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Doctoral Dissertations, 2011-2026 Religion

2013

Conceptions of Time and Rhythms of Daily Life in Rabbinic Literature, 200-600 C.E.

Kattan Gribetz, Sarit

Princeton, NJ : Princeton University

http://arks.princeton.edu/ark:/88435/dsp01t148fh258

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CONCEPTIONS OF TIME AND RHYTHMS OF DAILY LIFE IN RABBINIC LITERATURE, 200-600 C.E.

Sarit Jolanda Kattan Gribetz

A DISSERTATION

PRESENTED TO THE FACULTY

OF PRINCETON UNIVERSITY

IN CANDIDACY FOR THE DEGREE

OF DOCTOR OF PHILOSOPHY

RECOMMENDED FOR ACCEPTANCE

BY THE DEPARTMENT OF

RELIGION

Adviser: Peter Schäfer

September 2013

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Abstract

This dissertation centers on the ways in which rabbinic texts from the first five centuries C.E. constructed daily and monthly rhythms of time and examines the intersections of those times at the outer boundaries of the rabbinic community as well as among those inhabiting various roles within the community.

Part I explores the synchronization and differentiation of rabbinic and Roman time, and focuses in particular on the incorporation of the Roman calendar into rabbinic texts and on the integration of the Jewish seven-day week into the Roman calendar. Ironically, by trying so deliberately to separate from observing the Roman calendar and formulating laws intended to limit interactions between Romans and Jews on certain calendar days, the rabbis effectively integrated the rhythms of the Roman calendar into their own daily lives. Rabbinic sources, however, also present the origin and history of these Roman festivals as Jewish or biblical at their core, thus filling the Roman calendar with days that had Jewish stories – and indeed a long Jewish past – attached to them. Romans, too, adopted aspects of the Jewish calendar, especially the seven-day week and a day of rest, despite Roman arguments that resting every seventh day epitomized idleness and was an ill use of one's time.

Part II confronts the question of gender in rabbinic time and the emergence of a gendered temporality in rabbinic law through the development of distinct rituals for men and women. In a shift from the way in which commandments had previously been conceptualized, rabbinic texts construct the category of "positive time-bound commandments," from which rabbinic law excludes women. There is, however, an entire set of time-related laws – the cycles of purity and impurity related to menstruation – that

applied *only* to women and structured their time around different rituals. Women's bodies were also invoked rhetorically to articulate ideas about time through the use of metaphors of pregnancy, labor, birth and menstruation. Even as the rabbis—all men—define women out of what they consider to be time-boundedness, through both rituals and rhetoric women are effectively no less, though surely differently, time-bound than their male counterparts.

For Jonathan, Sophie, and Daniela, with love.

And for Max – just in time!

ACKNOWLEDGEMENTS

After more than a decade in the Princeton Department of Religion, it is difficult to know where to begin in expressing my gratitude and my sense of good fortune for having found myself in the most supportive and intellectually engaged academic community. As an undergraduate, I read my first page of Talmud with Peter Schäfer. Ever since, Peter's model of careful research has been illuminating; his commitment to the advancement of knowledge through the joint efforts of scholars inspiring; and his support for me unwavering. He and Barbara opened their home to us with kindness; I wish them much happiness and good health as they return to Berlin to enjoy retirement. I received the best training in second temple Judaism from Martha Himmelfarb. Martha's warm encouragement, sincere care, and meticulous attention to every detail of my work have been constants throughout my years at Princeton. I cannot imagine more dedicated advisors.

It was in John Gager's class on the New Testament my freshman year of college where I first realized how fun antiquity could be. John's enthusiasm and love of the field persuaded me to join it. Eleven years later, he is still reading drafts and eager for conversations in the department lounge. Elaine Pagels, who has also been a mentor since my undergraduate days, encouraged me to find my own scholarly voice and the courage to be bold with my ideas. I was fortunate that AnneMarie Luijendijk joined the department as I began graduate school because I have learned so much from her example. In her helpful and generous way, AnneMarie always posed questions that led me in new directions and left me excited to get back to work. Moulie Vidas served as one of the readers of this dissertation, and his meticulous and incisive comments greatly improved

it. Before Moulie was my reader, though, he was already a dear friend, someone whose scholarly opinion I trust and often seek.

I first began exploring the topic of time in a seminar paper I wrote for Peter Brown. It has been an honor to study with a towering pioneer in the field of late antiquity and to be the beneficiary of his teaching. I also had the opportunity to study with Harriet Flower, who introduced me to the religions of the Roman Empire and encouraged me to explore the dialogue between Roman and rabbinic texts. It was my good fortune that Denis Feeney decided to sit in on Harriet's seminar; throughout my writing, I turned again and again to Denis' book on the Roman calendar for both information and an example of the very best work on time. Since my years as an undergraduate, I have sought Anthony Grafton's advice. His door has always been open for discussion and his breadth of knowledge have enriched my own thinking.

I studied with and precepted for Jeff Stout, who is able to captivate a lecture hall full of undergraduate students with his passion, and to engage graduate students with his devotion to his discipline, his frankness, and his eagerness to cultivate his students' intellectual lives. Wallace Best, who served as the Department's Director of Graduate Studies, gave me some very good advice, to "read constantly and widely" and to "approach your work with passion, commitment, and concentration," and I have tried my best to follow it each day. Jessica Delgado, Michael Meerson, and Naphtali Meshel have all provided comments on my work, from broad theoretical observations to checking manuscripts to detailed intertextual suggestions. I have had the pleasure of studying with several other fantastic teachers, including Mark Cohen and Michael Flower.

My graduate school colleagues have provided intellectual companionship: Aryeh Amihay, April Armstrong, AJ Berkovitz, Joel Blecher, Joseph Clair, Anya Dolganov, Gregg Gardner, Rachel Gross, David Jorgensen, Ethan Katz, Alex Kocar, Leigh Lieberman, Rachel Lindsey, Jebro Lit, Brian Lowe, Jessica Marglin, Daniel Mark, Yoni Pomeranz, Eli Sacks, Dan Stolz, and Amin Venjara. A special note of thanks to Yair Furstenberg, David Grossberg, Eduard Iricinschi, Geoff Smith, and Fannie Bialik, who each read drafts of various chapters and offered helpful comments; to Molly Farneth for thinking through some of the more theoretical aspects of the dissertation with me; to Lynn Kaye, who openly shared her work and insight on time in rabbinic sources; to Shira Billet, April Hughes, and Lance Jenott for their friendship and encouragement; and especially to Mika Ahuvia, who exemplifies what it means to be a generous colleague, professionally and personally.

Mary Kay Bodnar, Lorraine Fuhrmann, Baru Saul, Kerry Smith, and Polly Strauss in the Department of Religion and the Program in Judaic Studies sustained the department's warm environment and were never too busy to lend a hand. Patty Bogdziewicz's masterful navigation of all Graduate School matters and her infinite patience with me was only matched by the humor and good cheer she brought to even the most tedious of tasks.

I spent a wonderful year from 2010-2011 at the University of Toronto. It was at the Centre for Jewish Studies that I taught my first course on time and this dissertation is in large part a response to the curiosity of my students and the conversations that began in the classroom. The director of the Centre, Hindy Najman, welcomed me most graciously and took me under her wings; she continues to be a devoted mentor. Thanks are due to

Sol Goldberg and Derek Penslar, who were always happy to discuss my latest ideas, and to David Novak, in whose Talmud class I spent many Tuesday nights and who offered advice at an early stage of this project.

Since moving to Highland Park, the Rutgers Jewish Studies community has become a second intellectual home. I am grateful to Gary Rendsburg, Paola Tartakoff, and Azzan Yadin-Israel for reading portions of my work, and to Nancy Sinkoff, Hilit Surowitz-Israel and Yael Zerubavel for help throughout. It was a particular pleasure to get to know a pioneering scholar of time, Eviatar Zerubavel, who generously shared his enthusiasm and insight.

During their respective sabbaticals at the Institute for Advanced Studies, Elisheva Baumgarten and Adele Reinhartz each became important role models for me of strong women committed to both family life and academic careers. More recently, Liz Shanks Alexander has welcomed me within her community of scholars. I sent almost everything I wrote to Simi Chavel, who never failed to respond with swift and careful feedback. Tzvi Novick was always ready to answer questions with utmost precision and exceptional promptness. Menachem Butler often alerted me to new publications (even my own!) and usually sent along the relevant PDF to save me a trip to the library.

During my last two years at Princeton, I participated in dissertation fellowships at the Center for the Study of Religion and the University Center for Human Values. Presenting my research in these workshops gave me an opportunity not only to engage with a broader audience beyond my field, but also to experiment with ideas in the company of incredibly sensitive thinkers. The discussions that emerged and suggestions I received played an important role in shaping the conclusions I reached, and the way in

which I conveyed the arc of my arguments in writing. Special thanks are due to Jessica Delgado, John Gager, Philip Pettit, and Anthony Appiah for facilitating these workshops, and to Jenny Legath for her work behind the scenes. Throughout graduate school, I served as a fellow at the McGraw Center for Teaching and Learning. It was through programs at the Center that I grew to love and value teaching, and I am grateful to Jeffrey Himpele and Sandra Moscovitz for including me in their important work.

I presented different parts of my research at the Association for Jewish Studies Annual Meeting, the Enoch Seminar at the University of Notre Dame, the Ancient Judaism Workshop at Yale University, Fordham University, Penn State, Georgetown, the University of California, Davis, and the University of Virginia. The dissertation is much improved thanks to the questions I was asked by scholars at each of these institutions.

I benefited greatly from generous funding from the Department of Religion and the Program in Judaic Studies at Princeton, the Wexner Graduate Fellowship, the ACLS/Mellon Dissertation Completion Fellowship, the Josephine de Karman Fellowship, and the Targum Shlishi Dissertation Grant, which made it possible for me to devote the time necessary to write my dissertation.

Sara Casen, a dear old friend, was finishing her dissertation the same semester I was wrapping up mine. The dozens of midnight emails we exchanged – a habit we soon termed "the mom's dissertation support group" – helped keep the process in perspective and brought back good memories. Jessica Fechtor, too, was a steadfast friend whose voice and ideas (and recipes!) were always appreciated.

I am blessed with a wonderful family. I am grateful to my sister Gabi, sisters-in-law Carin and Orit, and brothers-in-law Pavel, Eric, and Seth, for their love, and for

inviting us to their homes for much-needed study breaks over the years. Florence Gribetz adopted me as one of her own granddaughters. Her boundless curiosity and openmindedness, at 94, continues to inspire me. My father-in-law, Michael Gribetz, eagerly waited to read each chapter I wrote and has been my biggest fan; my mother-in-law, Rhonda, assisted us with the practical aspects of our lives (like shoe-shopping with our girls) so that I could focus on starting, and then finishing, my dissertation. My father, Shlomo Kattan, called daily to check in, and together with Miri expressed his pride in my endeavors. My mother, Esther Dreifuss-Kattan, has been my confidante and, because she was working on her own book, empathized with the thrills and anxieties involved in the writing process.

My greatest debt of gratitude goes to my husband Jonathan, my most important intellectal partner. I am so lucky to share my life with him. This dissertation could not have been written without his patience, wisdom, and love (and a few all-nighters), and is infinitely better because of his sharp analysis, careful editing, and countless readings of each page. Our sweet daughters, Sophie and Daniela, have made each day beautiful; our time has been a lot more fun with them in our lives. Our son, Max, kept me company in utero during the last nine months of writing and arrived just in time to make it into these pages.

