birth, these rabbinic dicta mention what Boyarin terms “Evil Desire” and “Good Desire,” but claim that Evil Desire is “itself composed of constructive and destructive forces within its own singular existence and essence.”⁶⁸ This theory is built on an *aggadah*, recorded in *b. Yoma* 69b, that when the returnees from the Babylonian exile imprisoned the (evil) Desire of sexual sins to prevent future sinning, the hens ceased laying eggs—that is, all sexual activities, good and evil, were discontinued—and so they understood that the world would end without this desire; they released it, therefore, since heaven did not agree to a desire for licit sex alone. A further *midrash* in *Gen. Rab.* 9:7 complements and elucidates the philosophy and theology of *b. Yoma* 69b: On the seemingly superfluous term טוֹב מְאֹד “very good,” in Gen 1:31 referring to all that God has made by creating humans and commanding them to procreate, the *midrash* deduces that God's evaluation of very good relates to both good and evil human inclinations. The consequent question of how this evil inclination

67 Daniel Boyarin, *Carnal Israel: Reading Sex in Talmudic Culture* (Berkeley: University of California Press, 1993).

68 *Ibid.*, 63.

can be perceived as good is answered thus: without it a man would not build a house, marry a woman, beget children, or work for his subsistence.

Hence, the Evil Desire, as Boyarin translates, or the evil inclination, as **יצר הרע** is commonly interpreted, is a categorical requirement for the survival of the world; it can be used for good and for evil purposes. Boyarin notes that since God created the evil inclination, and whatever God created is good, the evil inclination, too, is essentially neutral, and humanity can choose to use its intrinsic constructive or destructive forces. He concludes that sexuality in itself is neither evil “nor is it uncomplicated good,” and that desire is necessary and has “very positive overtones.”⁶⁹ He also raises the question of what constitutes the Good Desire, “if the role and the possibility of the Evil Desire can be good.”⁷⁰

Boyarin perceives “two partially conflicting psychologies within the rabbinic culture”: the common thesis that the two inclinations implanted in humans—the **יצר טוב**, the good inclination, and the **יצר רע**, the evil inclination—are “at war with each other,” which he calls the theory of ethical dualism of good and evil powers; and in contrast, the theory that the Evil Desire, “composed of constructive and destructive forces within its own singular existence and essence[,] is very good,” deduced from the *aggadah* and *midrash* discussed above. Thus, the Evil Desire is *perceived* as bad because of its destructive side, yet it is the driving force for the accomplishment of constructive human and worldly functions. For Boyarin, this view rejects the theory of ethical dualism, affirming that human beings have only “one monistic nature, which is, however, dialectical in structure.” The same force that leads humans to create, causes them “to do evil and destroy.”⁷¹

I would not be inclined to deduce from the *midrashim* cited above two divergent rabbinic ideas, since such subtle philosophical deductions are based on modern ways of thinking that did not concern the rabbis; the differences between these two theories seem to me presentational, not essential. Both hold that the inclinations/desires/impulses, good and evil, implanted by God in humans (whether separately or together) are created by God, and therefore are good, and that humans have free will to follow either the good or the evil inclination. For example, *Sifra Qedoshim parsha 10* tells us that the desire for forbidden acts, such as eating pork or lying with a woman forbidden by law, is not perceived as wrong; on the contrary, the *midrash* recommends saying, “I do desire it, but I do not do it, because God forbids it”—the desire itself is actually

69 Ibid.

70 Ibid., 64.

71 Ibid., 63–4.

commended, since controlling it is a virtuous behaviour. This is the essential basis of rabbinic belief; whether there is one basic inclination that a person can guide in a chosen direction or two opposing inclinations was not, it seems to me, a concern of the rabbis⁷² or of Qumran.⁷³ Both tried to understand why humans sin.⁷⁴ Since humans possess the wisdom to discern good from evil, it is incomprehensible that they should sin—that is, engage in acts that they know *a priori* are wrong and will be punished. Both theories offer the same logical answer to that pivotal question; therefore, I would presume that the rabbis perceived no conflict and did not see a need for a dialectical approach to understand the relevant dicta.

I suggest that we perceive the seeming variances in rabbinic statements about humans' opposing inclinations as complementary, not conflicting (as Boyarin proposes). The evil inclination in humans is the selfish tendency, similar to the survival instinct in animals: focused on one's own advantage, guided by one's desire and passion, with no consideration for the rules instituted by God or for the collective and individual rights and benefits of one's society. The good inclination, by contrast, is the altruistic stance that constrains one's own desires according to divine rules and/or for the benefit of others. Since both inclinations were created by God and implanted in humans, the evil inclination must also contain some goodness, since everything created by God is essentially good or has a necessary function. There is no absolute evil or good in the world, as we read in *b. Sanh.* 98a that the Messiah will come only when the entire generation (world) is either righteous or wicked—in effect, an absolutely righteous world can be realized only in the eschatological era, and until then all good contains some evil, and all evil contains some good. Humans' selfish inclinations and their passions thus play a useful role in curbing the altruistic drive towards absolute good and total renunciation of one's own benefit. The rabbis enunciated the legal principle “a person is near (affectionate) to himself” (*b. Sanh.* 10a) based on their knowledge of human nature. I believe this awareness also explains Hillel's renowned dictum: “That which is hateful to you, do not do to your fellow. That is the whole Torah; the rest is the explanation; go and learn” (*b. Sabb.* 31a). I believe that Hillel deliberately changed the biblical command “love your neighbour as yourself” (Lev 19:18), from which his dictum derives; this command corresponds to the absolute domination of the

72 *B. Ber.* 61a.

73 1QS II:18–20.

74 See the extended discussion in Heger, *Challenges*, 256–7.

altruistic inclination, which Hillel restricted by introducing an element of the self-regarding evil inclination.⁷⁵

We find a similar constraint on the absolute altruism of the good inclination in *b. B. Meš'ia*. 62a, which interprets Lev 25:36 “let your brother live with you” as intending that your life has priority over the life of your neighbour/brother.⁷⁶ From the same text *Sifre Deut.* 116 deduces priorities for financial assistance to people based on their relationship to the benefactor—that is, based on a consideration of one’s selfish evil inclination: a brother from the same father has priority over a brother from the same mother; dwellers in the same city have priority over those from another city, and those from one’s own country over those from another country. In each case, the force of the good inclination is restricted by that of the evil inclination; thus, the evil inclination has good elements and accomplishes useful functions. The same force and desire that leads someone to marry and build a house for his own well-being (*Gen. Rab.* 9:7, quoted above) would conflict with an obligation to build a house for one’s neighbour also, as an unrestricted application of the good inclination would suggest—obeying literally the command to “love your neighbour as yourself.” *B. Ket.* 50a records that the Sanhedrin of Usha promulgated a rule not to spend on charity more than a fifth of one’s wealth or of one’s yearly income. A baraita explains its motive, because ultimately one may be compelled to ask for charity in turn. Commenting on Deut 15:7b “do not be hard-hearted” towards the poor *Sifre Deut.* 116 and the odd use of the term *do not תאמץ* “strengthen” your heart at the recommendation to help him (one would expect the opposite), the *midrash* explains: “there is a person who is sorry if he gives (lends money to the poor), and if he does not give.” He is caught between the claws of the tongs, of which one is the evil and the other the good inclination. In this way, I believe, we can reconcile the apparently contrasting rabbinic dicta (as postulated by Boyarin), within the boundary of the rabbis’ presumed reflections.

7.5.2 *Rabbinic Attitude towards Pleasure*

I shall now quote some more rabbinic citations indicating their positive attitude to pleasure of all kinds, indicating implicitly that self-denial of permitted acts is not their ideal. We find a remarkable dictum in *b. Hul.* 109b: Whatever the Merciful God prohibited us, he permitted us something similar; in

75 The NT, by comparison, maintains both versions. Matt 7:12 and Luke 6:31 record a positive parallel to Hillel’s dictum; Luke 10:27 and Gal 5:14, in the name of Jesus, repeat verbatim the text of Lev 19:18.

76 See a dispute in *b. B. Mez.* 62a regarding the practical application of this dictum.

substitution of the prohibited consumption of blood, he permitted eating liver (perceived to be concentrated blood); instead of the prohibited fat of animals suitable for sacrifice, he permitted the fat of wild animals; instead of pork, he permitted the head of a fish; instead of the prohibited sexual intercourse with the wife of one's brother, he permitted it to the levir, and so on—a long list of similar substitutes. Whether or not the substitutes are indeed equally satisfying is not crucial for our thesis. This passage exemplifies the rabbinic view that Scripture does not command abstention from pleasure or from satisfying one's desires, including sexual desire; there is nothing evil in sex as long as it is legally permitted. We read in *b. Ber.* 57b: "A man is gratified by three things: a refined dwelling, a beautiful woman, and neat objects." Another maxim there declares: "Three things are comparable to the [pleasures] of the other world, and these are: Sabbath, sun, and תשמיש sexual intercourse."⁷⁷ *B. Ned 20b* rejects an expressed opinion that denounces perverted sexual acts, declaring that a man may perform intercourse as he pleases, just as he may eat his food prepared in different ways.⁷⁸ *B. Sanh.* 100b declares: "Happy is the husband of a beautiful woman; his days [of life] are doubled." Such applause for the attributes of women must be understood as most approving of the pleasures and benefits of married life and sexual intercourse. How can this pronouncement concur with Fraade's assertion that the rabbis practised some form of asceticism, and that satisfying one's desires would hinder the attainment of "spiritual perfection," which could be reached only "by virtue of abstaining from . . . indulgences"?⁷⁹

Moses' decision—made on his own initiative, and approved by God—to abstain from sexual intercourse indefinitely, as the rabbis interpret *Exod 19:15* in a *midrash* in *b. Sabb.* 87a, does not indicate a negative attitude towards legitimate sexual activity. We read there that Moses abstained perpetually from sexual relations, because he reasoned that if the Israelites must not approach a woman for three days before hearing God's words, he must *a fortiori* totally abstain from it, since God spoke to him all the time without prior warning. As is evident, his abstention, according to this *midrash* and the midrashic

77 Since תשמיש is usually the euphemism for sexual intercourse, an anonymous question is posed, claiming that it weakens the man; in response, a device is contrived that it refers to relieving oneself. This frivolous interpretation and answer should be discarded, since it is inconceivable that the comfort of relieving oneself would be compared to the enjoyment of the Sabbath and the sun, as a reflection of the delights of the world to come.

78 See text and deliberation in Chapter 2, p. 99.

79 Fraade, "Ascetical Aspects," 270.

interpretation of Num 12:1,⁸⁰ is not motivated by any implied criticism of permitted sexual acts or any moral debasement associated with sexual activity.⁸¹

Finally, the rabbis granted women the unrestrained right of pleasure from regular, non-deviant sexual intercourse on the basis of their desire for men, implanted in them by God (Gen 3:16) and reconfirmed in Exod 21:10.⁸² *Midrash Sechel Tov* (Buber edition) Exod 11:1 asserts that deprivation of sexual intercourse is an affliction for a woman, expressed in Gen 31:50 by the term עֵנָה. We read in *b. Ket.* 48a that the woman has the right to demand that both partners be naked during sexual intercourse, and if the husband does not agree, she may ask for divorce and he must pay her the *ketubah*.