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INTRODUCTION

> *Every culture has its own unique set of temporal fingerprints. To know a people is to know the time values they live by.*
>
> - Jeremy Rifkin, *Time Wars*[1]

On the Kalends of January in 404 C.E., Augustine of Hippo stood in front of a congregation in Carthage numbering as many as two thousand people and urged his congregants to refrain from celebrating the Roman new year and participating in the time of the 'pagans.'[2] Instead, he insisted to his audience that they ought to sanctify time in a Christian manner. Augustine fervently preached against participation in the "festival of the nations that is taking place today in the joys of the world and the flesh, with the din of silly and disgraceful songs, with the celebration of this false feast day."[3] To drive home his point, Augustine continued speaking for three hours about the necessity to avoid participating in 'pagan' time, literally taking the time of those in the cathedral and preventing them from leaving to join in the 'pagan' celebrations just outside the church. Augustine's words fell on deaf ears, though, as his congregants, "loyal members of their city," seem to have celebrated despite their bishop's protestations.[4]

When I first read this sermon, I was struck by Augustine's vehement warnings against the time of the 'pagans' and the dangers of adopting a framework of time that is not one's own. I was simultaneously intrigued by the defiance of those in his audience who, against their bishop's wishes, went out to mark the passing of the new year with

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[1] Jeremy Rifkin, *Time Wars: The Primary Conflict in Human History* (New York: Henry Hold, 1987), 1, quoted in Robert Levine, *A Geography of Time: The Temporal Misadventures of a Social Psychologist* (New York: Basic Books, 1998), xi.

[2] This is one of the 26 sermons discovered by François Dolbeau in 1990 in a fifteenth-century Carthusian manuscript currently in the Stadtbibliothek in Mainz, Germany.

[3] Dolbeau Sermon 26, I. E. Hill, *The Complete Works of Saint Augustine: A translation for the 21st century. Sermons III/II: Newly Discovered Sermons* (Hyde Park, NY: City Press, 1997), 180-237.

[4] Peter Brown, *The Rise of Western Christendom: Triumph and Diversity 200-100 AD* (Malden, Mass.: Blackwell Publishers, 2003), 85.

their non-Christian neighbors. As a student of ancient Judaism, I began asking myself: in what ways did ancient Jews stake their identities through the structuring of time? I wondered both how communities within the Roman Empire conceptualized and structured their time vis-à-vis one another, and also how rhythms of time differed across groups within a single community. In particular, how did ancient Jews relate to the time of their neighbors and in what ways was time differentiated even among the Jews themselves? While these are to some extent antiquarian matters, their implications persist, given that our own calendar in the modern Western world is an amalgamation of a variety of sources, most prominently the ancient Romans and the ancient Jews. Moreover, for those interested in understanding medieval or still more recent Jewish history, it is critical to turn to the ancient and especially rabbinic periods when the calendar and rituals that played a large role in structuring the time of subsequent Jewish communities were originally formulated.

Time, ubiquitous and elusive, is often taken for granted rather than studied as a subject in its own right.[5] As I soon discovered through this contextual study of ancient Jewish sources, however, time represents a most valuable lens through which to access the underlying commitments and values embedded within them. This dissertation thus examines a range of ways in which the laws and practices that the rabbis in Palestine (and to a lesser extent in Babylonia) instituted in the first few centuries C.E. molded time, synchronizing and differentiating time for those within their communities and beyond them. While I started with this abstract idea – *time* – I ultimately decided that in order to

[5] The sociological study of time was pioneered by Eviatar Zerubavel, who makes this point explicitly in *Patterns of Time in Hospital Life: A Sociological Perspective* (Chicago: University of Chicago Press, 1979), xi, and provides an in-depth set of case studies in *Hidden Rhythms: Schedules and Calendars in Social Life* (Berkeley: University of California Press, 1985). Since Zerubavel's numerous publications, time has become a more central topic of inquiry.

access the subject I would need to work on the nitty-gritty of everyday social life among ancient Jews: the abstention from economic activities with gentiles on certain calendar days, the practice of reciting the Shema (an affirmation of belief in God) each morning and evening, the invention of the category of so-called "time-bound commandments," the menstrual purity laws and the subsequent division of time into periods of purity and impurity. In turn, this study attempts to combine the "quotidian with the symbolic," and examines time "at the intersection of the history of daily life, cultural history," and religious studies.[6]

According to classicist Denis Feeney, Rome was "a society that [was] deeply invested in the semiotics and regulation of time… At any period of Roman history one enters, the organization of time will be found to be integral to the way the Romans presented to themselves their religion, their past, and their identity as a culture."[7] Indeed, as Feeney demonstrates in *Caesar's Calendar: Ancient Time and the Beginnings of History*, Rome was *obsessed* with time: calendars, parapegmata, water clocks, and sundials all constituted a grand visual presence not only in public temples, but also in private dining rooms and eventually in codices owned by individuals.[8] The Roman Empire's larger preoccupation with time, then, offers critical context for the story of Jewish conceptions of time in antiquity. At the same time, though scholars such as

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[6] I apply here to my own project the evocative language of Craig Koslofsky, *Evening's Empire: The History of the Night in Early Modern Europe* (Cambridge: Cambridge University Press, 2011), 1.
[7] Denis Feeney, "Time and Calendar," in *The Oxford Handbook of Roman Studies* (ed. Alessandro Barchiesi and Walter Scheidel; Oxford: Oxford University Press, 2010), 882; see also idem., *Caesar's Calendar: Ancient Time and the Beginnings of History* (Berkeley: University of California Press, 2007).
[8] The zodiac mosaics found on the floors of ancient Jewish synagogues at Sepphoris, Bet Alpha, and Hamat Tiberias, which featured Helios surrounded by the monthly signs and the four seasons, make much more sense in this temporal context. See art historian Rena Talgam's contextualization in her article, "The Zodiac and Helios in the Synagogue: Between Paganism and Christianity" (Heb.), in *"Follow the Wise": Studies in Jewish History and Culture in Honor of Lee I. Levine* (ed. Oded Irshai, Jodi Magness, Seth Schwartz and Zeev Weiss; New York: Jewish Theological Seminary, 2010), 63-80.

Feeney have said little about the place of Jews in this story, the Jews in fact played a critical role in many aspects of Roman imperial – and especially provincial – culture.[9]

The subject of time was of great interest to those who composed and compiled rabbinic texts, as well. The three rabbinic tractates that form the backbone of this study – Avodah Zarah, Berakhot, and Niddah – all begin with extensive discussions about proper and improper timing. We are taught as early as grade school here in the US to ask the fundamental questions of "who, what, when, where, and why?" of any given text or idea; it seems that the redactor(s) of the Mishnah, and as a consequence also those of the Palestinian and Babylonian Talmuds, often asked the question of "*when*?" first of all. Indeed, the entire Mishnah begins with the question מאימתיי, "from what time?" and with a corresponding debate about morning and evening times for the recitation of the Shema prayer. The laws in these three tractates, about curtailing interactions with gentiles, affirming devotion to God through blessings and prayer, and maintaining ritual purity, all use time as a primary way of constructing the rabbinic community's practices and beliefs. Analyzing and understanding the inner workings of this deliberate process of structuring time found within rabbinic texts is the central concern of this dissertation.

What Is Time?

I began my research into rabbinic conceptions of time with what I thought was a simple preliminary question: what is "time?" I soon realized that this question has occupied philosophers, physicists, and other scholars since antiquity, without any clear consensus

[9] See, e.g., the insightful study of Michele Renee Salzman, *On Roman Time: The Codex-Calendar of 354 and the Rhythms of Urban Life in Late Antiquity* (Berkeley, University of California Press, 1990), and idem., "Pagan and Christian Notions of the Week in the 4th Century CE Western Roman Empire," in *Time and Temporality in the Ancient World* (ed. Ralph Mark Rosen; Philadelphia: University of Pennsylvania Museum of Archaeology and Anthropology, 2004), 185-212.

and conclusion. Indeed, it has frustrated even the most sophisticated thinkers! Consider Augustine's puzzlement: "What, then, is time? There can be no quick and easy answer, for it is no simple matter even to understand what it is, let alone find words to explain it… What, then, is time? I know well enough what it is, provided that nobody asks me; but if I am asked what it is and try to explain, I am baffled."[10] Or Maimonides' exasperation: "The analysis of the concept of time has presented difficulties to most thinkers, so much so that they became bewildered as to whether it had any real existence or not…"[11]

Each scholar's inquiry into the definition and nature of time has been informed by his or her particular methodological angle of inquiry: scientific, metaphysical, phenomenological, sociological, historical, religious, narrative. Philosophers and scientists have contemplated whether time actually *is* (is time real? is it an illusion?), *what* time is (is it a precondition of being? a part of experience? a sense?), *how* time functions (does it flow? is it relative?).[12] Given the difficulty of defining and conceptualizing time, these questions have produced extensive debates that have (necessarily, perhaps) remained inconclusive. Historians, sociologists, anthropologists, and scholars of religion have largely set aside these philosophical and scientific questions about the nature of time and have, instead, studied time as it functions culturally within society. Such scholars have sought to understand how particular cultures and religious

[10] Augustine, *Confessions* XI.15 (London: Penguin Books, 1961), 263-264.
[11] Moses Maimonides, *The Guide of the Perplexed* (intro. Julius Guttman; trans. Chaim Rabin; London: East and West Library, 1952), 95 (II.13).
[12] For brief introductions to time studies in philosophy, see Dowden Bradley, *The Metaphysics of Time: A Dialogue* (Lanham: Rowman and Littlefield Publishers, 2009), Roger McLure, *The Philosophy of Time: Time before Times* (London and New York: Routledge, 2005), and Yuval Dolev, *Time and Realism: Metaphysical and Antimetaphysical Perspectives* (Cambridge, Mass.: MIT Press, 2007), and on the intersection of philosophy, time, and kabbalah, see Elliot R. Wolfson, *Alef, Mem, Tau: Kabbalistic Musings on Time, Truth, and Death* (Berkeley: University of California Press, 2006), esp.1-54.

traditions conceptualize and relate to various aspects of time, how these conceptions manifest themselves in the way each culture functions (the rhythms of daily life, the calendar, the recording of history and chronology, and so on), and what they reveal about the underlying values and assumptions that culture makes.[13] Precisely because our assumptions about time seem so natural and intuitive, we often forget that these, too, are the products of culture and society and ought to be investigated. Asking fundamental, if basic, questions about how people in a period and place far removed from our modern reality made sense of time can lead us to surprising insights about the structure and meaning of their lives.

This dissertation follows this latter approach; it refrains from asking about the fundamental or essential nature of time. Rather, I aim to understand how a particular community (that of the ancient rabbis), as it presents itself in a particular set of texts (rabbinic literature), reveals its understanding of time through its approach to the calendars of other communities, daily rituals, and gender, and how its structuring of time might have impacted – or was intended to impact – the lived experience of those within its communities. While this project focuses specifically on rabbinic notions of time and how they interacted both with contemporary non-Jewish conceptions of time and with

[13] See Alfred Gell's synthesis of a number of approaches, including his own, in *The Anthropology of Time: Cultural Constructions of Temporal Maps and Images* (Oxford: Berg Publishers, 2001), and the older collection of essays in J.T. Fraser's *The Voices of Time: A Cooperative Survey of Man's Views of Time as Expressed by the Sciences and by the Humanities* (New York: George Braziller, 1966), that challenge the way time is studied in a disciplinary fashion. For examples of the historical study of time in specific cultures, see Feeney's *Caesar's Calendar*, Daniel Rosenberg and Anthony Grafton, *Cartographies of Time: A History of the Timeline* (Princeton: Princeton Architectural Press, 2010), and James Ker, "Drinking from the Water-Clock: Time and Speech in Imperial Rome," *Arethusa* 42.3 (2009): 279-302; for a social-psychological perspective, see Levine, *A Geography of Time*; for a sociological approach, see Zerubavel's, *Patterns of Time in Hospital Life* and *Hidden Rhythms*. Each of these books has been influential in my own exploration of time in ancient Jewish culture.

earlier Jewish conceptions of time, I hope that my conclusions shed light on the idea of time in ancient religious societies more generally as well.

Outline and Argument of Dissertation

The dissertation consists of two parts. Part I examines the interaction of rabbinic and Roman times through the multiple communities' calendars, and Part II focuses on the differences between men's and women's ritual time within the rabbinic community. Through these two parts, the dissertation considers both the intersections of different times at the outer boundaries of the rabbinic community as well as among those inhabiting various roles within the community. These are not only spheres of differentiation, but also interchange, in which the times of various people and groups impinge and have effects on others. It is precisely at these intersections – when time could not easily be treated as natural, universal, or uniform – that we are able to discern how the rabbis conceived of and deliberately structured time.