7.6 Fraade's Thesis: Obstacles to Spiritual Fulfillment

If I understand correctly the theory presented in Fraade's introductory premise, he perceives in rabbinic Judaism, within the bounds of what he understands as asceticism, "a tension inherent in all religious systems: humans aspire to advance ever closer to an ideal of spiritual fulfillment and perfection, while confronting a self and a world that continuously set obstacles in that path." He then elucidates the real questions: "How can one proceed along that path with a whole, undivided undistracted 'heart' . . . while living among the distractions of the present world? How can one relate to and commune with a transcendent, supernatural order, to submit wholeheartedly to the divine will, while living a worldly existence ruled by appetites and archons?"⁸³ I understand

80 The text of Num 12:1–3 is extremely confusing. The simple meaning of the text, however, would suggest that Moses married another wife, a Cushite, in addition to Zipporah, his first wife. The LXX, KJV, and NIV translate accordingly, but the rabbis did not like the idea that Moses took another wife, and overturned the text, asserting that he abstained from sleeping with Zipporah (*Deut. Rab. parsha* 11:10), whose nickname was Cushite (*b. Mo'ed Qat.* 16b). Consequently, *Tg. Onq.* adds רחיק "repudiated her" after the second term לָקַח, which means "married." *Tg. Ps.-J.* interprets v. 1 as declaring that Moses divorced the Queen of Cush, whom he married on his escape from Egypt, and lived with her for forty years. This odd story appears only in *Yal. Sh.* Exod 168; its original source is unknown.

81 See Chapter 4 pp. 135 ff for another interpretation of the relevant verses in Exod 19:10–15, unrelated to the rabbinic midrashic exegesis.

82 We read there: "he must not deprive her of food, clothing, and marital rights."

83 Fraade, "Ascetical Aspects," 255. Although most of Fraade's quotations in nn. 11 and 12, supporting the statement quoted above, relate to Christianity, at the end of n. 12 he writes, "For most of the above, except where caricatures of Judaism still cloud the picture, a broader view of asceticism permits a more balanced assessment of its place in Judaism."

Fraade's question to be in fact a complex of topics: the contrast between human desire and divine restrictive rules; and opposition between matter and spirit, between flesh and soul, so that consequently the flesh impedes the soul's desire for communion with the transcendent. I will present my argument in this order.

The rabbis sanctified the performance of physical requirements by establishing, for example, blessings and prayers to God before and after eating, in accordance with the biblical dictum in Deut 8:10. The table (conducted according to the law) is compared to the altar, generating atonement, as we read in *b. Ber.* 55a: "As long as the Temple existed, the altar atoned for Israel, but now the table atones for him." A dictum in *Abot R. Nat.* Recension b, Chapter 30, and *Lev. Rab. parsha* 34 go a step further in sanctifying human acts for physical well-being and pleasure by perceiving them as accomplishing the divine will and intent.⁸⁴ There is no division between body and soul; caring for one's body is perceived as fulfilling the divine will, as expressed in Scripture.⁸⁵ Therefore, humankind can love God with both the good (altruistic) and the evil (selfish) inclinations, as we read in *m. Ber.* 9:5.⁸⁶ This doctrine seems to me incompatible with any form of asceticism. The scriptural and rabbinic principle of self-control is not one of self-denial, in sharp contrast to the Greek philosophical basis of asceticism. This crucial difference offers an answer to Fraade's question, posited above. Hillel taught the appropriate way in his own cultural context to blend the seemingly opposed principles in complementary fashion; he sanctified his desire and associated deeds for his physical well-being and pleasure (permitted by the Law) by perceiving them as accomplishing the divine will and intentions.

I do not perceive in rabbinic literature a striving to commune with the Deity, although I believe that in Judaism God is both transcendent and immanent—that is, God is immanent in his involvement in the world, but transcendent for humans, who are not involved in heavenly matters. We read in Ps 115:16: "The highest heavens belong to the LORD, but the earth he has given to man," which

Thus, one must assume that his list of characteristics "inherent in all religious systems" consciously includes Judaism.

- 84 See note 39. A similar narrative attributed to Hillel regarding going to the toilet is recorded in *Lev. Rab.*
- 85 Ephraim E. Urbach, *The World of the Sages: Collected Studies* (Hebrew; Jerusalem: Magness Press, 2002) 439 (50), writes that Philo attempted to impose on Scripture his Hellenistic theory of the division between body and soul, using daring allegorical methods. He concludes that there is no evidence of Jewish sources in Philo's theory.
- 86 The *midrash* deduces this from the command to love God בְּכָל לִבְבְּךָ "with all your heart" written with two ב (Deut 6:5).

suggests God's transcendence, but most biblical statements on this topic imply God's immanence and active involvement in the world's affairs. Ps 89:12 states: "The heavens are yours, and yours also the earth; you founded the world and all that is in it"; divine immanence is also acknowledged in Deut 3:24, 4:39, and 10:14; 1 Kgs 8:23; and Hab 3:3. We also read in Josh 2:11, Isa 66:1 and Jer 23:24 that heaven and earth are filled with God's presence.

On the other hand, a striving for communion with God is explicitly thwarted in a rhetorical narrative in *b. Sukkah* 5a. Ps 115:16, cited above, is challenged, on the grounds that God descended on the top of Mount Sinai (Exod 19:20), and will stand in future on the Mount of Olives (Zech 14:4), and that Moses went up to God (Exod 19:3). The reply is that in both circumstances there were more than ten hand-breadths (the space considered a division) between God and the summit of Sinai, and similarly the same distance between Moses and heaven. Hence, God did not really stand on the earth and Moses did not enter into heaven. This *midrash* confirms the division between humanity and heaven; the former cannot reach the latter.⁸⁷

The Talmud, the rabbis' *magnum opus*, does not try to answer Fraade's question about a relationship of communion with God—see, for example, how to love God, written in the *Shema* (Deut 6:4–9), the Jewish declaration of faith.⁸⁸ But the rabbis debate at length how to accomplish in practice the commands in the succeeding verses of the *Shema*: for example, the structure of the phylacteries (assumed to be the *טפוחות* in Deut 6:8), including their form, colour, and content, where exactly to tie them, whether hand or forehead phylacteries should be bound first, and which should be untied first (*b. Menah.* 36a). Occasional narratives in the rabbinic literature convey implicitly doctrinal ideologies, thus telling readers how to understand them; but the overwhelming mass of these writings are dedicated to practical questions of how to accomplish correctly and perfectly the positive precepts and avoid transgressing the prohibitions. The rabbinic literature, in common with Scripture,⁸⁹ does not perceive the

87 It is remarkable that in Michelangelo's *The Creation of Adam*, part of the ceiling fresco in the Sistine Chapel, God stretches out his hand towards Adam's, outstretched to receive life, but their hands do not quite touch. This may represent the same idea as the *midrash*. I am indebted to Professor Harry Fox for drawing my attention to the details of this painting.

88 *B. Yoma* 86a argues that the verse means to make God's name to be loved through your good deeds and gentle dealing with people. Consequently, people will say: "blessed is his father and teacher, who taught him Torah, and thus God, who gave the Torah, will be revered."

89 Scripture encourages humankind to enjoy life's bounties and physical pleasures, and Deut 4:6 declares that other peoples will admire the laws given to Israel.

divine rules as “confronting a self and a world that continually set[s] obstacles in that path [of attaining spiritual fulfilment],” as Fraade asserts.⁹⁰

7.6.1 *Fraade's Definition of Perushim*

Fraade first asserts that the Pharisees (the *perushim* of the rabbinic literature) maintained that the Israelites, the holy nation, “are to be *perushim* in the double sense, first, of being separate and distinct from the other nations and, second, by virtue of abstaining from their indulgences.”⁹¹ Separation from the other nations is not a pharisaic innovation; it is decreed by God explicitly in Lev 20:24 and 20:26, and implicitly on many other occasions, and it applies to all of Israel. Ezra took drastic measures to restore this highly compromised separation (Ezra 9:1). Further, Fraade admits that “the exact character of this group [*perushim*] ... is a matter of scholarly controversy”;⁹² yet he nevertheless quotes rabbinic maxims about them, attempting to substantiate his thesis of asceticism in rabbinic Judaism by asserting that the “*perushim* are identified with abstinence.”⁹³ Practising ritual purity and being “particularly careful concerning Sabbath observance and tithing,”⁹⁴ however, are not indications of asceticism. I have quoted above the rabbinic aphorism comparing the table to the altar: the table must be pure if it is to take the place of an altar, and carefully performing the scriptural laws is a universal duty for all Israelites;⁹⁵ this is a matter of self-control, the core of the scriptural doctrine and regimen as understood by the rabbis, not of self-denial.⁹⁶ I have disputed above⁹⁷ Fraade's

90 Fraade, “Ascetical Aspects,” 255.

91 Ibid., 270. The study is based on the premise that the rabbis are the ideological and halakhic followers of the Pharisees. Fraade expresses this in a different literary style.

92 Ibid., 269–70.

93 Ibid., 271.

94 Ibid., 270.

95 Joseph Blenkinsopp, *Wisdom and Law in the Old Testament: The Ordering of Life in Israel and Early Judaism* (Oxford: Oxford University Press, 1995) 82, states that framing the civil, social, and ethical rules of the Book of the Covenant with cultic laws provides a civic code with a religious framework. Hans Jochen Boecker, *Law and the Administration of Justice in the Old Testament and Ancient East* (trans. Jeremy Moiser; Minneapolis, MN: Augsburg Publishing House, 1980) 138, 144, 145, states that this theological statement places the laws regulating how the Israelites are to relate to one another in the context of laws regulating how they are to relate to God. I am indebted to Christiana van Houten, *The Alien in Israelite Law* (Sheffield: Sheffield Academic Press, 1991), for this information.

96 Fraade, “Ascetical Aspects,” 270.

97 See pp. 256 ff.

interpretation of—or, rather, deduction from—the narrative/dictum in *Abot R. Nat.* 28, showing that it does not support his theory of a rabbinic asceticism.

Since Fraade does not quote the original biblical text of the *Sifra*,⁹⁸ I am uncertain which of the similar, but not identical, texts in *Sifra* his translation matches. In *Sifra Qedoshim. parsha* 10, Chapter 11,⁹⁹ we read: “[It is written] ‘You are to be holy to me, because I the LORD am holy’ (Lev 20:26a):¹⁰⁰ as I am holy you should be holy, as I am separate you should be separate.” Then follows the interpretation and illustration of 26b: “and I have set you apart from the nations to be my own; if you are apart from the [other] nations, you are mine, but if not you are of Nebuchadnezzar and his comrades.” If indeed this is the *midrash* Fraade cites, it does not seem to me to convey the idea that the concept of *perishut/perushim* implies “abstaining from indulgences,” as he asserts,¹⁰¹ or that abstinence from what is permitted leads to sanctification;¹⁰² all Israelites are holy by virtue of accomplishing the rules and restrictions of Scripture, as is evident in most of these aphorisms from associated texts.¹⁰³ For example, the entire chapter Lev 19 from v. 3 to v. 37 itemizes the requirements of the Israelite to be holy, as God is holy in the opening v. 2, and the verses preceding Lev 20:26 (quoted by the *Sifra*) describe the separation decreed by God between clean and unclean animals and the divinely ordained separation between Israel and the other nations as the requisites to be holy, as God is holy.¹⁰⁴ Thus Scripture indicates explicitly, it seems to me, the meaning of the

98 Fraade, “Ascetical Aspects,” 270.

99 *Sifra* (ed. Weiss; Vienna, 1861).