The first three chapters, which form Part I, are comparative and relational, and explore rabbinic time in relation to Roman time. I analyze rabbinic engagement with the Roman calendar, both in the form of laws limiting participation in Roman festivals as well as the (contradictory) practice of inscribing Jewish history and myth onto particular days of the Roman year. As a counterpoint, I examine discussions surrounding the gradual Roman adoption of the Jewish seven-day week. In this first section, I consider the ways in which rabbinic ideas about time were informed by the rabbis' neighbors' ideas of time, and also how members of the rabbinic community effectively synchronized their daily lives with the temporal rhythms of surrounding communities. My analysis thus enters into recent conversations on the nature of the rabbis' interactions with others,

on both a conceptual and practical level, and on the contacts and divergences between these communities living amongst one another in late antiquity. The broader contention of Part I is that, ironically, as they attempted to differentiate themselves from others, the rabbis legislated awareness of Roman time, and thereby effectively integrated Roman time and the Roman calendar into the rabbis' time and calendar. What is more, the integration was not unidirectional: increasingly, non-Jewish Romans integrated Jewish time into their own system of time by embracing the seven-day week and the seventh day of rest. Efforts at isolation and differentiation, I argue in Part I, often had just the opposite effect.

The three chapters in Part II confront the question of gender in rabbinic time and the emergence of a gendered temporality in rabbinic law through the development of distinct rituals for men and women. In a shift from the way in which commandments had previously been conceptualized in the biblical and second temple periods, rabbinic texts construct the category of "positive time-bound commandments" (which include many daily and festival rituals), from which rabbinic law excludes women. While rabbinic law declares women exempt from positive time-bound commandments, however, there is an entire set of time-related laws – the cycles of purity and impurity related to menstruation – that applies *only* to women. In the chapters in this section, I juxtapose these two discussions of time and ritual – women's menstrual purity laws and men's "positive time-bound commandments" – to draw out the role of ritual in constructing gendered temporality in rabbinic society. This section closes with a study of gender, and particularly images of pregnancy, labor and menstruation, in ancient Jewish time metaphors as I explore the ways in which women and their bodies were viewed both as

timeless and as key images of time. This second part of the dissertation thus engages with scholarship on ritual, gender, and the body in rabbinic sources. The broader contention of Part II is that rabbinic sources dictate that men and women ought to live by distinct systems of time, linked to particular rituals that the rabbis assigned to each. The ironic insight of Part II, then, is that even as the rabbis – all men – define women out of what they consider to be time-boundedness, through both rituals and metaphors women are effectively no less, though surely differently, time-bound than their male counterparts.

Scholarly Contributions

The dissertation engages in a number of ongoing scholarly discussions. Firstly, this project joins the broader scholarly effort to uncover the conceptual universe of the rabbis, the (evolving) worldview that underlies the texts of rabbinic literature.[14] In addition to treating and understanding the rabbinic sources on their own terms, rabbinic conceptions of time are also considered with sensitivity to conceptions of time articulated in biblical and second temple sources. Teasing out the ways in which rabbinic views on time relate to and contrast with earlier Jewish notions of time, and articulating points of both

[14] I have in mind, for example, work on purity and impurity in Jewish antiquity; see Jonathan Klawans' *Purity and Sin in Ancient Judaism* (Oxford: Oxford University Press, 2000), and Christine Hayes' *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud* (Oxford: Oxford University Press, 2002); and on the body, see Daniel Boyarin, *Carnal Israel: Reading Sex in Talmudic Culture* (Berkeley: University of California Press, 1993). See also the chapter on rabbinic sources in Seth Schwartz's *Were the Jews a Mediterranean Society? Reciprocity and Solidarity in Ancient Judaism* (Princeton: Princeton University Press, 2010), 110-165. More broadly, in seeking to understand the mental structures of rabbinic society, especially those that relate to time and ritual, I evoke Jacques Le Goff's influential historical methodology and work on the medieval religious imagination; see both *The Medieval Imagination* (Chicago: University of Chicago Press, 1988), as well as his earlier *Time, Work, and Culture in the Middle Ages* (Chicago: University of Chicago Press, 1980). I have also been influenced by the work of Caroline Walker Bynum; see both *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley: University of California Press, 1987) and *Christian Materiality: An Essay on Religion in Late Medieval Europe* (New York: Zone Books, 2011). Finally, my project on the history of time bears similarities with other histories of abstract topics and concepts; see for example Esther Cohen, *The Modulated Scream: Pain in Late Medieval Culture* (Chicago: University of Chicago Press, 2010), and Susan Ashbrook Harvey, *Scenting Salvation: Ancient Christianity and the Olfactory Imagination* (Berkeley: University of California Press, 2006).

continuity and innovation in the rabbis' conceptions of time, is essential for understanding what is unique about the rabbinic project and appreciating the ways in which rabbinic perspectives departed from earlier ones.[15]

Secondly, mining the rabbinic texts for references to the marking and functioning of time provides a small window into the rhythms of daily life – that is, into one aspect of the social history of the rabbis and their communities. In a corpus of texts that is notoriously difficult, for methodological reasons, to use in the reconstruction of such history, a careful study of rabbinic discourse about time in the context of ancient society permits us better to understand how life was imagined by the rabbis, and what it may have been like for those living in the rabbinic community.[16]

Thirdly, there has been much interest in the question of the relationship between Jews and non-Jews in the ancient world. By examining a fundamental aspect of life (time) and how it functioned in integrating and differentiating Jews from their neighbors, I push this broader project further and build on previous scholarship focused on how Jews characterized others or were characterized by others, and erected and blurred communal boundaries.[17] More broadly, the dissertation seeks to understand the dynamics and

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[15] See, for example, the conversation about conceptions of law in biblical and second temple sources compared to rabbinic texts: Daniel R. Schwartz, "Law and Truth: On Qumran-Sadducean and Rabbinic Views of Law," in *The Dead Sea Scrolls: Forty Years of Research* (ed. Devorah Dimant and Uriel Rappaport; Leiden: Brill, 1992), 229-240; Jeffrey Rubenstein, "Nominalism and Realism in Qumranic and Rabbinic Law: A Reassessment," *Dead Sea Discoveries* 6 (1999): 157-183; and Chaya T. Halberstam, *Law and Truth in Biblical and Rabbinic Literature* (Bloomington: Indiana University Press, 2010).

[16] Some examples of rabbinic social history (or attempts at discerning social history from the extant sources) include Hayim Lapin's *Early Rabbinic Civil Law and the Social History of Roman Galilee: A Study of Mishnah Tractate Baba' Mesi'a'* (Providence: Brown Judaic Studies, 1995); Catherine Heszer's *Jewish Literacy in Roman Palestine* (Tübingen: Mohr Siebeck, 2001); and Jordan Rosenblum's *Food and Identity in Early Rabbinic Judaism* (Cambridge: Cambridge University Press, 2010).

[17] The scholarship on these issues is vast. See, for example, Adam H. Becker and Annette Yoshiko Reed, ed., *The Ways That Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages* (Tübingen: Mohr Siebeck, 2003); Hayim Lapin, ed., *Religious and Ethnic Communities in Later Roman Palestine* (Bethesda, MD: University of Maryland Press, 1998); Steven Fine, ed., *Jews, Christians and*

limitations of interactions among and between religious communities inhabiting a single society, and on the ways that structuring time plays a fundamental, if unappreciated, role in this process.

Finally, an underlying theme of the second half of the dissertation is the interrelationship between time, ritual, and gender, which has been generally absent from the discussion about time in religion. I discovered in my research that in religious systems in which men and women perform different rituals that structure their days in unique ways, their conceptions of time can radically differ as well. In order more fully to understand rabbinic conceptions of time, it is thus necessary to consider gender and the body as integral components of the perception of time.[18] What it meant to be a rabbinic man or woman, then, defined and, in part, was defined by the embodied experience of time. My analysis of the ancient sources joins a long-standing philosophical and sociological conversation about the category of time and the role of religious rituals in cultivating seemingly natural temporal categories, and also seeks to argue more broadly, on methodological and theoretical grounds, for taking into serious consideration the issues of gender and embodiment in the study of time.

Polytheists in the Ancient Synagogue (New York: Routledge, 1999); and Peter Schäfer, *The Jewish Jesus: How Judaism and Christianity Shaped Each Other* (Princeton: Princeton University Press, 2012).

[18] Here, I invoke Maurice Merleau-Ponty's work on embodiment in his *Phenomenology of Perception* (New York: Routledge, 2002). The study of women and gender in rabbinic literature has become popular in the last few decades, as has attention to the body. For example, see the work of Judith Hauptman, *Rereading the Rabbis: A Woman's Voice* (Westview Press, 1998); Boyarin, *Carnal Israel*; and Charlotte Elisheva Fonrobert, *Menstrual Purity: Rabbinic and Christian Reconstructions of Biblical Gender* (Palo Alto: Stanford University Press, 2000). See also the collection of review essays by David N. Myers, Leon Wieseltier, Daniel Boyarin, Barbara Kirshenblatt-Gimblett, Charlotte Fonrobert, Sharon Gillerman, Elliot R. Wolfson, and Galit Hasan-Rokem published in the *Jewish Quarterly Review* 95.3 (2005) in the special notes section entitled "Overcoming Matter?."

Time in Ancient Judaism: Scholarly Perspectives

In the last few decades, the topic of time in ancient Judaism has become a subject of increasing fascination to a variety of scholars.[19] Though these studies have, thus far, not been treated as a distinct area of inquiry, the recent trend appears to constitute an emerging field in scholarship on ancient Judaism that merits examination in its own right. Here, I bring together these diverse studies on time in ancient Jewish sources and provide an overview of the scholarship in order both to survey previous work on the topic and to place my own project in relation to existing scholarly conversations. I begin with studies of the calendar and then discuss scholarship on other aspects of historical, narrative and legal time in Judaism, categories that are all be addressed in this dissertation.

Calendrical Time

Several studies interested in understanding the function of time in Jewish society have focused on the history of the Jewish calendar. Most attention has been devoted to the second temple period, when the nature of the calendar(s) was a matter of considerable controversy and figured centrally in sectarian debates. These matters occupied the authors of many important texts from the period, including the Astronomical Book, Jubilees, and a significant number of texts from Qumran, including Pesher Habakkuk, the Community Rule, and the Mishmarot texts (among others).[20] The rabbinic calendar, too,

[19] I have limited my review to recently published scholarship, both for the sake of brevity and because it has become a central focus of study in last few decades, though the study of time in Judaism and more generally was popular throughout twentieth century scholarship and a comprehensive bibliography would be endless.

[20] See, for example, James C. VanderKam's *Calendars in the Dead Sea Scrolls: Measuring Time* (London: Routledge, 1998), which also reviews earlier scholarship; Sacha Stern's *Calendar and Community: A History of the Jewish Calendar, 2nd Century BCE to 10th Century CE* (Oxford: Oxford University Press, 2001); idem., "Qumran Calendars: Theory and Practice," in *The Dead Sea Scrolls in their Historical Context* (ed. Timothy W. Lim; Edinburgh: T&T Clark, 2000), 179-186; Menahem Kister, "Studies in 4QMMT and Its World: Law, Theology, Language and Calendar," *Tarbiz* 68 (1999): 360-364; Rachel Elior's discussion of the calendar in *The Three Temples: On the Emergence of Jewish Mysticism* (Oxford:

has been reinvestigated, not only to clarify the calendar's basic features as they are laid out in tractate Rosh Hashanah in the Mishnah, Tosefta, and the two Talmuds, but also to understand the process of the calendar's transformation from an empirical to a fixed calculated calendar during the rabbinic period and the tensions that erupted between different rabbis over who ought to control the calendar.[21] The study of Jewish festivals and their development in relation to the Roman and Christian calendars, as well as of the Sabbath, has provided additional angles through which to analyze the construction and

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Littman Library of Jewish Civilization, 2004); James M. Scott's *On Earth as in Heaven: The Restoration of Sacred Time and Sacred Space in the Book of Jubilees* (Leiden: Brill, 2005); Shemaryahu Talmon's "The Polemics against the Lunar Calendar Year in the Writings of the Community of the Renewed Covenant of Qumran" (Heb.), *Meghillot* 3 (2005): 69-84; idem., "What's in a calendar? Calendar conformity and calendar controversy in ancient Judaism: The case of the 'Community of the Renewed Covenant," in *The Bible and the Dead Sea Scrolls* vol. 2 (ed. James H. Charlesworth; Waco, TX: Baylor University Press, 2007), 25-58, and Henry W. Morisada Rietz's "The Qumran Concept of Time," 203-234 in the same volume; Jean-Claude Dubs' "4Q317 et le role de l'observation de la Pleine Lune pour la determination du temps à Qoumrân," Francis Schmidt's "Le calendrier liturgique des Prières quotidiennes (4Q503)," and David Hamidović's "*Les repartitions des temps*, titre du *Livre des Jubilés* dans les manuscrits de Qoumrân," all in *Le Temps et les Temps dans les literatures juives et chrétiennes au tournant de notre ère* (ed. Christian Grappe & Jean-Claude Ingelaere; Leiden: Brill, 2006), 37-87 and 137-146; Jonathan Ben-Dov's *Head of All Years: Astronomy and Calendars at Qumran in Their Ancient Context* (Leiden: Brill, 2008); and Steven Fraade's article titled "Theory, Practice, and Polemic in Ancient Jewish Calendars," *Diné Israel: Studies in Halakhah and Jewish Law* 26/27 (2009-2010): 147-181. The calendar's dependence on the sun or moon (or both) as well as its precise calculation – and who has the authority to decide such matters – seems to be at the heart of the controversy during the second temple period. A full list of sources relating to the calendar from Qumran, along with their interpretation and contextualization and a detailed review of scholarship about them can be found in VanderKam, *Calendars in the Dead Sea Scrolls*. Almost nothing is known about the calendar per se and the calculation of days, months and years before the second temple period because of a dearth of evidence in biblical sources. See for example Gershon Brin, *The Concept of Time in the Bible and the Dead Sea Scrolls* (Leiden: Brill, 2001), and Licien-Jean Bord's "L'adoption du calendrier babylonien au moment de l'Exil," in *Le Temps et les Temps*, 21-36.

[21] Stern's *Calendar and Community* is the most comprehensive study, but see also idem., "Fictitious calendars: Early Rabbinic Notions of Time, Astronomy, and Reality," *Jewish Quarterly Review* 87.1-2 (1996): 103-129; idem., "Jewish Calendar Reckoning in the Graeco-Roman Cities," in *Jews in the Hellenistic Roman Cities* (ed. John R. Bartlett; New York: Routledge, 2002), 107-116; Jacob Neusner, "Telling time in rabbinic Judaism: correlating the lunar-solar calendar with the lectionary cycle," in *Miscelánea de Estudios Árabes y Hebraicos* 53 (2004): 231-248; and Avraham Walfish, "Literary method of redaction in Mishnah based on tractate Rosh Hashanah" (Heb.; Ph.D. diss., The Hebrew University of Jerusalem, 2001). Earlier work includes Shmuel Safrai, "The Localities of the Sanctification of Lunar Months and the Intercalations of Years in Palestine after 70 CE" (Heb.), Tarbiz 35 (1965): 27-38. See also Rina Talgam's article on depictions of time in synagogue zodiac mosaics in the context of other ancient calendars, "The Zodiac and Helios," 63-80.

meaning of Jewish calendrical time in the period of late antiquity.[22] Most recently, the calendar's function in medieval and early modern Jewish society – in daily life, as the subject of treatises, and as material object – has been examined in light of new understandings of the historical contexts in which it operated.[23] In the medieval period, Jewish exegetes and philosophers such as Abraham bar Hiyya Savasorda, Abraham ibn Ezra, and Moses Maimonides came to regard the calendar as both a document of mathematical-astronomical calculation and a matter of Jewish legal interpretation. The early modern period, when Europe was embroiled in its own calendrical upheavals following Pope Gregory XIII's introduction of the Gregorian calendar and the debates

[22] On the Jewish festival calendar see Joseph Tabory, "Jewish Festivals in Late Antiquity," in *The Cambridge History of Judaism IV* (ed. Steven T. Katz; Cambridge: Cambridge University Press, 2006), 556-572 and idem., *Festivals in the Time of the Mishnah and Talmud* (Heb.; Jerusalem: Magnes Press, 1995). Work on the interaction of the Jewish and Christian calendars, and specifically the transformation of the festivals in the first several centuries CE, has focused on the topic of the construction of time between communities and the function of inter-religious polemic within that process. Some recent examples include: Daniel Stökl Ben Ezra, *The Impact of Yom Kippur on Early Christianity: The Day of Atonement from Second Temple Judaism to the Fifth Century* (Tübingen: Mohr Siebeck, 2003); idem., "An Ancient List of Christian Festivals in *Toledot Yeshu*: Polemics as Indication for Interaction," *Harvard Theological Review* 102:4 (2009): 481-496; idem., "Parody and Polemics on Pentecost: Talmud Yerushalmi Pesahim on Acts 2?" in *Jewish and Christian Liturgy and Worship: New Insights into Its History and Interaction* (ed. Albert Gerhards and Clemens Leonhard; Leiden: Brill, 2007), 279-293; Israel Yuval, *Two Nations in Your Womb: Perceptions of Jews and Christians in Late Antiquity and the Middle Ages* (Berkeley: University of California Press, 2006); Clemens Leonhard, *The Jewish Pesach and the Origins of the Christian Easter: Open Questions in Current Research* (Berlin: de Gruyter, 2006); Elliott Horowitz, *Reckless Rites: Purim and the Legacy of Jewish Violence* (Princeton: Princeton University Press, 2006). The Sabbath and the seven-day week have received some attention as well. See Harold Weiss' *A Day of Gladness: The Sabbath Among Jews and Christians in Antiquity* (Columbia, S.C.: University of South Carolina Press, 2003); Yitchak D. Gilat's "The Sabbath and its Laws in the World of Philo," in *Torah and Wisdom: Studies in Jewish Philosophy, Kabbalah, and Halacha* (ed. Ruth Link-Salinger; New York: Shengold Publishers, 1992), 61-73; Jean Riaud's "Pâque et sabbat dans les Fragments I et V d'Aristobule," in *Le Temps et les Temps*, 107-123; Rivon Krygier's "La transgression du Shabbat comme faire-valoir messianique dans l'Évangile de Jean, au miroir de la literature rabbinique," *Sens* 62.2 (2010): 771-787; and Salzman's "Pagan and Christian Notions of the Week," 185-212.

[23] Elisheva Carlebach, *Palaces of Time: Jewish Calendar and Culture in Early Modern Europe* (Cambridge, Mass.: Harvard University Press, 2011), and Elisheva Baumgarten, "Calendars Shared and Contested: Jewish and Christian Ritual Time in the High Middle Ages" (unpublished).

that ensued throughout the continent, was an era of the popularization of the Jewish calendar and calendar manuals with the advent of print.[24]

Underlying these studies is a shared notion that a calendar reflects a society's collective experience through time. Sacha Stern writes that "calendars represent a process of human cognition, in which the experience of time… is conceptualized, structured and comprehended."[25] Thus "calendars make sense of the dimension of time by imposing a rational, human structure upon it"[26] and, more immediately for Stern, by "facilitat[ing] the co-ordination of events and activities."[27] Building on Stern's formulation, Elisheva Carlebach explains the purpose of a calendar as follows:

> Calendars keep members of a society working in synchrony with one another… [calendars merge] personal time (such as birthdays), sacred communal time (holidays), and civic time (independence days) onto a grid that aligns these measures with natural rhythms and a historical framework. These temporal rhythms define who we are… When deciphered, [calendars] can unravel the questions of how a community viewed its place within the march of time and imposed cultural and religious meaning onto natural rhythms.[28]

For both Stern and Carlebach (as well as for other scholars of the calendar in Jewish and non-Jewish societies), a calendar is a *communal synchronization* of different times into a coherent and meaningful sequence.[29] Daniel Stökl Ben Ezra argues that investigating the

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[24] Ibid., 28-46.
[25] Stern, "Fictitious Calendars," 104.
[26] Ibid.
[27] Sacha Stern, *Time and Process in Ancient Judaism* (Oxford: Littman Library of Jewish Civilization, 2003), 58.
[28] Carlebach, *Palaces of Time*, 1-2.
[29] Similar understandings of this societal function underlie studies of other calendars, ancient and modern. See for example Feeney's *Caesar's Calendar*, which has been influential in my own thinking about the topic; the religious significance of the calendar is explored more directly in his "Time and Calendar," in *The Oxford Handbook of Roman Studies*, 882-894/5. It is not surprising that much work has been done on the Roman calendar, given that it is the basis of the modern western calendar. On the Roman Republican calendar as a communal and cultural artifact, see Jörg Rüpke's *Zeit und Fest: eine Kulturgeschichte des Kalenders* (Munich: Beck, 2006), his *Kalender und Öffentlichkeit: die Geschichte der Repräsentation und religiösen Qualifikation von Zeit in Rom* (Berlin: W. de Gruyter, 1995) and its translation into English, *The*

way a community inflects its sacred times with meaning (especially through its commemoration of festivals) "offer[s] a convenient vantage point from which to analyze collective identities" and "group mentality."[30]

These articulations of a calendar's societal and cultural significance can be traced to studies of time and religion that have emerged in the fields of anthropology, social theory, philosophy, and phenomenology.[31] Emile Durkheim, in *Elementary Forms of*

Roman Calendar from Numa to Constantine: Time, History, and the Fasti (trans. David M. B. Richardson; John Wiley & Sons, 2011). On the Roman festival calendar and its cultural and religious meaning, see Fritz Graf, *Der Lauf des rollenden Jahres: Zeit und Kalender in Rom* (Stuttgart: Teubner, 1997); idem., Fritz Graf, "Feste und Fehden: städtische Feste und der Konflikt der Religionen im spätantiken römischen Reich," in *Chrysostomosbilder in 1600 Jahren* (Berlin: de Gruyter, 2008), 3-22; Mary Beard, "A Complex of Times: No More Sheep on Romulus' Birthday," in *Roman Religion* (ed. Clifford Ando; Edinburgh: Edinburgh University Press, 2003), 273-288; and Anthony T. Grafton and Noel M. Swerdlow, "Calendar Dates and Ominous Days in Ancient Historiography," *Journal of the Warburg and Courtauld Institutes* 51 (1988): 14-42. Salzman's *On Roman Time* explores one specific calendar to access the world of the Christianizing Roman Empire. On time and calendars in the ancient world more generally, see Elias J. Bickerman, *Chronology of the Ancient World* (Ithaca, NY: Cornell University Press, 1968); Ralph M. Rosen, ed., *Time and Temporality in the Ancient World* (Philadelphia: University of Pennsylvania Museum of Archaeology and Anthropology, 2004); Robert Hannah, *Greek and Roman Calendars: Constructions of Time in the Classical World* (London: Duckworth, 2005), and Daryn Lehoux, *Astronomy, Weather, and Calendars in the Ancient World: Parapegmata and Related Texts in Classical and Near Eastern Societies* (New York: Cambridge University Press, 2007); on calendarical calculations and the development of chronology in the medieval period, see Carl Philipp Emanuel Nothaft, *Dating the Passion: The Life of Jesus and the Emergence of Scientific Chronology (200-1600)* (Leiden: Brill, 2011). For a few examples of work on modern calendars, see Matthew John Shaw's study of the French Revolutionary calendar, *Time and the French Revolution, 1789-YearXIV* (Ph.D. diss., University of York, 2000), Eviatar Zerubavel, "The French Republican Calendar: A Case Study in the Sociology of Time," *American Sociological Review* 42 (1977): 868-877. On the study of calendars more generally, see Zerubavel, *Hidden Rhythms*; idem., *The Seven Day Circle: The History and Meaning of the Week* (New York: Free Press, 1985); Leofranc Holford-Strevens, *The History of Time: A Very Short Introduction* (Oxford: Oxford University Press, 2005); Bonnie Blackburn and Leofranc Holford-Strevens, *The Oxford Companion to the Year: An Exploration of Calendar Customs and Time-reckoning* (Oxford: Oxford University Press, 1999); and Edward Graham Richards, *Mapping Time: The Calendar and its History* (Oxford: Oxford University Press, 2000).