100 Either Fraade or the typesetter appears to have erroneously cited *Sifra Qedoshim parsha* 1 for *parsha* 10, which refers to Lev 20:26, not to Lev 19:1, as Fraade states. I have found no such dictum on the latter verse, nor any other similar to it. Fraade does not quote the original Hebrew, which would enable readers to ascertain to which text he refers. In fact, Lev 19:1 reads קדשים תהיו, whereas 20:26, the source of the cited *midrash*, reads והייתם לי קדשים.

101 Fraade, “Ascetical Aspects,” 270.

102 Ibid., 276.

103 The linking of holiness with abstention from what is permitted is a separate topic, recently taken up by Naomi Koltun-Fromm, *Hermeneutics of Holiness: Ancient Jewish and Christian Notions of Sexuality and Religious Community* (New York: Oxford University Press, 2010), which cannot be discussed here.

104 I disagree, therefore, with Hannah K. Harrington's theory in “The Halakhah and Religion of Qumran,” in *Religion in the Dead Sea Scrolls* (eds. John J. Collins and Robert A. Kugler, Grand Rapids, MI: Eerdmans, 2000) 74–89 at 84–5 that “for Qumran human holiness does not come simply by obedience to the law. That is a given but holiness must increase by serving God to the best of one's ability.” I do not find in Scripture a concept of greater holiness, “achieved by discovering and fulfilling God's perfect will.” Obedience to the

command to be *perushim* “separated”—namely, not to eat unclean animals; by obeying this decree Israel will be holy and chosen by God as his people, separated from all other peoples. There is no hint in Scripture—or, consequently, in *Sifra*—that any abstinence is required, except obeying the divine decrees (in this case, refraining from consuming unclean animals), to attain holiness and be separated (*perushim*) from the nations. Moreover, nowhere do we find any precise indication of the practical meaning of the term *perushim*, and, whatever we may hypothesize about the concept’s meaning for humanity, it is impossible to compare this meaning to the presumed meaning of *perushim* in relation to God, to whom humans are compared. Its meaning therefore cannot be defined¹⁰⁵ except by reference to its context, and this is precisely what we have done here.

The parallel rabbinic maxim in *Sifra Shemini parsha* 10,¹⁰⁶ which relates to the phrase *והייתם קדשים כי קדוש אני* in Lev 11:44–45, also clearly indicates the link between Israel’s holiness and its compliance with the divine prohibition on consuming unclean animals, birds and insects, as well as the associated purity rules, as the motive for God’s choice to liberate the Israelites from Egypt. The *Sifra*, complementing the biblical text, bolsters the linking of holiness and *perishut* to the fulfilment of the divine precepts. As in the preceding *Sifra*, there is no hint that any particular abstention is required, except those decreed in Scripture and obligatory for all Israelites. Fulfilling that commitment, and that commitment alone, is what is required to achieve holiness. Are we then to perceive all biblical prohibitions as aspects of asceticism?

The *baraita* about the seven types of *perushim* recorded in *b. Sotah* 22b, which Fraade quotes, does not relate to abstinence; it severely criticizes those who behave improperly on various occasions for pretending to be *perushim*,

Law is simply the rule valid for all Israelites; Qumran writings accuse their opponents of not accomplishing the divine laws correctly, but through performing them correctly, as members of Qumran do, they become holy, “by the obedience of the law.” (4Q249q (4Qpapcr-A Frg MentPlanting), Frgs. 1–2:1) There are no different degrees of accomplishing the divine laws, and consequently no different degrees of holiness in Scripture and likewise none in Qumran writings. The requirements to attain holiness, like the divine holiness in Lev 19 and 20, refer to all Israelites, not only to the priests, as Harrington seems to hint, arguing that Qumran “looks to the priestly laws for guidance.” This argument is utterly mistaken; Qumran attempted to discern as fully as possible the distinction between priests and laics. See Heger, “Qumranic Marriage Prohibitions” at 450 on this issue.

105 See p. 256, Fraade’s admission of the scholarly controversy about the exact character of the *perushim*.

106 Probably corresponding to Fraade’s mention, in n. 66 of “Ascetical Aspects,” of *Sifra Shemini* 12.4.

which indicates that true *perushim* do not behave so. An example is קִיזֵא—זֶה, interpreted by *Rashi* as “who pretends to close his eyes [so as] not to look at women, and because of that hits his head into a wall and bleeds.” Evidently the true *perushim* did not close their eyes while walking in the street; otherwise they would have suffered the same consequences. The rabbis indeed advised avoiding unnecessary contact with women, in order not to stumble and be led to sin—according to their general system of preventive prohibitions—but did not prohibit seeing women, only looking at women with the specific intention of erotic arousal (*b. Erub.* 18b)¹⁰⁷ and excessive talking (spending too much time) with them.¹⁰⁸ This dictum, however, applies to all Israelites, and, as noted, is not associated with self-denial, asceticism, or abstinence, but is rather an example of the rabbinic preventive method.¹⁰⁹ The other types of feigned *perushim* mentioned in the *baraita* have no association with abstinence or other forms of asceticism: “the one who humbles himself excessively in his way of walking, and thus hits his legs”¹¹⁰ and the מְדוּכִיָּא type, that is, those who want to do more than is commanded (or abstain from doing what is permitted), and who ask: “What precepts other than those I have done

107 See Chapter 2, p. 98. With respect to a similar rabbinic exhortation not to look at women in *b. Abod. Zar.* 20b, Maimonides in *Hil. Issurei Biah* 21:2 explains that it relates to staring at women with the intent to derive pleasure, that is, sexual arousal.

108 We read in *m. Abot* 1:5: “Do not talk much with a woman; and that is not only with another woman, but [the same applies] with your own wife.” The commentators grapple with the reason for denouncing excessive talking with one’s own wife, in addition to the reason indicated by the *mishnah*—that it interrupts one’s Torah study. Some contend that it relates to excessive talk while she is menstruating, which may evolve into prohibited sexual activity; others suggest that it relates to excessive talk about sex, which may lead to illegitimate sexual acts.

109 In *b. Ned.* 20a we read: “Do not talk much with the woman, because ultimately it will lead you to fornication. Rabbi Akha son of Rabbi Jashia says: ‘Everyone הַצּוֹפֶה who gazes at women will ultimately sin, and everyone who gazes at a woman’s ankle will have indecent children’” (this dictum refers to a woman married to someone else, and the restriction relates only to excessive “socializing,” in modern parlance). Rabbi Akha uses the term צֶפֶה, which expresses persistent and attentive looking, as in 2 Kgs 9:17; simply looking at women is neither prohibited nor criticized. It is all a matter of self-control, and any excessive act may lead to the loss of it.

110 Matt 23:5–6 and 23:8–12 claim that the Pharisees showed off their status as holy men: they enlarged the borders of their garments and of their tassels, loved the best places at feasts and the chief seats in the synagogue, and desired to be called “rabbi.”

could I still perform,"¹¹¹ a portrayal demonstrating rabbinic repugnance at such behaviour.

7.6.2 *Self-Denial of Pleasure during Mourning Is Not Asceticism*

Fraade quotes passages from *t. Sotah* 15:10–12 that speak explicitly of abstaining from pleasures to mourn the destruction of the Temple, commenting that “once again *perushim* are identified with abstinence.”¹¹² Abstention from pleasure during mourning has no connection with asceticism or self-denial to attain higher spiritual perfection; these pleasures are explicitly prohibited to all mourners, and this prohibition does not promote general abstinence from permitted deeds, which is Fraade’s criterion for asceticism. Self-denial during mourning is a symbolic way for the individual to participate in the commemorated event. We read in *t. Sotah* 15:10: “Said Rabbi Ishmael [another variant reads ‘Rabban Simeon ben Gamaliel’]: ‘From the day of the Temple’s destruction, the rule should have been not [ever] to eat meat and not to drink wine’”—as is the rule for mourners after a relative dies. We read in *b. Ta’an.* 30a: “All the precepts applying to the [individual] mourner apply to the ninth of Ab [the annual day of mourning for the Temple’s destruction]: the prohibition of eating and drinking, anointing and wearing shoes, and sexual intercourse; and it is prohibited to read the Pentateuch, Prophets, and Hagiography and to study *mishna*, *Talmud*, *halakhot* and *aggadot*.”¹¹³ Moreover, the rabbis criticized those who abstained from eating meat and drinking wine all year, both forbidden in principle, and established symbolic signs of mourning, as cited below. Hence, in this case they decreed that one should not abstain even from pleasures that were legally prohibited. The rabbis did not abrogate the obligation of mourning or its reward,¹¹⁴ but they reduced it to one day a year (the ninth of Ab), and similarly considered people’s desire to live in painted houses by permitting them merely to leave a small spot unpainted as a symbol of continual mourning, and suggesting that a woman should leave some small part of her ornament unfinished.¹¹⁵ Such conduct cannot be reconciled with a

111 A midrash in *Psikta d’Rav Cahana*, *We’zoth Habrachah* records that Esau, pretending to be a most righteous person, asked his father, Isaac, whether water and salt should also be tithed.

112 Fraade, “Ascetical Aspects,” 271.

113 The rabbis considered studying the Torah and its commentaries to be a pleasure, and it is therefore prohibited to mourners.

114 We read in *b. B. Bat.* 60b: “[the one] who mourns about [the destruction of] Jerusalem will be privileged to partake in its joy [after its rebuilding].”

115 Considering how to reconcile between the difficulty of the obligation to mourn the destruction of Jerusalem and the duty to do it, Rabbi Joshua proposed to paint the house,

regimen of self-denial, and does not display even a milder form of asceticism, as Fraade argues.¹¹⁶ It demonstrates again the rabbis' system of adapting scriptural rules to legitimate human physical needs and desires through appropriate midrashic interpretation.

In the extended passage Fraade quotes from *t. Sotah* 15:10–12, the number of פרושין *perushin* who abstained from eating meat and drinking wine increased as a symbol of their mourning for the Temple's destruction, but Rabbi Joshua criticized them,¹¹⁷ advising them on the correct comportment for all Jews. It is often unclear when Fraade refers to obligations applicable to all Jews and when he means those valid only for the *perushim*. If the restrictions apply only to the *perushim*, the phrase "rabbinic Judaism" is misleading, since this expression would seem to refer to a religious system for all Jews based on the teachings of the rabbis, similar to the expression *rabbinic literature*, which denotes writings by the rabbis applicable to all Jews.

From the context and the spirit of Rabbi Joshua's style of polemical contention it seems that the פרושין/בישראל *perushim* in *t. hal.* 11 cannot be identified with the Pharisees,¹¹⁸ as Fraade asserts,¹¹⁹ but were a group of "dissident" Israelites who abstained from drinking wine and eating meat. This assumption is supported by the fact that all the succeeding *halakhot*, intrinsically connected to Rabbi Joshua's criticism, certainly refer to the entire people.

The rabbis' aversion to suffering and abstention from permitted deeds is evident in their efforts to minimize the discomfort of the symbolic acts of mourning, as decreed in *t. Sotah* 15:12–14¹²⁰ and in *m. Ta'an.* 4:6. *M. Ta'an.* 4:7 indicates

but leave a small spot unpainted, as a symbolic remembrance of Jerusalem's destruction (*t. Sotah* 15:12).

116 Fraade, "Ascetical Aspects," 272.

117 When they tried to justify their behaviour, saying that they did so because the daily *Tamid* offering (meat) and the wine libations to God on the altar were suspended, he ridiculed them, saying: Following your rationale you should not eat bread, nor drink water and eat fruits, because the offering of bread on the Feast of the Weeks and the Bread of Presence, the water offering on the Festival of the Booths and the offering of First Fruits are also suspended. They remained silent, demonstrating that their behaviour was wrong.

118 The sobriquet *perushim* seems to refer to pre-70 CE Sages, and since the *tosefta* explicitly states that the event occurred after 70 CE, it must refer not to a specific sect but to a number of Israelites who "separated" themselves from (denied themselves) the pleasure of eating meat and drinking wine as a symbol of mourning, or separated from the majority, who did not behave likewise.

119 Fraade, "Ascetical Aspects," 271, describes the quotation from *t. Sotah* as "another rabbinic tradition that employs the word *perushim*," alluding to the Pharisees.

120 See the instruction of *t. Sotah* 15:12–14 on p. 279 and in n. 115.

the practical implications of limiting enjoyment because of mourning for Jerusalem's destruction: "On the eve of the ninth of Ab a person should not eat two kinds of cooked food, should not eat meat and drink wine."¹²¹ Rabban Simeon ben Gamliel, the Patriarch is even more lenient, saying that at the last meal before the fast one should decrease one's usual consumption of food and drink by half; one kind of food instead of two and five cups of wine instead of ten. The rabbis do not prohibit Jews from eating meat and drinking wine even on the eve of the ninth of Ab, with its particularly severe restrictions that do not apply to other fast days commemorating historical calamities.¹²² I would not classify this edict as a restriction at all, and certainly not as a form of abstention or self-denial. The rabbis did not decree a restriction on eating meat and drinking wine even once a week, whereas Christians practised this form of self-denial for centuries as an act of symbolic suffering associated with Jesus' crucifixion on Friday. Fraade's conclusion that "*perushim* and *perishut* remained rabbinic ideals" (as he understands these terms) seems to me unwarranted. It is worth noting that Rabbi Joshua, who is involved in admonishing the dissenters and describing the correct conduct in *t. Sotah* 15:11–15, habitually speaks for the majority of the rabbis in cases of halakhic disputes where there is a minority voice at the final stage of practical application and extreme measures are taken to silence this dissenting voice.¹²³

The same is true in our case: the rabbis established the *halakhah* of a minimal symbolic mourning on the basis of their aversion to excessive abstention. Their success can be observed in the contemporary behaviour of the Jewish people, in this as in many other respects.¹²⁴ It is plausible to assume, therefore, that the rabbis prevented the creation of dissenting groups in this case as in others, and that they succeeded in imposing their *halakhot* on the

121 *B.Ta'an.* 30a specifies that this restriction relates only to the last meal before the fast, taken less than six hours before the start of the fast; there is no restriction before that time.

122 The current custom (mainly of Ashkenazi Jews) not to eat meat or drink wine during the first nine days of Ab is a later tradition, probably instituted in the Middle Ages, under the influence of the Christian pietistic movement of that period.

123 See p. 261 for a comparison between the rabbinic way of promoting free speech and conflicting opinions at the stage of deliberations and cogitation, and the strong reaction after the promulgation of the final law.

124 See the total suppression of the apocryphal books from Jewish bookshelves. Although the rabbinic literature includes rules about the Hanukkah rituals, the books of Maccabees were eradicated to such an extent that *b. Šabb.* 21b asks: *מאי חנוכה?* "What is the motive for the Hanukkah celebration?" A few lines then record the legend of the single jar of pure oil that miraculously lasted for eight days to light the lamp in the Temple.

non-conformist individuals. When they were unable to suppress such movements, they expelled them, as occurred when the Karaite movement refused to acknowledge the *gaonic* halakhic decisions as the only true and valid ones.¹²⁵ The ephemeral behaviour of a minority segment of Israelite society, whose significance we do not know, if there were such, cannot be perceived as representing an “Ascetic Tension in Rabbinic Judaism” (a heading in Fraade’s study about rabbinic asceticism). Fraade writes: “What bothers the rabbis is the fact that a *group* of Jews undertakes a theoretically proper course of abstinence which the *community as a whole* cannot bear. The rabbis prefer a milder and more symbolic form of self-denial which the whole community can successfully sustain and legally institutionalize.”¹²⁶ But this does not seem to me compatible with the real circumstances, in view of the rabbinic narratives and historical events discussed above. Moreover, even if one agrees that such a dissident group existed, abstention for purposes of mourning cannot be classified as asceticism, as I have argued above.

7.6.3 *Nazirite Abstention is not Asceticism*

Fraade describes the voluntary self-denial of the Nazirite as an example of “the ascetic tension within rabbinic Judaism.”¹²⁷ We do not know what originally motivated the probably ancient custom of the perpetual Nazir, who seems to have had a particular revered function in the community, nor of the Nazirite rule, likely instituted later, of abstaining for a short, defined period from two very different acts: drinking wine and cutting one’s hair.¹²⁸ These Nazirite abstentions, however, do not seem to have been stimulated by a quest for self-denial or self-inflicted pain. Amos 2:12 compares the Nazirites to the prophets, which indicates their enigmatic essence and function.¹²⁹ In the introductory

125 The Karaite movement started around the Eighth Century CE.

126 Fraade, “Ascetical Aspects,” 271–2 [original emphasis].

127 Ibid., 272–4.

128 Anne Katrine de Hemmer Gudme, “How Should We Read Hebrew Bible Ritual Texts? A Ritualistic Reading of the Law of the Nazirite (Num 6,1–21),” *Scandinavian Journal of the Old Testament* 23, 1(2009): 64–84 at 75, states: “The Old Testament is silent with regards to the duration of the Nazirite period and the reasons for making a Nazirite vow.” In a note on the same page she adds: “the Law of the Nazirite in Num 6 reflects a relatively late and legalistic development of the Nazirite institution.”

129 Eliezer Diamond, “An Israelite Self-Offering in the Priestly Code: A New Perspective on the Nazirite,” *JQR* 88, 1–2 (1997): 1–18, at 1 writes that the issue of the Nazirite “has long puzzled scholars.” At 2–3, Diamond records the ritual offering of hair in ancient cultures.

verse Num 6:2 we find the equivocal meaning of נזר, its derivative נזיר,¹³⁰ and להזיר in *hiphil* mode. The use of the *hiphil*, I think, may offer us some guidance in our attempt to reveal the essence of the Nazirite in ancient times and, perhaps, an idea of its essence in the biblical and rabbinic periods. נזיר seems to indicate something “reserved, put aside,”¹³¹ and by extension “designated/dedicated/separated [from the rest].”¹³² The Nazir, then, dedicated himself fully to the service of God in ancient times, and had a function similar to that of the ancient prophets, as we see when Nazirites are compared to them by Amos. The Nazirite’s hair is described literally as “God’s crown is on his head”

130 The term נזיר also has a variety of meanings. In Num 6:3 we must interpret זייר as “abstain from wine”; but in Lev 25:5 נזיר ענבי seems to allude to the grapes put apart, as *Rashi* interprets, although the NIV has “do not harvest the grapes of your *untended* vines.” In addition, we find נזר, from the same root, in Exod 29:6 and Lev 8:9 (as נזר הקדש “sacred diadem,” referring to the ציץ “gold plate” among the High Priest’s vestments, as the NIV translates); in Lev 21:12, however, נזר שמן refers to the anointing oil of his God” (NIV); the diadem/crown has disappeared, and the same occurs in the NIV interpretation of Num 6:7, in which the Hebrew כי נזר אלהיו is translated as “the symbol of his dedication to God is on his head.” The LXX likewise uses an array of terms for the translation/interpretation of the term נזר and its derivatives: ἀφαιρῶ “purify,” ἀγνῶω “to be pure,” εὐχῆ “prayer or vow,” εὐχασμα “pray or vow,” ἀγνῶω “purify” and ἀγνῶω/ἀγιάζω “to hallow, dedicate.” We see the translators’ difficulties in their attempt to arrive at a sensible interpretation according to the context as they understood the text. In Num 6:2–12, the NIV interprets נזר and its grammatical derivatives as “dedication,” “Nazirite,” “symbol of dedication,” “rededication,” and “period of dedication.” In CD VIII:8, נזרו must be translated as “separated.” Stuart Chepey, *Nazirites in Late Second Temple Judaism, A Survey of Ancient Writings, the New Testament, Archeological Evidence, and Other Writings from Late Antiquity* (Leiden: Brill) 2005, 25–28 alleges, on the basis of the LXX translation of נזיר להזיר (Num 6:2b) as ἀφαιρῶσας θάνατον ἀγείαν, that the vow of the Nazirite is “a non-technical special purity vow.” While it true that the term ἀφαιρῶ means “to purify,” it has also a broader meaning, such as “to purify oneself by offerings to the gods.” The term ἀγεία, especially in the form ἀγνῶω has even a wider range of meanings, such as: “to consider as part of purity, make it a point of religion, to be pure, clean in hands,” and “keep oneself pure from a thing,” which seems to me more appropriate in our verse in which the term לה “to God” follows the difficult phrase נזיר להזיר. Further, the term נזיר אלהים in Judg 13:5 is translated in the LXX as ἀγνῶω θεῶν “Nazirite to God.” It would seem that the LXX translator of Numbers had difficulties interpreting the odd phrase and used Greek terms, which lend themselves to a variety of meanings.

131 The LXX translates נזיר להזיר in v. 12 as ἀγιάζω “to hallow/dedicate.”

132 Plausibly this is the correct interpretation of נזיר אחיו in Gen 49:26. In fact, the LXX translates it by the term ἀγεία “to go before/to lead,” which in this association means that Joseph separated from his brothers. See Chepey, *Nazirites*, 2–3 about the meaning of the term נזיר.

(Num 6:7), and it is קדש holy to the Lord throughout the period of their dedication, as we see in v. 8,¹³³ similar to צִיץ נֹזֵר הַקֹּדֶשׁ “the plate, the sacred emblem [crown]” of the High Priest, on which was engraved קֹדֶשׁ לַהּ “dedicated/consecrated to the LORD” (Exod 39:30).¹³⁴ The hair of the Nazirite is consecrated to God, and becomes his holy crown, like the High Priest’s. Therefore, when his hair becomes polluted (Num 6:9), it cannot be burned upon the altar, as it would be on the completion of his dedication. The hair is holy: “They are to take the hair and put it in the fire that is under the sacrifice of the fellowship offering.” (Num 6:8). The ancient Nazirite seems to have been dedicated to this function all his life, from before his birth “to the day of his death” (Judg 13:7); Num 6 probably describes a later era in which a temporary period of Nazirite vows was established.¹³⁵ Niditch writes: “the Nazirism of Samson and Samuel reveals an important symbolic association between hair and manliness, warrior status, charisma, and divine selection.”¹³⁶ She states further that a close reading of Num 6 “reveals a quite different version of Nazirism. Some of the heroic and charismatic symbolic resonances of the Nazir’s long hair may still reside in the culture behind the phenomenon described in Num 6,¹³⁷ ... but the vow itself has been shaped by a particular priestly world view that is highly concerned with issues of purity even while democratizing holy status itself.”

Similarly, just as the priests must not drink wine or other fermented drinks when they come to serve in the Tent of Meeting (Lev 10:9), in order to be in full

133 The term קֹדֶשׁ means “designated/consecrated,” and by extension “holy.” In Deut 15:19 תִּקְדִּישׁ לַהּ “consecrate to God” refers to the firstborn of the flock, which is not holy; it is designated to be eaten by the owner in the “place God will choose,” according to the rabbis, or by the priests, according to 4Q251 (4QHalakha A) 10:6–9. De Hemmer Gudme, “How Should We Read,” states, “The Nazirite’s hair plays an important part in the Law of the Nazirite. The hair appears to be the external sign of the Nazirite’s special status. The Nazirite’s head, and the hair on it, is consecrated (נֹזֵר), and the shaving off of the hair indicates the end of the Nazirite’s sacred status.”