[30] Stökl, "An Ancient List," 481. The particular values and anxieties expressed within a calendar differ, of course, depending on the community and the context. In the context of Second Temple Judaism, the calendar was not only a means of coordinating personal with communal time; proper adherence to a calendar signaled a fulfillment of divine decree and a synchrony between earthly and heavenly time (Fraade and VanderKam both emphasize this point). The rabbinic approach to the calendar, in contrast, reveals a new set of values and anxieties. Rather than a preoccupation with synchronizing human and divine time, the rabbis insisted on calendrical uniformity among its community, even at the expense of celebrating festivals on (astronomically – that is, divinely) incorrect days (e.g. *m. Rosh HaShanah* 2:8-9).

[31] My intention here is not to provide a comprehensive survey of the history of calendar studies but to highlight some significant contributions to discussions about the calendar in related disciplines.

Religious Life, argues that "a calendar expresses the rhythm of collective activity."[32] According to Durkheim, the abstract notion of time is impossible to imagine; it is social life (the recurrence of rites, festivals, and public ceremonies) that allows time to be fathomed as the differentiation of moments into measured divisions such as years, months, weeks, days and hours.[33] It follows, then, that studying the particular way in which a society constructs its calendar (that is, the way it differentiates between moments and gives meaning to them) is, ultimately, about gaining access to that society's collective rhythms – as they are imagined and experienced – and the way those temporal rhythms interact with and shape other aspects within and beyond the community.

Durkheim's analysis lays the foundation for the study of the calendar as a product – and thus also a reflection – of a community's values and collective identity. Paul Ricoeur, in *Time and Narrative*, focuses not on the social *origins* of the calendar (in this way, he distinguishes his analysis from Durkheim's), but on the communal *function* of a

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[32] Emile Durkheim, *Elementary Forms of Religious Life*, in Michael Lambeck, *A Reader in the Anthropology of Religion* (Malden, Mass.: Blackwell Publishers, 2002), 34-49.

[33] Durkheim's reflection on the calendar and its role in articulating a collective sense of time is reproduced in full here: "…what if one tried to imagine what the notion of time would be in absence of the methods we use to divide, measure, and express it with objective signs, a time that was not a succession of years, months, weeks, days, and hours? It would be nearly impossible to conceive of. We can conceive of time only if we differentiate between moments. Now, what is the origin of that differentiation? Undoubtedly, states of consciousness that we have already experienced can be reproduced in us in the same order in which they originally occurred; and, in this way, bits of our past become immediate again, even while spontaneously distinguishing themselves from the present. But however important this distinction might be for our private experience, it is far from sufficient to constitute the notion or category of time. The category of time is not simply a partial or complete commemoration of our lived life. It is an abstract and impersonal framework that contains not only our individual existence but also that of humanity. It is like an endless canvas on which all duration is spread out before the mind's eye and on which all possible events are located in relation to points of reference that are fixed and specified. It is not *my time* that is organized in this way; it is time that is conceived of objectively by all men of the same civilization. This by itself is enough to make us begin to see that any such organization would have to be collective. And indeed, observation establishes that these indispensable points, in reference to which all things are arranged temporally, are taken from social life. The division into days, weeks, months, years, etc., corresponds to the recurrence of rites, festivals, and public ceremonies at regular intervals. A calendar expresses the rhythm of collective activity while ensuring that regularity" (Emile Durkheim, *Elementary Forms of Religious Life*; excerpt quotes from Lambek, *Reader*, 38-39).

calendar, which he identifies as the merging of the universal "cosmic" time of the world and the personal "lived" time of the individual.[34] A calendar's narrative mediates between the concrete lived experience of time and the abstract notion of universal time. By grafting an individual's (or a society's) experience of specific moments in time onto the world's continual flow of time, a calendar's function is to "play the role of connectors between" these seemingly contradictory conceptions of time "by making a noteworthy present coincide with an anonymous instant in the axial moment of the calendar."[35] Calendars, along with other narrative devices such as succession lists and archives, thus contribute to figuring historical time and thus also historical consciousness and time consciousness. This aspect of calendars (making sense of multiple realms of time: cosmic, historical, personal), and their societal function, that Ricoeur identifies, is another notion underlying the studies of Jewish calendars discussed above.

Historical Time

For Ricoeur, it is a calendar's narrative quality that makes accessible otherwise contradictory and inaccessible notions of time; other narrative mediums also express a society's ideas about time. Indeed, a second central area in the recent study of Jewish time has been the scholarship on historical consciousness, collective memory and the construction of history. This field of inquiry was triggered most eloquently by the work of historian Yosef Hayim Yerushalmi in his *Zakhor: Jewish History and Jewish*

[34] Paul Ricoeur, *Time and Narrative*, vol. 3 (Chicago: Chicago University Press, 1988). See Ricoeur's insistence on the difference between his analysis of the calendar and those that emerge out of sociology and the history of religions (105-106), and his note specifically on Durkheim (299n.3). A helpful summary of Ricoeur's analysis of calendars can be found in Bernard Dauenhauer and David Pellauer, "Paul Ricoeur," *The Stanford Encyclopedia of Philosophy (Summer 2011 Edition)*, Edward N. Zalta, ed., <http://plato.stanford.edu/archives/sum2011/entries/ricoeur/>.

[35] Ricoeur, *Time and Narrative*, 104.

Memory.[36] Though Yerushalmi's ultimate goal is to understand the emergence of Jewish historiography in the modern period and, as he characterizes it, the lack of interest before the modern period in writing contemporary history, his work focuses on the different ways in which Jews have narrated their pasts and what that reveals about their views of and relationship to "the historical, temporal dimension, of human existence" more generally.[37] For example, he writes of the rabbinic period:

> Unlike the biblical writers the rabbis seem to play with Time as though with an accordion, expanding and collapsing it at will. Where historical specificity is a hallmark of the biblical narratives, here that accurate biblical sense of time and place often gives way to rampant and seemingly unselfconscious anachronism… ordinary barriers of time can be ignored and all the ages placed in an ever-fluid dialogue with one another.[38]

Yerushalmi argues that while the period that produced the biblical texts was deeply engaged with the writing of sacred history, the rabbis of late antiquity held a different sense of time that conflated past, present and future. This temporal fluidity pervades not only their (anachronistic) narratives of biblical events and figures but even more centrally their rituals and liturgy, which Yerushalmi identifies as their primary form of engagement with history, the purpose of which was to make the past repeatedly ever-present. Whether or not Yerushalmi's provocative observations are always accurate (there have been several insightful critiques and revisions since the publication of *Zakhor*, most notably by Amos Funkenstein),[39] his work encouraged others to explore the relationship

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[36] Yosef Hayim Yerushalmi, *Zakhor: Jewish History and Jewish Memory* (Seattle: University of Washington Press, 1982, 2002). See also Arnaldo Momigliano's "Persian Historiography, Greek Historiography, and Jewish Historiography," in idem., *The Classical Foundations of Modern Historiography* (Berkeley: University of California Press, 1990), based on a series of lectures the author gave in the 1960s, and idem., "Time in Ancient Historiography," *History and Theory* 6: "History and the Concept of Time" (1966): 1-23.
[37] Yerushalmi, *Zakhor*, 6.
[38] Ibid., 17.
[39] See for example Amos Funkenstein's "Collective Memory and Historical Consciousness," *History and Memory* 1.1 (1989): 5-26; David N. Myers, "Remembering *Zakhor*: A Super-Commentary," *History and*

between representations of the past and conceptions of time in Judaism, and in particular within rabbinic literature.[40] It is with Yerushalmi's preliminary work in mind, for example, that Isaiah Gafni has investigated rabbinic texts for their explicit comments about the study of the past (the rabbis famously declared, seemingly dismissively, that "what happened, happened!"), historical periodization, conceptions of temporal change and causality in the development of *halakhah*, and the retrojection of rabbinic values into the pre-rabbinic biblical past. While Gafni grants that the rabbis did not engage in classical historiography, he does find that they "possessed a definite sensitivity to differences between past and present, through which they were able to cultivate their own unique historical consciousness," even when they deliberately engage in anachronisms and other time-bending narrative and legal practices.[41] One of the more historically/historiographically-oriented passages in rabbinic literature is the succession list found at the beginning of Mishnah Avot, which presents the chain of transmission of

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Memory 4.2 (1992): 129-146; Robert Chazan, "The Timebound and the Timeless: Medieval Jewish Narration of Events," *History and Memory* 6.1 (1994): 5-34; and the collection of essays in the special issue "Recalling Zakhor: A Quarter-Century's Perspective," *Jewish Quarterly Review* 97.4 (2007), including the short introduction by David N. Meyers, 487-490.

[40] Most persuasive, in my opinion, has been the work of Isaiah Gafni, "Concepts of Periodization and Causality in Talmudic Literature," *Jewish History* 10.1 (1996): 21-38, and idem., "Rabbinic Historiography and Representations of the Past," in *The Cambridge Companion to the Talmud and Rabbinic Literature* (ed. Charlotte Elisheva Fonrobert and Martin S. Jaffee; New York: Cambridge University Press, 2007), 295-312. See also Chaim J. Milikowsky, "*Seder Olam* and Jewish Chronography in the Hellenistic and Roman Periods," *Proceedings of the American Academy for Jewish Research* 52 (1985): 115-139; Jacob Neusner, "Paradigmatic Versus Historical Thinking: The Case of Rabbinic Judaism," *History and Theory* 36 (1997): 353-377; idem., *The Idea of History in Rabbinic Judaism* (Leiden: Brill, 2004); Adam Tropper's "The Fate of Jewish Historiography after the Bible: A New Interpretation," *History and Theory* 43.2 (2004): 179-197; Meir Ben Shahar's, "Biblical and Post-Biblical History in Rabbinic Literature" (Ph.D. diss., The Hebrew University of Jerusalem, 2011). For an example of earlier work on the topic of rabbinic historiography, see Moshe D. Herr, "The Conception of History among the Sages," *Proceedings of the Sixth World Congress of Jewish Studies*, vol. 3 (1976): 129-142. See also Ida Frölich's study of historical consciousness in earlier Jewish antiquity, *Time and Times and half a time*: *Historical Consciousness in the Jewish Literature of the Persian and Hellenistic Eras* (Sheffield: Sheffield Academic Press, 1996); Jeremy Hughes' *Secrets of the Times: Myth and History in Biblical Chronology* (Sheffield: JSOT Press, 1990); Michael O. Wise's "The Time and the Seasons: A Study of the Aramaic Chronograph 4Q559," *Journal for the Study of the Pseudepigrapha* 8.3 (1997): 3-51; and Ben Zion Wacholder, *Essays in Jewish Chronology and Chronography* (New York: Ktav, 1976).

[41] Gafni, "Rabbinic Historiography," 300.

the Torah from Moses all the way to the rabbis, and this literary genre, too, has thus received the attention of those seeking to understand rabbinic attitudes to historical time. Amram Tropper has contextualized the succession list genre within Greco-Roman literary trends and suggested that while the rabbis eschewed contemporary historiography, they were deeply interested in drawing out the intellectual origins of their movement into the distant past. Here, too, identifying the specific interest the rabbis had in the past, Tropper challenges the notion that the rabbis lacked an awareness of, or curiosity about, the passage of time and the figures and events of history. The rabbis were not historians, to be sure, but the condescending consensus that once dominated about their sense of timelessness has been persuasively eroded.