134 Jacob Milgrom, *Numbers/במדבר: The Traditional Hebrew Text with the New JPS Translation* (Philadelphia: Jewish Publication Society, 1990) 355–6, compares the Nazirite to the High Priest, and the Nazirite’s temporary dedication to God to that of the land in Lev 27:16.

135 Chepey, *Nazirites*, 3 states: “formulating any general characterization of the Nazirite in the biblical period is difficult.” At 4 he proffers the example that a Nazirite model like Samson does not correspond to the rules in Num 6.

136 Susan Niditch, “Defining and Controlling Others Within: Hair, Identity, and the Nazirite Vow in a Second Temple Context,” in *The “Other” in Second Temple Judaism: Essays in Honour of John J. Collins* (eds. Daniel C. Harlow et al.; Grand Rapids, MI: Eerdmans, 2011) at 72.

137 Ibid., at 75 she writes: “The long hair is linked to a temporary immersion into the sacred,” and at 76: “One might also suggest that the hair is invested with holiness.”

possession of their mental capacities, so the Nazirite, constantly dedicated to God, is prohibited to drink intoxicating liquids and derivatives all his life, or throughout the period of his dedication.¹³⁸ Although an extended study of this lemma is not within the scope of this book, I wish to draw readers' attention to its stylistic and textual problems, long ago observed by scholars: Samson's mother is admonished not to drink wine and not to cut Samson's hair (Judg 13:4–7), rules that utterly differ from the Nazirite rule in Numbers and from the angel's directives to Zechariah before John the Baptist's birth (Luke 1:15). Numbers indicates that a woman may also become a Nazirite, whereas from Amos 2:11 we observe that only males were Nazirites. One should therefore scrutinize its contents carefully, before using it to draw doctrinal or halakhic conclusions. It does, however, demonstrate clearly that the Nazirite's abstinence from drinking wine is not associated with asceticism, nor is the prohibition to shave his hair. Asceticism would require, first and foremost, abstaining from sexual activity, but no such self-denial is mentioned in connection with Nazirites.¹³⁹ There is no criticism of Samson's marriage; his parents merely oppose his marrying a Philistine woman and try to convince him to seek a wife among his own people (Judg 14:3). However, his marriage with a Philistine woman is an element of the divine scheme (Judg 14:4). Hence, it is evident that Nazirites did not abstain from marriage.

Fraade posits, and I may partially agree, that "the practice of Nazirite vows, biblically prescribed in Num 6, was *widely* [*italics added: this aspect I doubt*] undertaken in Second Temple times for various durations," and that these vows were motivated by "penitence, divine favour and self-discipline,"¹⁴⁰ based

138 Diamond, "Israelite Self-Offering," 5, argues that the Nazirite who offers his hair as a symbolic offering of himself is both an offering and an officiant; he therefore underlines the prohibition on inebriating substances, which also applies to the priest. De Hemmer Gudme, "How Should We Read," 58, asserts that since "the priest and the Nazirite are considered holy to Yahweh . . . intoxication is incompatible with their holiness."

139 See Bar-Tuviah, *The Book of the Nazirites* (Hebrew; Warsaw: Publisher Safruth, 1910) 13–15.

140 Fraade, "Ascetical Aspects," 273. In all sources, indicated by Fraade in n. 77, Nazirites are indeed mentioned, but some sources relate to one person, another to four. *M. Nazir* 3:6 merely records a *halakhah* indicating how a person who accomplished many Nazirite periods outside of Jerusalem should act, after arriving there; that *halakhah*, however, does not indicate that many people acted likewise. In fact the *mishna* mentions just one similar odd case of one person. Only in *Ant.* XIX:294 does Josephus mention many Nazirites. His reliability in such cases of details is doubtful, particularly since in *Wars* II:313 he writes "it is customary for those suffering from illness or other affliction to make a vow to abstain from wine and to shave their heads during the thirty days preceding that on which they must offer sacrifices." His portrayal of Nazirites, without mentioning

on a narrative in *m. Nazir* 3:6, but I do not find in that narrative any hint of association with self-denial or the virtue of suffering.¹⁴¹ However one interprets this passage and the others Fraade quotes, they do not constitute effective evidence for his thesis.¹⁴² Moreover, as Fraade acknowledges, the rabbis were

Nazirite terminology and their motive for making the vow, does not add support for his reliability on this topic. At any rate, even this sole source mentions divine favour, but no penitence, and definitely no self-discipline, Fraade's main claim. Niditch, "Defining and Controlling," 80–81 states that the "desire to partake in the expression of religious devotion offered by the Nazirite vow" was the motive of the newly rich, who could afford the expensive sacrifices. Nazirism would "project an aura of holiness . . . adding to their status in the community." Her portrayal of the Nazirite seems the opposite of Fraade's claim of an aspect of asceticism of Nazirism. She deliberates in depth upon the topic of hair in connection with Nazirism in *My Brother Esau is a Hairy Man: Hair and Identity in Ancient Israel* (New York: Oxford, 2008).

141 Fraade quotes a narrative from *t. Nazir* 4:7 about a young man whose piety and genuinely pious thoughts inspired him to make the Nazirite vow, to shave off the beautiful hair that might have provoked him to sin (the character of the potential sin is not indicated). His confession to the High Priest Simeon the Just (beginning of the Second Century BCE) convinces Simeon to eat from his offering at the end of his Nazirite period, whereas he was critical of the motivations of all other Nazirites, and refused to eat their offerings. This narrative raises many questions. Here, we are told that the young man decides to be a Nazirite in order to shave his beautiful hair. But to avoid being corrupted by it, he could simply have cut it off, without undertaking the entire Nazirite process in a way that does not correspond to the general objective of Nazirism, and which might lead him into an invalid offering, a prohibited deed—precisely Simeon's reason for not consuming the offerings of the other Nazirites. I would therefore hypothesize that the entire story was devised to demonstrate the failures of the Nazirite vows, with the consequential intimation to avoid them. At any rate, the narrative does not support Fraade's thesis of the Nazirite vows as a form of rabbinic asceticism. Diamond, "Israelite Self-Offering," 17, comments on this narrative that "the goal of the Nazirite is to offer himself to God."

142 *M. Nazir* 3:6 records a story about the Nazirite vow taken by Queen Helena to symbolize her thanks for her son's safe homecoming from war. Her Nazirite vow was not associated with penitence or self-discipline, as Fraade classifies the reasons for becoming Nazirite; it could be considered as thanks for received favours, but this motive is not included in Fraade's categorization of asceticism, and does not indicate suffering. I also doubt whether it can serve as evidence for Fraade's assertion that Nazirite vows were "widely undertaken in Second Temple times" (273). The dispute as to whether she was a Nazirite for fourteen years or for twenty years seems to me to show its imaginative character. Similarly doubtful is the narrative that tells of 300 Nazirites who came to Israel, whose requirement for so many sacrifices at the end of their Nazirite period provoked the rift between Simeon ben Shatah and King Yannaeus (Alexander Jannaeus), who married his sister (*y. Ber.* 7:2 (11b); *y. Nazir* 5:3 (54b); *B. Sanh.* 19a records an entirely different event as the cause of the rift). *1 Macc.* 3:47–51 records the mourning of the people and the priests,

against vows in general¹⁴³ and the Nazirite vows in particular.¹⁴⁴ Moreover, how can a biblical law disapproved by the rabbis be considered as included in the category of “ascetic tensions in rabbinic Judaism,” as understood by Fraade? It could only be understood as a tension between the biblical rule, which cannot be abolished, and the rabbis’ opposition to it, which we often encounter.¹⁴⁵

I have examined the Nazirite question at length to demonstrate that regardless of the oddities of the relevant lemma, the Nazirite’s abstention from intoxicating drinks—like the abstention of the priests before their service at the Temple—cannot be associated with asceticism. The Nazirite, however, had to abstain from drinking inebriating liquids and their derivatives throughout the period of his dedication to God, just as Moses abstained from sexual activity (*b. Šabb.* 87a).

A final argument against Fraade’s thesis is that the narratives he cites relate to the period before the Temple’s destruction. We may plausibly assume that the Nazirite practice disappeared after the cessation of the Temple offerings, an essential element of this ritual; the rabbis’ deliberations about it, therefore, were theoretical, and do not attest the historical authenticity of what Fraade calls “ascetic tension in rabbinic Judaism.”

as we read in v. 51: the “sanctuary is trampled down and profaned, and thy priests mourn in humiliation.” The motive of the Nazirites who were stirred up after the completion of their days is not indicated. The order of King Agrippa “that many of the Nazarites should have their heads shorn” (Josephus, *Ant.* XIX:294), according to the law, is vague and does not tell us why they originally took the vow. *War* II:313 gives us some more information about the events that drove people to make Nazirite vows, but does not associate the vows with suffering or self-denial. In none of these texts do we find any clarification of the motives that may have led people to become Nazirites, nor of what they expected to achieve by doing so; dedication to God, as I have argued, seems a more plausible hypothesis than what Fraade perceives as “suffering.” The Nazirite vows of Paul and his four men (Acts 18:18, 21:23–24), similarly, acknowledges that Nazirite vows were practised at the time but gives us no indication of their motives.

143 We read in *m. Ned.* 1:1: “If one makes a vow to be a Nazirite, bringing an offering, or an oath not to do something, qualifying it as a vow made by the wicked, it is a valid vow [and he must accomplish it]; if he qualifies it as a vow made by the righteous, the vow is invalid, because righteous people do not make vows.”

144 We read in *y. Nazir* 5:3 (54b) that Simeon ben Shatah (beginning of the First Century BCE) tried to annul the Nazirite vows of the people who came to Judah, demonstrating even then the opposition to the Nazirite vows.

145 See n. 92 of Chapter 5 p. 208.

7.6.4 *The Rabbinic Concept of Fasting*¹⁴⁶

I have illustrated above the rabbis' positive attitude towards permitted pleasures (*b. Pesah.* 109a); the rabbis were also averse to fasting or denying oneself permitted deeds and pleasures, even the enjoyment of drinking wine. We read in *b. Ta'an.* 11a that Samuel's dictum: "One who fasts is a sinner" is assumed to have come to this conclusion by rationalizing the pronouncement of Rabbi Eliezer Hakapar that the Nazir had to bring a sin offering at the completion of his Nazirite period (Num 6:11b) because he inflicted upon himself the suffering of abstinence from drinking wine, and that is a sin. Hence, reasoned Samuel, the one fasting, inflicting upon himself a greater suffering is *a fortiori* a sinner. Fraade quotes a similar dictum from *Sifre Num. piska* 30, without Samuel's assertion, but he rejects the significance of this *midrash*, which blatantly subverts his thesis: "To be sure," he writes, "Rabbi Ishmael rejects this exegesis, arguing that Scripture speaks only of the defiled Nazirite as a sinner. In my view, Rabbi Ishmael does not declare that the Nazirite, or one who fasts, is not a sinner; he merely disputes the *midrash* used by Rabbi Eliezer Hakapar, arguing that the sin in the verse is that of the Nazirite who polluted his hair. Rabbi Ishmael had a particular method of midrashic *halakhah*; he often disagreed with Rabbi Akiba's midrashic method, arguing that a certain *halakhah*, to which he in principle agrees, can be deduced by a simple midrashic method, *אֵינוֹ צָרִיךְ* without requiring Rabbi Akiba's complex midrashic method. Many articles have been written about this type of disagreements between the two rabbis.¹⁴⁷ Furthermore, Samuel did not associate his condemnation of the one who fasts with Rabbi Eliezer Hakapar's *midrash*; it was the redactor of the *Gemara* who made this connection. His dictum therefore stands on its own. In *b. Ta'an.*, Samuel's dictum is followed by conflicting assertions, some praising the one who fasts (relying on biblical verses, appropriately interpreted), but the final acknowledged opinion affirms the condemnation of fasting."¹⁴⁸

146 Fraade, "Ascetical Aspects," 270, writes in support of his theory of a rabbinic asceticism that "[the Pharisees] were known for their fasting," but cites no evidence of this.