Related to the general work on memory and historical consciousness in Judaism has been interest in the study of both cosmogony and eschatology – that is, in understanding the way in which Jews imagined the beginning and end of time, calculated their chronological distance from and to these two moments or periods, and situated themselves in relation to creation and redemption.[42] For example, Oded Irshai and Lawrence Schiffman juxtapose second temple and rabbinic calculations of the eschaton and expectations of a messiah to gain a better understanding of the way these communities imagined their specific moment in time in the context of more overarching ideas about history and temporal progress. Whereas earlier texts predict an imminent

[42] The literature on creation in ancient Judaism is extremely extensive. For an overview of the rabbinic sources, see Ephraim E. Urbach, *The Sages: Their Concepts and Beliefs* (Jerusalem: Magnes Press, 1975), 184-213. For the medieval period, see Tamar Rudavsky's *Time Matters: Time, Creation, and Cosmology in Medieval Jewish Philosophy* (Albany: State University of New York Press, 2000) and her extensive bibliography.

end, rabbinic texts push off the redemptive period into the distant future.[43] Likewise, Rachel Adelman's work on the early medieval midrash Pirqe de Rabbi Eliezer identifies the reemergence of immanent eschatology in the eighth century. According to Adelman, the midrash employs temporal narrative motifs that connect primordial time to the eschaton – a narrative intertwining of the end of time with the beginning – in order to create a "sense of the ending" and to "express a sense of living in an epoch on the verge of the messianic era."[44] Devorah Dimant observes that in the Qumranic pesharim, biblical prophecies are often applied to contemporary political and religious circumstances even when those very prophecies are said to have already been fulfilled, pointing to another type of temporal flexibility in prophetic exegesis.[45]

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[43] Oded Irshai, "Dating the Eschaton: Jewish and Christian Apocalyptic Calculations in Late Antiquity," in *Apocalyptic Time* (ed. Albert Baumgarten; Leiden: Brill, 2000), 113-153 as well as the other articles in the volume, and Lawrence Schiffman's "Messianism and Apocalypticism in Rabbinic Literature," in *The Cambridge History of Judaism IV*, 1053-1072. Other recent work on eschatology and time in ancient Judaism includes Christophe Mézange's "Josèphe et la fin des temps" in *Le temps et les temps*, 209-230, Lester L. Grabbe's "Eschatology in Philo and Josephus," in *Judaism in Late Antiquity III* (ed. Jacob Neusner, et al; Leiden: Brill, 2001), 163-185, John J. Collin's "The Expectation of the End in the Dead Sea Scrolls," in *Eschatology, Messianism, and the Dead Sea Scrolls* (ed. Craig A. Evans and Peter W. Flint; Grand Rapids, Mich.: Eerdmans, 1997), 74-90, Amos Funkenstein's "A Schedule for the End of the World: The Origins and Persistence of the Apocalyptic Mentality," in *Visions of Apocalypse* (ed. Saul Friedlander; New York: Holmes & Meier, 1985), 44-60, Philippe Gignoux's "Hexaéméron et millénarisme: quelques motifs de comparaison entre Mazdéisme et Judaïsme," *Irano-Judaica* 2 (1990): 72-84; David Hamidović's "L'eschatologie essénienne dans la littérature apocalyptique: temporalités et limites chronologiques," *Revue des Etudes Juives* 169.1-2 (2010): 37-55, the collection of essays in Anders Hultgård and Stig Norin, eds., *Le Jour De Dieu - Der Tag Gottes* (Tübingen: Mohr Siebeck, 2009), and Matthias Henze's *Jewish Apocalypticism in Late First Century Israel: Reading Second Baruch in Context* (Tübingen: Mohr Siebeck, 2011). See also Jacob Licht, "Time and Eschatology in Apocalyptic Literature and in Qumran," *JJS* 16 (1965): 173-182.

[44] Rachel Adelman, "Midrash, Myth, and Bakhtin's Chronotope: The Itinerant Well and the Foundation Stone in *Pirqe de-Rabbi Eliezer*," *Journal of Jewish Thought and Philosophy* (2009): 143-176 (quote on 144), and idem., "The Poetics of Time and Space in the Midrashic Narrative – the Case of Pirqe de Rabbi Eliezer" (Ph.D. diss., The Hebrew University of Jerusalem, 2008).

[45] Devorah Dimant, "Temps, Torah et prophétie à Qoumrân," in *Le Temps et les Temps*, 147-167, and idem., "Exegesis and Time in the Pesharim from Qumran," *Revue des Études Juives* 168.3-4 (2009): 373-393.

Qualities of Time

Recognizing the diversity of temporal models within these ancient sources, several recent monographs have revisited much older scholarship that claimed that Jews did not have an abstract sense of time, or that sought to categorize the view of Jewish time as either cyclical or linear, mythical or historical. The original scholarly impulse to identify a uniquely Jewish time (or a lack of a sense of time altogether) emerged out of modern racial, anthropological, linguistic and theological discourse that characterized the view of biblical Jewish time in contrast to Greek, Roman, Christian, Indo-European or other conceptions of time and history.[46] Because of the lack of outright discussion about the nature of time in biblical sources, scholars mainly analyzed terminology related to time (terms such as *moed, zeman, olam, yom, rega, qetz, aharit, qedem, dor*) and the tenses of Hebrew verbs for clues about an underlying temporality, and used etymologies and anthropological models to characterize biblical time as lacking chronological and conceptual sophistication. There were also those who, while challenging the notion that Judaism lacked a sense of abstract time altogether or that denied Judaism a sense of historical time, nonetheless presented Jewish time in essentialist terms. Mircea Eliade

[46] For examples of this trend in scholarship, see James Muilenburg, "The Biblical View of Time," *Harvard Theological Review* 54 (1961): 225-252; Gerhard von Rad, *Theologie des Alten Testaments* vol. 2 (Munich: C. Kaiser, 1968); John R. Wilch, *Time and Event: an exegetical study of the use of 'eth in the Old Testament in comparison to other temporal expressions in clarification of the concept of time* (Leiden: Brill, 1969). Momigliano provides a more comprehensive overview of this earlier scholarship in "Time in Ancient Historiography," *History and Theory* 6.6 (1966): 1-23, for which see his extensive notes. See also Menachem Kasher's "The Concept of Time in Scripture and the Early Rabbis," *Talpiot* 5 (1952): 799-827, and the more recent work on time in the Hebrew Bible done by S. J. De Vries, *Yesterday, Today and Tomorrow: Time and History in the Old Testament* (Grand Rapids, Mich.: Eerdmans, 1975), Shemaryahu Talmon, "The Reckoning of the Day in the Biblical and Early Post-Biblical Periods: From the Morning or From the Evening?" (Heb.), in *Sara Kamin Memorial Volume* (ed. Sara Japhet; Jerusalem: Magnes Press, 1994), 109-129, Michael V. Fox's "Time in Qohelet's 'Catalogue of Times,'" *Journal of Northwest Semitic Languages* 24 (1998): 25-39, and Brian Peckham, "History and Time," in *Ki Baruch Hu: B.A. Levine Jubilee Volume* (ed. Robert Chazan, W.W. Hallo, and Lawrence H. Schiffman; Winona Lake: Eisenbrauns, 1999), 295-314.

and Sigmund Mowinckel, for example, represent scholars who emphasized the linear conception of Judaism above its cyclical or mythic tendencies (there were others who took opposite positions, as well).[47] They developed temporal models of religious traditions based on distinctions they made between mythic (usually cyclical and invoking an originary, primordial moment) and historical (usually linear and forward-thinking) time. Judaism, for Eliade, was premised primarily on a teleological, historical orientation that celebrated God's power in past historical moments rather than in a cosmological, mythic *urzeit*, which Eliade considered more "primitive" (Eliade did leave some room for mythical conceptions of time in Jewish eschatological and messianic expectation). Mowinckel, on the other hand, identified Jewish cultic festivals as an evocation of both mythic and historical time in light of an anticipated eschatological end: festivals were reenactments simultaneously of the time of mythical origins and other significant moments in the historical Jewish past, such as the Exodus.

In the 1960s, James Barr and Arnaldo Momigliano critiqued methodologies and conclusions that posited an absence of an abstract or singular sense of time in the Hebrew Bible, arguing that when the Bible's vocabulary and form are analyzed in context, a far different picture emerges that is temporally complex.[48] For Momigliano especially, ancient Jewish sources could not be reduced to either linear or cyclical.[49] In a study

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[47] Mircea Eliade, *Cosmos and History: The Myth of Eternal Return* (trans. Willard R. Trask; New York: Harper Torchbooks, 1954), and idem., *The Sacred and Profane: The Nature of Religion* (trans. Willard R. Trask; Orlando: Harcourt, 1959), 68-113. See Jeffrey Rubenstein's "Mythic Time and the Festival Cycle," *The Journal of Jewish Thought and Philosophy* 6 (1997): 157-183, in which he explores the work of Eliade and Mowinckel at length and adds his own revisions, based on rabbinic sources, to their earlier ideas.

[48] James Barr, *Biblical Words for Time* (London: SCM Press, 1962), and Momigliano, "Time in Ancient Historiography," 1-23. See also André Neher, "The View of Time and History in Jewish Culture," in *Cultures and Time* (ed. Louis Gardet; Paris: The Unesco Press, 1976): 149-168.

[49] He writes, of attempts to claim the absence of an anticipated future because of the Hebrew Bible's lack of a future tense: "If it is implied that the absence of a future tense prevented the Jews from developing a proper historical sense, and therefore a historiography, the facts are the best answer. There is a Jewish

specifically aimed at reevaluating older models of Jewish time based on a close reading of rabbinic sources, Jeffrey Rubenstein emphasized the temporal-mythic elements embedded in rabbinic descriptions of festivals that have typically been interpreted for their historical orientation. Rubenstein concludes that the annual re-enactment of festivals, as they are presented in rabbinic sources, intricately interweaves archetypal and paradigmatic mythic themes into a historical axis of past events. For him, mythic and historical temporal frameworks coexist simultaneously within rabbinic Judaism. More recent scholarship on time in Judaism – Gershon Brin, P. Steensgaard, Sylvie Anne Goldberg, Tamar Rudavsky – has further resisted essentializing the idea of "Jewish time" and has emphasized, instead, the existence of multiple modes of temporality within Judaism.[50] Rudavsky writes, for instance, that "what we have then is a model of time that transcends simple binary dualism, that recognizes that temporality can be construed as both linear and cyclic in one and the same textual tradition,"[51] and Goldberg, too, highlights the different, though ultimately intertwined, senses of time in Judaism. This most recent wave of scholarship has also stressed the relationship and interrelationship of Jewish conceptions of time to the temporal conceptions of their neighbors (even when a

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historiography. But one wonders about the very logic of such an inference. Absence of a clear notion of the future should be a hindrance to thoughts about the Messiah, not about past events. On such premises, it was really for the Jews to have a Herodotus, and for the Greeks to hope in the Messiah" ("Time in Ancient Historiography," 6).

[50] Gershon Brin's *The Concept of Time in the Bible and the Dead Sea Scrolls* is a study of biblical and Qumranic terminology related to time, which is reminiscent of the subject-matter of the older wave of scholarship despite its different agenda and conclusions. See also P. Steensgaard, "Time in Judaism," in *Religion and Time* (ed. Anindita Niyogi Balslev, et al.; Leiden: Brill, 1993), 63-108; Sylvie Anne Goldberg's two-volume work *La Clepsydre* (Paris: Albin Michel, 2000, 2004), and her related articles, "Questions of Time: Conflicting Time Scales in Historical Perspective," *Jewish History* 14. 3 (2000): 267-286, and "In the Path of our Fathers: On Tradition and Time from Jerusalem to Babylonia and Beyond," in *Jewish Studies at the Crossroads of Anthropology and History: Authority, Diaspora, Tradition* (ed. Ra'anan S. Boustan, Oren Kosansky and Marina Rustow; Philadelphia: University of Pennsylvania Press, 2011); and Rudavsky, *Time Matters*.

[51] Rudavsky, *Time Matters*, 4.

deliberate distinction is made between Jewish and other time), rather than simply the stark and exaggerated contrasts emphasized by older works.

Notably, Sacha Stern, in *Time and Process in Ancient Judaism*, notices that ancient Jews (with the exception of those influenced by Greek philosophy, such as Philo) make no reference to an abstract concept of time, and thus argues that, in fact, they did not know of a time-dimension at all. Rather, they related to time and duration exclusively in terms of concrete natural and human events and processes, such as the rotation of the sun, the waxing and waning of the moon, the time it takes to complete a specific task, and so on. Stern, basing his analysis on close-readings of the texts coupled with ethnographic anthropological theories about time in non-modern societies, writes that "the concept of time as an entity *per se* was alien to the ancient Jewish world-view. Reality was conceived only as a series of discrete events and processes."[52] Stern further contends that though "the Jews of late antiquity lived within a dominantly Graeco-Roman culture, their world-view appears to have been little affected by it. Jewish literature in Hebrew and Aramaic, in particular, suggests that the concept of time as an entity in itself remained unknown to Near Eastern Jews."[53] Though this dissertation does not focus on whether the rabbis had an abstract idea of time, along the way I study a variety of topics that suggest a different view from Stern's. Rabbinic discussions of eschatology, which I address in Chapter 6, for instance, indicate that the rabbis indeed thought about the flow of time even if they did not philosophize about the concept of time per se. Nonetheless, Stern's work reminds us that the abstract Greek notion of *chronos* was not the primary conception of time among the rabbis.

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[52] Stern, *Time and Process in Ancient Judaism*, 124.
[53] Stern, *Time and Process in Ancient Judaism*, 124.

An important contribution of Stern's work is his analysis of timing and time-reckoning in rabbinic *halakhah*.[54] Stern highlights the centrality of proper timing in rabbinic law, and identifies the specific metaphors and time-markers used in rabbinic sources to establish appropriate times for ritual activities such as prayer, Sabbath observance, and sacrifice.[55] In these countless instances in which the rabbis discuss ritual timing, time becomes a legal category in need of definition and clarification (for instance, what do the terms "morning" and "evening" indicate in terms of temporal parameters, or how does one measure an "hour" (*sha'a*) or a "moment" (*rega'*)?). Stern's main objective is to prove that such discussions are efforts at synchronization and coordination between different processes (e.g. coordinating the recitation of a prayer with the rising of the sun) and do not indicate an awareness of an abstract scale of time. While proving the absence of an awareness seems to be a methodological impossibility, much is learned in the process by considering the variety of ways that the rabbis denote timing and considering what these reveal about the role the rabbis assign to time in the construction and practice of *halakhah*.

Surprisingly, despite the extensive and growing literature about time in Judaism, little attention has been devoted to explaining the function of time in the construction of rabbinic law and ritual.[56] This is the task of my dissertation: carefully to analyze rabbinic sources in which time (abstract or not) is central and, in the context of what is known

[54] Stern, *Time and Process in Ancient Judaism*, 46-58.
[55] Ellen Robbins also touches on the relationship between timing and the regularity of rituals in "Time-telling in Ritual and Myth," in *The Journal of Jewish Thought and Philosophy* 6 (1997): 71-88, but her focus is on the incorporation of mythic meaning into Jewish temporal practices, and Nissan Rubin's *Time and Life Cycle in Talmud and Midrash: Socio-Anthropological Perspectives* (Brighton, Mass.: Academic Studies Press, 2008) is a study of life-cycle events in Judaism rather than more regular rituals.
[56] A notable recent study is Lynn Kaye, "Law and Temporality in Bavli *Mo'ed*," (Ph.D. diss., New York University, 2012).

about both rabbinic and neighboring societies, to inquire into the social implications of the approach to time exhibited in these legal discussions and narrative passages. By studying the intersection of calendrical time, historical time, daily ritual time, and narrative time, which are usually studied in separate enterprises, I hope that my analysis of the sources contributes to the mapping of the rabbis' temporal world and to our understanding of the rabbis' culture and *weltanschauung* in the first few centuries of the common era.

PART I: BETWEEN ROMAN AND RABBINIC TIME

> *Should we make no alteration in our daily habits, or should we take off our togas… and have dinner parties with a note of gaiety about them, to avoid giving the impression that we disagree with the ways of those around us? If I know you as well as I think I do and you had to give a decision in the matter, you would say that we should be neither altogether like nor altogether unlike the festive-hatted crowd. But perhaps this is the very season when we should be keeping the soul under strict control, making it unique in abstaining from pleasure just when the crowd are all on pleasure bent.*
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> *- Seneca, 18th Letter to Lucilius, about participating in the Saturnalia*[1]

In a late rabbinic commentary on the Book of Deuteronomy, a Roman pagan asks Rabbi Yohanan ben Zakkai, the mythologized founder of rabbinic Judaism: "we have our festivals and you have your festivals, we have Kalends, Saturnalia, and Kratesis, and you have Passover, Pentecost, and Tabernacles; on which day are we and you both happy?"[2] The parallelism in the idol-worshipper's phrasing of his question in this passage suggests an implied commensurability between the pagan and Jewish holidays, one that forcefully stresses the contrast between the days. And yet that these festivals are presented as equivalent days of celebration also suggests that they were similar enough that such comparison made sense. The rabbi answers his interlocutor by assuring him that there is a shared time of joy: "The day on which the rain falls!" This dialogue, though constructed as a conversation between a rabbi and a Roman polytheist, was, of course, written by rabbis and reflects the rabbinic struggle with the reality of living in a non-Jewish society, with gentile neighbors whose time was dictated by a different set of sacred days.[3] On the one hand, the rabbinic author

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[1] Translation by Robin Campbell in *Letters from a Stoic: Epistulae Morales ad Lucilium* (London: Penguin, 1969), 66.

[2] *Deut. Rab.* 7:7. For the Hebrew text, see Saul Lieberman, *Midrash Devarim Rabbah* (Heb.; Jerusalem: Yahorimin, 1964), 110-111. I use the terms "gentile" and "idolater/idol-worshipper" interchangeably here, as the rabbinic texts seem to conflate the two categories.

[3] On the function of the dialogue between rabbis and non-rabbinic figures in rabbinic sources, see Christine Hayes, "Displaced Self-Perceptions: The Deployment of *Minim* and Romans in *B. Sanhedrin* 90b-91a," in

of this fictive dialogue reinforces the division between Jews and their neighbors through their different calendars. But, on the other hand, the author imagines there to be a time of celebration that might have been shared with the Jews' gentile contemporaries. In this particular case, he imagines the mutual celebration of a day of rain, a time of natural bounty, when both Jews and gentiles would benefit equally.

The following three chapters explore the synchronization and differentiation of rabbinic and Roman time, and center in particular on the incorporation of the Roman calendar into rabbinic texts and on the integration of the Jewish seven-day week into the Roman calendar. The idol-worshipper's question in the midrashic dialogue is based on a list of Roman festivals identified in the first chapter of Mishnah Avodah Zarah. It was on these days that the rabbis prohibited participation in Roman festivals, even in the non-cultic commercial activities that surrounded them. While the mishnaic tractate as a whole is devoted to outlining an array of laws that sought to limit interactions between Jews and gentiles and that were designed to erect communal boundaries, the first section of the tractate specifically addresses the *times* when and the circumstances in which Jews were not allowed to interact commercially with gentiles. What were the temporal dynamics created by the laws that the rabbis instituted in the Mishnah? How did subsequent teachings from the tannaitic and amoraic periods elaborate upon and modify earlier ones?

Our contemporary temporal framework – our calendar of months and weeks – is a blend of the Roman succession of months, the Jewish (and later Christian) system of

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Religious and Ethnic Communities in Later Roman Palestine (ed. Hayim Lapin; Bethesda, Md.: University Press of Maryland, 1998), 249-289, and Sarit Kattan Gribetz and Moulie Vidas, "Rabbis and Others in Conversation," *Jewish Studies Quarterly* 19.2 (2012): 91-103. Of course by the time of *Deuteronomy Rabbah*'s composition, the rabbis' neighbors were no longer Roman polytheists, so the so-called pagan in this dialogue stands in for the category of "gentile" more broadly. Another dialogue in this midrash (*Deut Rab* 1:21), between God and Moses, expresses rabbinic anxiety surrounding the gentile observance of the Sabbath, yet another merging of Jewish and gentile time discussed at length in Chapter 3.

weeks, and the planetary week.[4] What has become a unified, seemingly coherent system is actually the shared heritage of three different ancient systems. The Roman Julian calendar, reformed in 46 B.C.E., is the basis of the Gregorian calendar, which remains the dominant civil calendar in many parts of the world. The nundial cycle, the nine-day market cycle that was integral to the Roman calendar during late antiquity, however, was eventually replaced by two seven-day weekly cycles: that from Jewish and Christian traditions rooted in the Hebrew Bible, and the simultaneously popularized planetary week that originated during the Hellenistic period, likely in Alexandrian astrological circles.[5] In 321 C.E., the emperor Constantine officially established Sunday as a Holy Day and accepted the accompanying seven-day week, which had gained increasing traction in the preceding decades. It remains in use to this day.

In the pre-Constantinian era, these two frameworks – the Roman and the rabbinic – were at odds, defining different communities that, at times, regarded their calendars as mutually exclusive. These chapters focus on texts from this early period, before time as we now know it. Prior to the merging of these systems, what were the challenges of and the strategies employed by a group of people who had their own system of time and yet who lived within an empire that had a different system of time? What might it have meant to live between two calendars? By analyzing various moments of contact between the Roman and Jewish calendars, these chapters illuminate what was at stake both in the differentiation of the two systems and, ultimately, in their synchronization.

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[4] See the overview of the two weekly systems in Zerubavel, *The Seven Day Circle*, 5-26, and Holford-Strevens, *The History of Time*, 64-71.

[5] The nundial cycle consisted of eight days (indicated in Roman calendars with the letters "A-H") but was counted inclusively by Romans, such that the first day "A" was counted both at the beginning and end, resulting in a total of nine days (and hence the term "nundial") according to Roman reckoning. Feeney, *Caesar's Calendar*, 184, and Agnes Kirsopp Michels, *The Calendar of the Roman Republic* (Princeton: Princeton University Press, 1967), 84-89.

In chapter 1, I will argue that, ironically, by trying so deliberately to separate from observing the Roman calendar and formulating laws intended to limit interactions between Romans and Jews on certain calendar days, the rabbis of the Mishnah actually integrated the rhythms of the Roman calendar into their own daily lives, embedding Roman time into the Jewish calendar. According to rabbinic law, Jews no longer needed to pay attention only to their own calendar, but also vigilantly to avoid the sacred days on the Roman calendar! True, the rabbis urged scrupulous avoidance and abstention from – rather than participation in – Roman festivals. However, as we shall see, both abstaining or participating had the effect of mapping the Roman festival calendar onto the rabbinic calendar in different ways and, as a result, merging Roman with rabbinic time.

In chapter 2, I will demonstrate how the Roman calendar became integrated into the Jewish calendar not only through the formulation of rabbinic laws intended to limit interactions between Romans and Jews on certain calendar days, but also through the Judaization of the Roman calendar in the rabbinic imagination. The rabbis explicitly ban economic interaction and deride social engagement between idolaters and Jews, yet, in the Palestinian and Babylonian Talmuds, the origin and history of Roman festivals are also presented as Jewish or biblical at their core. These talmudic texts place biblical figures, and in one case the Torah itself, at the center of the origin narratives of the Roman holidays. Through these later rabbinic eyes, then, the Roman calendar was filled with days that had Jewish stories – and indeed a long Jewish past – attached to them, even as they maintained cautious distance from them. These sources illuminate just how integral Roman time (or the memory of such time) was for the rabbis – a grave threat from which the rabbis sought to protect and distance their community, and so pervasive

in the rabbis' environment that they sought at times to Judaize the Roman calendar. It is this paradox that the following chapters explore.

Roman perspectives on Jewish rhythms of time also betray ambivalence, especially in the lively debates about the adoption of the seven-day week in the Roman Empire, which is the subject of chapter 3. Many regarded negatively the Jewish division of time into weekly cycles, even as it was gradually – and perhaps unwittingly – being incorporated into the Roman calendar. In this chapter, I thus turn to Roman and Jewish texts that remark upon this transition and explore the reciprocal mapping of the Jewish week back onto the Roman division of time. Of particular discomfort was the Jewish abstention from work on the Sabbath, a practice that some non-Jews within the empire began following despite criticism that resting every seventh day epitomized idleness and was an ill use of one's time.