147 See Heger, *Challenges*, 88–101.

148 One assertion goes so far as to pronounce: "Said Rav Sheshet: a dog eats the meal of a fasting disciple." He mocked the student who fasted, saying that the dog ate his meal. Another one declares: "a scholar is not permitted to fast because it will cause him to lessen his work of heaven (studying Torah)." Simeon Lowy, "The Motivation of Fasting in Talmudic Literature," *JJS* 9 (1958): 23–24, states that "It would be wrong to assume that an ascetic tendency towards extensive fasting was prevalent. On the whole, Judaism was set against such extreme practices. From the very earliest times—even before the ascetic sects came into existence—down to the amoraic period such practices were generally discouraged. There were many limitations on fasting."

My arguments with respect to Scripture's attitude towards fasting apply equally to the rabbis' perspective on the motive for fasting. Fasting, like a guilt sacrifice, is a self-inflicted punishment aimed at avoiding a more severe punishment by God for sins one has committed.¹⁴⁹ Fraade mentions, but does not quote, the following narrative in *b. Ber.* 17a:¹⁵⁰ after the fast, Rabbi Sheshet pleaded: "when the Temple stood, the offering of the sacrifice's blood and fat upon the altar atoned for one's sin; now, let my fat and blood, diminished by my fast, be perceived as offered upon the altar and atone my sin."¹⁵¹ This attitude towards fasting seems to me ideologically alien to the broadest view of asceticism. While some rabbinic dicta do seem to approve of fasting,¹⁵² the overwhelming majority of rabbinic texts express opposition to excessive fasting. Suffering, as such, is not a virtue, but rather is reprobated; moderate fasting for atonement of sins, by those who can fast without too much pain, is the approved behaviour, whereas fasting with suffering is perceived as a sin;¹⁵³ this again shows the rabbis' aversion to suffering. Penitential fast days were habitually proclaimed as a means to pray for rain during droughts, which were perceived as punishments for the sins of the community. We read in *m. Ta'an.* 1:4: "When there was no rain at the seventeenth of MarHeshvan, the selected sages fast three days." If the drought persists more people at greater frequencies join the fasts. *M. Ta'an.* 1:7 and 2:1 elucidate the purpose of the fasts; the eldest preaches repentance for the evil deeds, for which they are chastised by God, and exhorts pledging to behave properly in the future, the key act to attain divine forgiveness. He downgrades the significance of the fast and emphasizes repentance and redressing evil, reminding the congregation that God relented from destroying Nineveh because its people amended their wrongful behaviour, not because they fasted and put on sackcloths.¹⁵⁴ Although a dictum in *b. Ta'an.* 22b permits an individual to fast when in danger, Rabbi Jose prohibits this because it may debilitate him. A suitable *midrash* on Gen 2:7 is quoted as support: *ויהי האדם לנפש חיה* "and the man became a living being," meaning a command to "keep alive the soul I have given you."

149 Urbach, *The World*, 446 (55), writes that the fast days practised by the *perushim* were both a way of mourning the Temple's destruction and a substitute for the guilt and sin offerings.

150 Fraade, "Ascetical Aspects," 275.

151 We encounter a similar utterance in *Psalms of Solomon* 3:8.

152 We read in *b. Ta'an.* 11a–b a rhetorical debate on whether Rabbi Eliezer considers fasting a virtue or an evil, since two contrasting statements on this point are recorded in his name.

153 See *b. Ta'an.* 11a–b.

154 The purpose of the rabbinically instituted process for bringing rain follows Lev 26:19 and Deut 28:23.

Thus the fast, like the guilt offering, should atone for the people's sins—in this case, to lead them to repentance, and thus bring about the return of the rain. Rabbi Judah the Prince voluntarily accepted the affliction of disease as punishment for not showing compassion to a calf on its way to slaughter, which sought safety in his garment; after showing compassion by saving the life of a weasel, he was healed (*b. B. Meši'a* 85a): a sin brings suffering, which atones for it, or a good deed repeals it.¹⁵⁵ This is the rabbinic theology: afflictions are punishment for sins,¹⁵⁶ and conversely fulfilling God's commands averts them (Exod 15:26). There is no perception that one becomes holier by abstaining from permitted deeds;¹⁵⁷ rather, catastrophic events raise the consciousness of punishment for sins and encourage the process of redemption by fasting and prayer.¹⁵⁸ This process has no kinship with asceticism.

I conclude this discussion with a passage from *m. Ta'an.* 3:9 (paraphrased): If the fast for rain started before dawn, and the rain started before dawn, one did not continue the fast, since the fast for rain starts legally only at dawn, hence

155 We read there that Rabbi said in that connection: חביבין יסורין “suffering is dear/favourable,” because it atones for sins. We encounter in *b. Ber.* 5a the concept of “suffering of love,” understood to mean that because of God's love, a person who has unconsciously sinned is punished in this world is to become clean and fully enjoy the other world. Prov 3:12, quoted in support, substantiates it.

156 Miriam is afflicted with leprosy as punishment for her wickedness (Num 12:10–15).

157 Fraade, “Ascetical Aspects,” 260. There were rabbis who consciously took upon themselves suffering for the glorification of the faith—for example, it is recorded that Rabbi Akiba provoked punishment from the Roman authorities by publicly flouting their decree not to teach the Torah—but others opposed this approach, and attempted to conceal their prohibited activities in order to stay alive. Such suffering, however, has no affinity with asceticism. It was not the suffering itself that glorified the faith, but Rabbi Akiba's commitment to offer his life for it; his suffering was secondary, only constituting the means by which he demonstrated that commitment. Even so, the rabbis disputed the point, and the overwhelming majority were against provoking martyrdom. *B. Sanh.* 74a asserts the *halakhah* that a person may, and should, transgress any prohibition in order to save his life, except the three interdictions against idolatry, murder and forbidden sexual relations. This rule is further modified, qualifying that the duty of martyrdom for avoiding idolatry is valid only if associated with the public defamation of the divine name, otherwise one should commit the idolatry and stay alive. This radical rule demonstrates the rabbis' valuation of life and their aversion to suffering. The radical Rabbi Akiba also promoted the Bar Kochba rebellion, which the majority of the rabbis opposed (*Lam. Rab. parsha* 2). It is therefore plausible that his provocative action was driven by his intense opposition to the Roman occupation, rather than by his zeal for martyrdom.

158 Urbach, *The World*, 449 (60), states that according to rabbinic doctrine, afflictions of an individual or nation are perceived to be the consequence of some sin.

it was not started. If the rain started after dawn, the fast continued, since a fast once started must be completed. A story is recorded of a fast for rain proclaimed in Lydda before midnight, but the rain started before midnight; the fast was annulled and Rabbi Tarfon declared it a day of merriment with food and drink and praise of God.

We observe in these passages the authoritative rabbinic view on the objective of fasts and their futility if not undertaken for a defined purpose, such as averting drought, persecution, or a personal calamity such as illness by atoning for the sins that caused them. In the narrative of the events at Lydda, the revered Rabbi Tarfon decrees that one should thank God for redemption and relief by making merry and enjoying food and drink; asceticism has no place in such a theological environment.

Finally, I agree with Fraade that there is a tension in the rabbinic literature between the motivation to study Torah and other obligations or abstention from permitted deeds; however, I perceive this tension as similar to that experienced by the person who renounces the joys of family life and other pleasures, and often social obligations as well, in order to achieve success in a demanding career; in neither case is asceticism relevant. Moreover, since studying Torah is perceived to generate great joy, it is prohibited on days of mourning and on the fast of the ninth of Ab;¹⁵⁹ hence, forsaking other pleasures to study Torah cannot be classified as an ascetic practice. In reality, then, it is a matter of choice whether to grant priority to one's passion for studying Torah or for marrying and having children. The rabbis criticize those who abstain from marrying and having children to facilitate intense and uninterrupted Torah study; they believe that one must rather grant priority to the divine decree to procreate. In *b. Yeb.* 63b, the Tanna Ben Azzai, who did not marry because of his passion for Torah study, is told: "you interpret [the Torah] well, but you don't accomplish [its precepts] well by not marrying." This explicit dictum stands in stark opposition to St Paul's advice not to marry because a married man must consider his wife and children, and thus cannot dedicate himself totally to the service of God; therefore it is advisable, if one can, to do as he did and not marry (1 Cor 7:32–35). On this topic the Christian and Jewish theologies are opposed, and they likewise differ on the topic of asceticism.

Fraade's inference that scholars—both those who find ascetic aspects in rabbinic Judaism and those who reject this hypothesis—approach the topic with opposing preconceptions concurs with my perspective on this issue. Because of these preconceptions, they interpret the same rabbinic passages differently. Fraade, based on his knowledge and study of rabbinic literature

159 See p. 271.

and on his apparent privileging of the Greek historical writings which claim that the Essenes/Qumran practised asceticism over the genuine Qumran texts which indicate that they did not,¹⁶⁰ argues that ascetic aspects exist in these texts. In contrast, my study of the same sources and my reflection on how scriptural attitudes with respect to this topic might have influenced the rabbis lead me to the opposite conclusion: that they strongly disapproved of asceticism. The reader must decide, on the basis of the arguments presented, which theory seems more plausible; there is no single truth, particularly with respect to the interpretation of ancient texts.

7.7 Asceticism in the Qumran Texts

7.7.1 *Preliminary Considerations*

The portrayal of the Essene lifestyle by Greek historians such as Pliny the Elder, Philo, and Josephus, and the absence of any other ancient documentation on this group, led the scholarly community to adopt their description of the Essenes' theology, organization, and way of life. As is well known, these historians, writing for a Hellenistic public, intended to present the Essenes as an exalted community adhering to the highest standards, according to the expectations of their Hellenistic readers. They therefore depicted the Essenes as a Jewish brand of Pythagoreans, cultivating ascetic observances, maximum physical endurance and self-restraint, and thus had to portray them as disdaining women and marriage, living celibate lives. It is no wonder that, until the discovery of the Qumran Library, scholars were so profoundly influenced by these writings in their opinions about the Essenes. While the genuine writings discovered have a great deal in common with the Greek historians' descriptions of the Essenes, they also display significant features that utterly contradict them. Most contemporary scholars nevertheless assume that the Essenes and the Qumran group are one and the same. For the purposes of this discussion, I make the same assumption, and investigate the contradictions between the Greek historians' portrayals and the Qumran writings on the specific issue of Essene/Qumran attitudes towards women, marriage, and sexual life. Scholars such as Stegemann, Schiffman, Wegner, Grossman, and Qimron have

¹⁶⁰ See below on the issue of Fraade's approach to Essene asceticism. It is reasonable to assume that if asceticism were practised in Israel by the Essenes, as Fraade contends, it might consequently have been adopted by other segments of society, gaining some influence over some pharisaic and rabbinic groups. Such an attitude may have been Fraade's basis for his primary assumption of asceticism in Israel.

shifted their perspectives on this issue.¹⁶¹ Some have attempted to reconcile the conflicting texts; some, like Stegemann and myself,¹⁶² discard altogether the authenticity of the Greek historians' portrayal of the Essenes; and some, like Regev,¹⁶³ argue that the Essenes cannot be identified with the keepers of the Qumran Library.

I have discussed elsewhere the internal and external contradictions in the Greek historians' portrayal of the Essenes' attitude towards women and sexual activity, and have therefore proposed that their assertions on this subject be disregarded,¹⁶⁴ since there is no hint of such an attitude in the Qumran writings: they were not celibate, and had no moral aversion to legitimate sex. I can therefore limit myself to discussing Fraade's opinions and my own on the topic of whether or not an ascetic community existed at Qumran.

7.7.2 *Fraade's Thesis: An Ascetic Community in Qumran?*

Fraade describes the Essenes as "a Jewish group rooted in the Hebrew Bible and committed to the fulfillment of its precepts . . . which incorporated many ascetic practices into its *communal* way of life,"¹⁶⁵ but, with one exception, which I discuss later in the chapter,¹⁶⁶ quotes no Qumran texts supporting his thesis. Although he admits that "the Dead Sea Scrolls do not fully agree with the reports of the ancient [Greek] observers in that they seem to assume the

161 Hartmut Stegemann, "The Qumran Essenes," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March 1991* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; Leiden: Brill, 1992), vol. 1, 83–166 at 131; Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity, the Lost Library of Qumran* (Philadelphia: JPS, 1994) 129; Judith Romney Wegner, "Philo's Portrayal of Women—Hebraic or Hellenic?" in *Women Like This: New Perspectives of Jewish Women in the Greco-Roman World* (ed. Amy-Jill Levine; Atlanta, GA: Scholars Press, 1991) 41–66; Maxine Grossman, "Women and Men in the Rule of Congregation: A Feminist Critical Assessment," in *Rediscovering The Dead Sea Scrolls: An Assessment of Old and New Approaches and Methods* (ed. Maxine Grossman; Grand Rapids, MI: Eerdmans, 2010) 229–45 at 230; Elisha Qimron, "Celibacy in the Dead Sea Scrolls and the Two Kinds of Sectarrians," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March 1991* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; Leiden: Brill, 1992) 287–94 at 293.

162 Heger, "Celibacy" at 73.

163 Eyal Regev, "Cherchez les femmes: Were the *Yahad* Celibates?" *DSD* 15 (2008): 253–84 at 282–4.

164 Heger, "Celibacy," 73.

165 Fraade, "Ascetical Aspects," 266 (original emphasis).

166 At p. 297.

existence of women and marriage within the order,”¹⁶⁷ he nevertheless seems to rely implicitly on the authenticity of the Hellenistic descriptions. His choice of words suggests such a preconception; the clear documentation in the Qumran writings of the presence of women in the group, which flatly contradicts Philo’s and Pliny’s accounts, is described hesitantly by Fraade, who says that these documents “do not fully agree with the reports of the ancient [Greek] observers” and that “they *seem to assume* the existence of women”;¹⁶⁸ by contrast, as quoted above, he states categorically that the group “incorporated many ascetic practices.”¹⁶⁹ Moreover, Fraade seems to ignore the many internal contradictions in the Greek historians’ descriptions, as well as their discrepancies with what we know of the Qumran group via their genuine writings.¹⁷⁰

Fraade quotes from the books of Maccabees and from the writings of Josephus to support his above-quoted assertion. The passages he quotes from *2 Macc.* 15:4 and *4 Macc.* 12:11 and 13:22 use the Greek ἀσκέω “train/practise” and its derivatives, which have no association with asceticism, self-denial, or suffering of any kind. Moreover, as Fraade acknowledges, all quotations from *2* and *4 Macc.* refer to the practice of Torah precepts such as observance of the Sabbath, of righteousness, and of God’s law.¹⁷¹ The common translations of the relevant texts essentially concur with Fraade’s assertion:

167 Fraade, “Ascetical Aspects”, 268.

168 Ibid. (emphasis added).

169 Ibid., 266. It is plausible that in 1986, when Fraade’s article was published, the scholarly world was less convinced than today that the Hellenistic historians’ portrayal of the Essenes on this issue is unreliable.

170 See Heger, “Celibacy,” 62 and 71. Lawrence H. Schiffman, “Laws Pertaining to Women in the Temple Scroll,” in *The Dead Sea Scrolls: Forty Years of Research* (ed. Devorah Dimant and Uriel Rappaport; Leiden: Brill, 1992) 209–28, at 228 concludes his study by stating, “There is no hint there [in the Temple Scroll] of any ascetic or celibate tendencies.” William Loader, *The Dead Sea Scrolls on Sexuality: Attitudes towards Sexuality in Sectarian and Related Literature at Qumran* (Grand Rapids, MI: Eerdmans, 2009) 139, states that Josephus’ allegation that denial of pleasure is the basis of the prohibition on sex with a pregnant woman “is not at all evident here [in the Qumran text].”

171 The accomplishment of these divine laws are equally obligating all Israelites. I dispute Louise Lawrence’s assertion in “Men of Perfect Holiness (1QS 7.20): Social-Scientific Thoughts on Group Identity, Asceticism and Ethical Development in the Rule of the Community,” in *New Directions in Qumran Studies, Proceedings of the Bristol Colloquium on the Dead Sea Scroll, 8–10 September 2003* (Eds. Jonathan G. Campbell, et al.; London: T & T Clark International, 2005) 83–100 at 88 that the participants in the group [of the Rule of the Community], not least through the categorization of the covenant, holiness and perfection are presented as a spiritual elect—called to develop a higher ethos.” All Israelites are obligated to perform the divine rules and decrees in the most perfect way,

And when they declared, "It is the living LORD himself, the Sovereign in heaven, who ordered us to *observe* the seventh day . . ." (2 *Macc.* 15:4)

He said, "You profane tyrant, most impious of all the wicked, since you have received good things and also your kingdom from God, were you not ashamed to murder his servants and torture on the wheel those who *practise* religion?" (4 *Macc.* 12:11)

And they grow stronger from this common nurture and daily companionship, and from both general education and our *discipline* in the law of God. (4 *Macc.* 13:22)

I have italicized the translations of ἀσκέω and its grammatical derivatives.

Similarly, Fraade's quotations from *Ant.* and *J.W.* relate to the Torah or to training. In *Ant.* 20:265, τὴν ἀσκησιν is translated as "teaching," referring to knowledge of the law, the Torah; in context, it refers to τὰ νόμιμα "the laws" in 20:264. In *J.W.* II:150, ἀσκήσεως is translated "according to the duration of their discipline," that is, their training. In none of these cases do we see any association with any current understanding of the term "ascetic." Their constant

as we observe in the requirements to be in the *Yahad* (1QS: 8, 13–14 and 16). The others, who do not correctly follow the divine rules, will be utterly destroyed (1QS IV:13–14). Qumran does not acknowledge neutral Israelites. Their group performs correctly the divine laws, as is mandatory for all Israelites, and their opponents fail to do it; they are not called to develop a higher ethos, as Lawrence alleges. In fact, Lawrence at 89 states that "the community saw itself as the true Israel, with its behaviour constituting an explicit antidote to the iniquities of the children of Israel." Hence, they correctly comply with the requirements of the true Israel, and nothing more. Living differently from their Israelite sinners is their goal, not asceticism, as Lawrence states at 91. As it seems to me, her preconception at 84 of an affinity between Qumran and early Christian monastic communities induced her presumption that Qumran practised asceticism. She has overlooked the crucial theological and practical differences between the two ancient movements. For example, a comparison at 95, n. 46 between Judaea and Sherpa Nepal, motivated her assertion that both movements espoused a religious ideology of "egalitarianism." I do not perceive an "egalitarianism" in Qumran; on the contrary, we observe in CD XIV: 13–14 that the Overseer collected money from the members for assisting "the poor and needy and the sickly elder." The common management of the wealth does not indicate "egalitarianism"; its motivation was the negative approach to accumulated wealth, as I discuss at length in Chapter 5. Murphy, *Wealth in the Dead Sea Scrolls*, writes that the inception and function of the communal wealth constituted "a material symbol of individual commitment and communal identity" (155), and "of separation from outsiders or transgressors" (157).

endeavour to fulfill correctly the Torah's precepts and to exercise self-control, turning away thoughts caused by the sinful urge and lecherous eyes (CD II:15–16), as practised by the members of the Qumran community (an obligation imposed on all Israelites, and the foundation of Jewish theology), does not constitute ascetic behaviour.

It is odd, moreover, that Fraade quotes Josephus' statements about the Essenes without doubting his reliability. The three verses describing the Essenes in *J.W.* 2:150–53, which Fraade mentions, consist of fictitious assertions that bear no resemblance to the real circumstances and are not supported in the Qumran texts or in external historical writings.¹⁷² As I have suggested elsewhere,¹⁷³ the Greek historians' writings on this topic should be discarded altogether after the discovery of the Qumran writings, if we perceive the Qumran community and the Essenes to be one and the same; or else, as Eyal Regev suggests, this latter opinion should be discarded, rendering the Greek historians' descriptions irrelevant in any case.¹⁷⁴

The rule in 11Q19 (11QTemple^a) 45:7–17 that a man who has had a nocturnal emission may not enter the Temple for three days (vv. 7–10), but a man who has had sexual intercourse with his wife with an emission of semen may not even enter Jerusalem for three days (vv. 11–14)—more stringent than the biblical rule decreeing that each of these cases results in one day's pollution (Lev 15:16–18)—does not indicate any particular aversion to sexual acts. The extended cleansing period is due to the greater holiness of Jerusalem and the Temple, not to the greater severity of the pollution or the iniquity of sexual intercourse. Lev 15:16–18 does not clarify the state or the degree of purity that one attains the next day; Deut 23:11 specifies that after a bath, the man may enter the מחנה “the camp” after sundown. Since Qumran accords a higher degree of holiness to the Temple than to Jerusalem, as we see in 4Q394 3–10 (4QMMT^a) II (3–7ii):16–18, a strictly logical approach would suggest that for someone entering the Temple, more than one day's abstention should be required.¹⁷⁵ The requirement of three clean days before participating in the Sinai revelation indicates the extent and practical application of this rule for

172 See Heger, “Celibacy” 55–63 for an extensive scrutiny of Josephus' and the Greek historians' relevant texts on the Essenes, and their dubious authenticity.

173 Ibid., 73.

174 Regev, “*Cherchez les femmes*,” 282–84.

175 De Hemmer Gudme, “How Should We Read,” 74, states that “[t]he different grades of holiness are indicated and underlined by means of ritual. Ritual delimits the rules of access to the sanctuary and contact with sancta.”

entering the Temple.¹⁷⁶ The difference in holiness between the “camp” outside Jerusalem and the “camp” of Jerusalem is evident from 11Q19 (11QTemple^a) XLV:7–15, and justifies a more extended cleansing period of three days after sexual intercourse for entering Jerusalem, the city of the Temple, than for the cities or “camps” outside it. The holiness of Jerusalem is additionally and explicitly emphasized in vv. 14–15: “And you shall not purify a city of your cities to (the degree of) my city.”

Atoning for sins by suffering punishment, as described in 1QS VIII:3–4 (which Fraade quotes), is a cornerstone of Jewish theology and not a sign of asceticism, as I argued above in the rabbinic context.¹⁷⁷ On the Day of Atonement, the self-inflicted punishment of fasting, fulfilling the decree “afflict your souls” (Lev 16:29), atones for the people’s sins.¹⁷⁸ The suffering of the individual or the people, as a punishment for sins, atones for those sins; it does not constitute a form of asceticism. Deut 30:2–3 declares that the Israelites, repentant after suffering punishment for their sins, will be forgiven and redeemed. In fact, the members of the Qumran community did not even impose afflictions on themselves (a precondition of any kind of asceticism); as written in 1QS VIII:3–4,¹⁷⁹ their afflictions were imposed on them by their opponents. Thus, this lemma could not in any case substantiate Fraade’s thesis of asceticism in Qumran.¹⁸⁰ The term צום “fast” in Qumranic literature (both sectarian and non-sectarian) is associated with the Day of Atonement, as in 1QpHab XI:8 and in 4Q513

176 Joseph M. Baumgarten, “Purification after Childbirth and the Sacred Garden in 4Q265 and Jubilees,” in *New Qumran Texts and Studies, Proceedings of the First Meeting of the International Organization for Qumran Studies, Paris 1992* (eds. George J. Brooke with Florentino García Martínez; Leiden: Brill, 1994) 3–10, at 6–7 states that the “Qumran exegetes attributed sanctity to the entire garden (of Eden),” like the author of *Jub.* who postponed the entrance of Adam and Eve to the Garden, because he “held it incongruous for the consummation of their union to take place in the sacred precincts of the Garden.” Similarly, sexual relations are prohibited in the City of the Sanctuary.

177 Hacham, “Communal Fasts,” 140–1, alleges that the Qumran community, being “disassociated” from the Temple rites, created “substitutes” to replace the atonement sacrifices. They regarded fasting “as a physical act that constituted a means for addressing God and catalyzing the corrections of actions.”

178 Ibid., 143: “It was likely that fasts and sacrifices were considered to belong to the same system of religious ritual, either practised together or one replacing the other.”

179 We read there: “atoning for sin by working justice and suffering affliction. They are to walk with all by the standard of truth.”

180 Frank Moore Cross, *The Ancient Library of Qumran* (3rd revised and extended edition; Sheffield: Sheffield Academic Press, 1995) 70, referring to their going into the desert “imitating the ancient desert sojourn of Mosaic times,” concludes: “They are priestly apocalypists, not true ascetics.”

(4Q Ordin^b) frgs. 5 and 6; 4Q266 (4QD^a) XI:5 and its parallel 4Q270 (4QD^e) are associated with repentance and atonement for sins, and fasting is compared to the sin and guilt offerings brought by individuals to atone for sins committed (Lev 4–5).¹⁸¹ The fast is not decreed for the purpose of attaining spiritual perfection in the future but, rather, is a self-inflicted punishment for prior sins.¹⁸²

We also find expressions of joy, in its various philological forms, in the Qumran writings—a feature incompatible with the concept of asceticism. For example, in 11Q5 (11QPs^a) XIX:17, in 11Q5 (11QPs^a) XXII:4 and in 11Q5 (11QPs^a) XXII:4.

Finally, we should consider that the Qumran community meticulously followed the biblical text, which asserts that God implanted sexual desire in woman (Gen 3:16). Extirpating this desire would therefore be against the divine order; and, indeed, 4Q416 (4QInstr^b) uses this biblical assertion to justify the husband's authority to annul his wife's vows. The absence of any hint, in both sectarian and non-sectarian writings from Qumran, against enjoying sexual intercourse supports our theory that Qumran scholars had no aversion to enjoying the pleasures of legally permitted sexual activity.¹⁸³

7.8 Conclusion

In conclusion, I wish to reiterate that in Jewish law and theology, intent is of great significance and establishes the character of the deed performed. For example, Scripture does not command capital punishment for an unintentional killing. Num 35:16–25 discerns between a murderer, one who kills intentionally

181 Hacham, “Communal Fasts,” 137–8, asserts that there were no public fasts in the Qumran community. At 128–37, he demonstrates that most occurrences of the word “fast” in the Qumran writings relate to the Day of Atonement. Referring to 4Q266 (4QD^a) XI:1–5, in which צום “fast” appears, he affirms that it relates to individuals, and, following J. Baumgarten, states: “This source, which is concerned with punitive measures, indicates that the sect members regarded their system of punishment as an alternative to sacrifices offered for sins.” He therefore affirms (at 139): “Thus, except for Yom Kippur, there are no public fasts in the scrolls.”

182 We observe that Qumran does not criticize bountiful eating, as we read in 4Q370 (4QAdmonFlood) I:1: God promises plentiful food to those who obey his rules, and this leads them to bless God—an extremely positive approach to food and its consumption that concurs with Ps 100:2's injunction to worship God joyfully, quoted above. Conversely, we read in 4Q271 (4QD^f) 4ii:14: “Let no man sanctify the fo[od of his mouth unto God.”

183 See Heger, “Celibacy” 86–7 the interpretation of 4Q270 (4QD^e) 2ii:15–16 about sex with a pregnant woman.

out of hatred or enmity towards a person, who shall be put to death; and a killer who was not his victim's enemy and did not seek to do harm, in which case the congregation shall rescue him from the hand of the avenger of blood, even if he was guilty of negligence, and decrees the institution of cities of refuge for such situations. This ruling, which grants priority to the intent behind the deed, is a specific Israelite principle that differs from the rules and laws of the surrounding cultures. The Hammurabi Code, from which the Israelite laws are assumed to have absorbed some rules, is very different in this respect: for example, §229 decrees that "if a builder constructs a house for a man but does not make his work sound, and the house that he constructs collapses and causes the death of the householder, that builder shall be killed"; §218 decrees that if a physician performs major surgery on a member of the aristocracy and causes death or blindness in an eye, his hand shall be cut off.¹⁸⁴ In neither case did the "offender" hate his "victim," and each presumably had the best intentions to avoid the calamities that occurred—yet both are severely punished.

The rabbis went a step further by refining the biblical rule to emphasize the importance of intent. We read in *m. Sanh.* 9:2 (paraphrased): If one intended to strike someone on the hip, which could not cause death, but missed, and hit his heart and caused death, he is not guilty of murder. Rabbi Simeon says; "even if he intended to kill one person, but killed another he is not guilty [of murder]." This pronouncement was established as the final *halakhah*. On the same principle, intent determines whether or not an act is perceived as a transgression of the Sabbath. We read in *m. Šabb.* 2:5: "The one who extinguishes the candle because he is afraid of idolaters (enemies), robbers, or a bad spirit (of a sick person when the candle burns) (or, in a different version, 'because [it disturbs] a sleeping sick person'), he is not guilty, but if [he extinguished it] because he [intended] to save the candle or the [lamp] oil or the wick, he is guilty [of transgressing the prohibition to light or extinguish a fire/light on Sabbath]." The same consideration should be granted to intent in the case of fasting: if it is undertaken as a self-inflicted punishment for sins, it cannot be considered an ascetic act of any kind, whereas if it is undertaken in order to reach spiritual perfection by abstaining from permitted deeds or pleasures, it is considered a kind of asceticism.¹⁸⁵ The fasts described in the scriptural,

184 The Mesopotamian rules are from Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor* (2nd Ed.; Atlanta, GA: Scholars Press, 1997).

185 Urbach, *The World*, 457 (68), discerns between abstention from something as a procedure and doing so as a goal in itself; the first is not asceticism, whereas the second—practised by the early eremites in the deserts of Egypt and Syria, who evaluated its significance

rabbinic, and Qumran writings are of the first type, and thus have little, if any, association with asceticism.

Further, Judaism, as documented in all three corpora, does not perceive a constant struggle between the body and soul, between matter and spirit; the good and bad inclinations or impulses come from the same spiritual source. In Scripture, the לב “heart” is seen as the seat of human emotions and passions and the source of inspiration for good or bad behaviour:¹⁸⁶ in Exod 25:2, לב relates to good inclinations, and in Exod 28:3 to intelligence and talent; in Num 32:9 and Deut 29:18, to bad inclinations; and in Num 24:13, to both. Among the Qumran writings, we read in 1QS IV:16: “God has appointed these spirits (the good and the wicked) as equals,” and in 1QS III:17–19: “He created humankind to rule over the world, appointing for them two spirits in which to walk until the time ordained for His visitation. These are the spirits of truth and falsehood.” The rabbis similarly refer to two equal impulses, called יצר, probably because of the biblical association of לב and יצר in Gen 8:21.¹⁸⁷

Thus, there is no theological constraint to subdue the body through suffering or abstention, since the struggle is between the two spirits, not between desires of body/matter and desires of spirit. Newsom writes that “rabbinic thought reifies the יצר, making it a part of the moral faculties of the person.”¹⁸⁸ I differ, however, with her further clarification: “In choosing for God, however, one is choosing against one’s natural self and its desire”—that is, there is only one evil impulse in humans, who can only decide “not to follow it,” as Abraham did.¹⁸⁹ Such a view would conflict with the Qumranic Two Spirits Discourse (1QS III:17–19), which clearly relates to two spirits, and the rabbinic theory of two inclinations, discussed above¹⁹⁰ and explicitly emphasized in *b. Ber.* 61a.¹⁹¹ I believe that CD II:14–17 expresses the same theory of two impulses; the lemma is built on parallels of good and evil, and human wisdom can choose which impulse to follow: “living perfectly in all His ways or turning away through thoughts caused by the sinful urge and lecherous eyes.” The author specifies

in relation to the severity of its adversity to human nature—definitely qualifies as asceticism.

186 On this topic see Heger, *Challenges*, 303–5.

187 1QS IV:2–5 also uses the biblical לב and יצר along with the Qumran texts’ usual רוחות “spirits.”

188 Carol A. Newsom, “Models of the Moral Self: Hebrew Bible and Second Temple Judaism,” *SBL* 131, 1 (2012): 5–25 at 16.

189 Ibid., 17. Newsom’s approach is similar to Boyarin’s, discussed above.

190 See pp. 268–270.

191 We read there: “The Holy One, blessed be He, created two impulses, one good impulse and one bad impulse.”

the character of the evil impulses—“sinful urge and lecherous eyes”—hence there are equally good impulses embedded in human nature, leading humans to choose what pleases God, namely living perfectly in all His ways—or, in modern parlance, doing what is morally correct. It does not seem plausible that Qumran and rabbinic scholars believed that God gave humans only evil impulses. However we understand human beings’ decision to follow their desire or their reason—in obedience to ethical rules, by abiding by the divine commands, or in accordance with other logical or moral considerations to contain one’s natural desires—this choice has no association with asceticism.

The common thread running through the biblical, Qumranic, and rabbinic corpora is this notion that what God has created is good, and that to abstain from enjoying pleasures created and permitted by God, in a quest for some imagined higher spiritual perfection, formed no part of Jewish law and philosophy in the ancient world. Some exceptional rabbinic dicta that may suggest an opposing view represent an integral attribute of the rabbinic system, which allows conflicting viewpoints and interpretations of Scriptural texts, but does not affirm their practical applications in Israel.