Scholars have stressed just how little we know about ancient Jewish life, given that our primary sources are texts that were produced by rabbis who were not necessarily representative of Jews more broadly.[6] Thus, in my analysis here, I generally refer to 'rabbinic' texts and to 'rabbis' as agents, but to the target of their interests and prescriptions as 'Jews' and the 'Jewish' calendar, as the rabbis' ambitions (if not their actual authority or influence) extended beyond their own limited circles to the entirety of

[6] E.g. E.R. Goodenough, *Jewish Symbols in the Greco-Roman Period*, I-XIII (New York: Pantheon Books, 1953-1968); Shaye J.D. Cohen, "Epigraphical Rabbis," *Jewish Quarterly Review* 72 (1981): 1-17; Seth Schwartz, *Imperialism and Jewish Society 200 B.C.E. to 640 C.E.* (Princeton: Princeton University Press, 2001); Hayim Lapin, "Epigraphical Rabbis: A Reconsideration," *Jewish Quarterly Review* 101 (2011): 311-346. Most recently, see Seth Schwartz, "Was there a 'Common Judaism' after the Destruction?" in *Envisioning Judaism: Studies in Honor of Peter Schäfer on the Occasion of his Seventieth Birthday* (ed. Ra'anan S. Boustan, Klaus Herrmann, Reimund Leicht, Annette Yoshiko Reed, and Giuseppe Veltri; Tübingen: Mohr Siebeck, 2013), I:3-21, who write that "rabbinic laws, of whatever era, have the evidentiary drawback of being laws, that is prescriptive rather than descriptive; and rabbinic stories or cases or statements about what 'Israel' does or does not do… raise questions about typicality, just like any anecdote, even if we assume their reliability… Whenever we have only rabbinic evidence, we simply cannot know the relationship between it and 'common' Jewish practice, if any" (6-7).

the Jewish community. In a similar vein, when I refer to the adjective "Roman" or the noun "Romans," it is in recognition of the diverse and evolving cultural markers that these terms encompass in their fullest sense.[7] I also employ the more controversial term "pagan" as short-hand for non-Jewish and non-Christian Romans from whose cultic practices the rabbis sought to distance themselves despite the term's negative connotations and historical inaccuracy, to capture the charged distinctions the rabbis try to create between themselves and others. When appropriate, I use the rabbis' own (derogatory) term for this group, idol-worshippers (literally 'worshippers of foreign worship,' a mouthful!) or idolators, and at other times I refer to them as polytheists (despite the problems associated with this designation as well).

In his study of the Roman calendar, Denis Feeney has suggested that the calendar, especially after Caesar's reform, "progressively redefined the meaning of what living as a Roman now meant, capitalizing on the *fasti*'s age-old function as a vehicle for representing Roman ideology and identity."[8] The Roman calendar, Feeney argues, "itself continued to be a distinctive marker of Romanness… a context for apprehending and exploring Roman identity."[9] Sacha Stern has recently urged scholars to think of the rabbis' calendar as a "form of subculture" in the context of the Roman Empire and "an expression of political subversion and dissidence."[10] Stern observes that, surprisingly, the rabbinic tendency towards the fixation and standardization of the Jewish calendar in this period can be explained, at least in part,

[7] This point is forcefully made throughout Greg Woolf, *Becoming Roman: The Origins of Provincial Civilization in Gaul* (Cambridge: Cambridge University Press, 1998).
[8] Feeney, *Caesar's Calendar*, 890.
[9] Feeney, *Caesar's Calendar*, 892.
[10] Sacha Stern, *Calendars in Antiquity: Empires, States, and Societies* (Oxford: Oxford University Press, 2012), 299-354. On the development of the Jewish calendar from the second temple to the geonic periods, see Stern, *Calendar and Community*.

in tandem with and as a consequence of the Julian calendar's fixedness (similar developments occur in the transformations of the Gallic calendar under Roman influence, too).[11] Thus, Stern concludes that "in spite of their dissidence or perhaps because of it, these subcultural calendars," namely the rabbinic and other contemporaneous lunar and lunar-solar calendars, "joined in the historical trend of the official calendars of the great empires by proceeding towards increasing schematization, formalization, and fixation."[12] In his analysis of the sources, Stern traces the parallel developments of these calendrical traditions and the influence of imperial calendrical sensibilities on the calendars of minority communities within their midst. In what follows, I build on Feeney's reading of the Roman calendar as an expression of Roman identity and I expand on Stern's work on calendrical multiplicity within the empire by examining another facet of this calendrical pluralism: the integration of one calendar into the other, and the merging of two seemingly disparate identities through temporal synchronization and differentiation.

Throughout these chapters, I also draw on previous scholarship on tractate Avodah Zarah and the larger topic of rabbinic negotiations with surrounding cultural forces. Scholars have dissected the rabbinic sources to shed light on what rabbis knew about Roman practices and customs,[13] their attitudes towards these rites and their

[11] Stern, *Calendars in Antiquity*, 299.
[12] Stern, *Calendars in Antiquity*, 300.
[13] E.g. Mireille Hadas-Lebel, "Le paganism à travers les sources rabbiniques des IIe et IIIe siècles," *Aufstieg und Niedergang der Römischen Welt* II 19.2 (Berlin and New York: de Gruyter, 1979): 397-485 and idem., *Jerusalem Against Rome* (Leuven: Peeters, 2005), 358-359; Guiseppe Veltri, "Romische Religion an der Peripherie des Reiches. Ein Kapitel rabbinischer Rhetorik," in *The Talmud Yerushalmi and Graeco-Roman Culture II* (eds. Peter Schäfer and C. Hezser; Tübingen: Mohr Siebeck, 2000), 81-132; Fritz Graf, "Roman Festivals in Syria Palaestina," in *The Talmud Yerushalmi and Graeco-Roman Culture III* (ed. Peter Schäfer; Tübingen: Mohr Siebeck, 2002), 135-151; and Emmanuel Friedheim, *Rabbinisme et Paganisme en Palestine romaine: Étude historique des Realia talmudiques (Ier-IVème siècles)* (RGRW 157; Leiden: Brill, 2006).

histories,[14] and how they constructed and developed their interpretive strategies and legal discourses surrounding Jewish-gentile interaction.[15] While a first stage of scholarship on rabbinic discussions of the Romans assembled such texts to discern what the rabbis knew of Roman religion, culture, and society, Peter Schäfer has shifted the focus of such study to what we might "learn about the way that our Rabbis did not simply mention this or that detail about the surrounding pagan culture, but used it, reflected upon it, digested it."[16] Here, I follow Schäfer in focusing on the way that the rabbis contended with competing religious ideas and rituals, though I am somewhat more optimistic in my assessment of what we might be able to recover. Schäfer concludes that the rabbis of the Palestinian Talmud "obviously knew something about some Roman festivals… and yet they do not enter into a discourse with their pagan neighbors about the nature of holy times that shapes their own understanding of festivals, let alone that of their neighbors."[17] Building on Schäfer's work, I will suggest that, though the rabbis might not directly participate in a discourse about sacred time and festivals *with* others, in their attempts to distance themselves from Roman culture and its times, the rabbis became deeply shaped by their engagement with it.

In their introduction to *Jews, Christians, and the Roman Empire*, Natalie Dohrmann and Annette Reed write about a paradigm shift in studies about Jews within the Roman Empire that resists "romantic narratives about dramatic difference" and that

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[14] Peter Schäfer, "Jews and Gentiles in Yerushalmi Avodah Zarah," in *The Talmud Yerushalmi and Graeco-Roman Culture III* (ed. Peter Schäfer; Tübingen: Mohr Siebeck, 2002), 336-352.
[15] E.g. Gerald Blidstein, "Rabbinic Legislation on Idolatry: Tractate Abodah Zarah, Chapter 1" (Ph.D. diss., Yeshiva University, 1968); Christine Hayes, *Between the Babylonian and Palestinian Talmuds: Accounting for Halakhic Difference in Selected Sugyot from Tractate Avodah Zarah* (Oxford: Oxford University Press, 1997); Alyssa Gray, *A Talmud in Exile: The Influence of Yerushalmi Avodah Zarah On the Formation of Bavli Avodah Zarah* (Providence, RI: Brown Judaic Studies, 2005).
[16] Schäfer, "Jews and Gentiles in Yerushalmi Avodah Zarah," 336.
[17] Schäfer, "Jews and Gentiles in Yerushalmi Avodah Zarah," 351.

mines ancient Jewish sources, instead, for "ambivalences and asymmetries, ironies and reversals, differences predicated on similarity and similarities predicated on difference."[18] They argue that focusing on these nuances and attempting "to make sense of the simultaneous Romanness and Jewishness of ancient Jews in the Roman Empire"[19] can "reveal some of the telling tensions that Romanness could produce for Jewishness and Christianness."[20] This study engages with these very themes and trends. My analysis illuminates the complicated relationship that rabbis had with Romanness as I examine the way in which they grappled with one aspect of Roman culture – its calendar. I take seriously Hayim Lapin's claim that the rabbis *were* Roman, as the title of his book, *Rabbis as Romans*, boldly asserts.[21] Lapin writes that the rabbis of Palestine are "best understood as shaping their texts and their religious, social, and political stances as Roman provincials."[22] Living in provincial Palestine, rabbis participated in the life of the empire and even their seemingly insular writings reflect the degree to which they were

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[18] Natalie B. Dohrmann and Annette Yoshiko Reed, "Rethinking Romanness, Provincializing Christendom," in *Jews, Christians, and the Roman Empire: The Poetics of Power in Late Antiquity* (ed. Natalie B. Dohrmann and Annette Yoshiko Reed; Philadelphia: University of Pennsylvania Press, 2013), 3.
[19] Ibid., 2.
[20] Ibid., 3-4. Writing of the persecution of Christians in the third and fourth centuries, Jeremy M. Schott emphasizes the blurring of boundaries between "Christianness" and "Romanness" as well, though of course the Christian case is in many ways different from that of the rabbis within the same empire: "Yet while they seemed almost completely antithetical to Rome, Christians could also appear very Roman. Many Christians spoke and thought in Greek and Latin, the two imperial *koinai*, shared the same civic spaces, and even espoused, at least ostensibly, the same desire for the preservation of the empire. Christians could speak of themselves as Romans" (*Christianity, Empire, and the Making of Religion in Late Antiquity* [Philadelphia: University of Pennsylvania Press, 2008], 1).
[21] Hayim Lapin, *Rabbis as Romans: The Rabbinic Movement in Palestine, 100-400 CE* (New York: Oxford University Press, 2012). Woolf's work on Gaul is a good comparative (though not identical) model as well. Of the "Romanness" of the Gauls, Woolf writes: "The spread of Roman style, right down to the most basic tableware, shows that even the poorest had learned to be impoverished in a Roman manner" (*Becoming Roman*, 206). Moreover, Woolf writes that "A more pragmatic approach [than measuring the '*romanitas*' of Gallo-Roman cults] is to ask what impact Roman imperial institutions and ideas had on the religious dimensions of iron age culture, and how this encounter influenced the ways in which Gallo-Romans came to approach the divine and to make sense of their world in relation to it" (208-209). Michael Kulikowski succinctly summarizes Woolf's larger argument that "becoming Roman did not mean adopting in whole or in part a single readymade Roman culture, but rather gaining the cultural competence necessary to take part in the process of deciding what that Roman culture actually was" (BMCR 1999.02.09).
[22] Lapin, *Rabbis as Romans*, 1.

integrated and embedded within it. At the same time, in order to highlight the complexities of rabbinic engagement with Roman time, we necessarily must speak of rabbis and their culture, on the one hand, and Romans and their culture, on the other, even as we recognize that we do so largely heuristically, that in certain instances the two were separate while at others they were deeply intertwined. Taking Dohrmann and Reed's charge seriously, I mine the complexities of these overlapping identities and how they might have functioned, rather than merely pointing out occasions of difference and similarity.

THE MISHNAH AND THE ROMAN CALENDAR:

DIFFERENTIATION AND SYNCHRONIZATION

Festivals and the Times of Restricted Exchange

The Mishnah's tractate on idolatry begins as follows:

> On the three days preceding the festivals of the idolaters, it is forbidden to transact business with them, to lend articles to them or borrow any [articles] from them, to advance, or receive any money from them, to repay a debt, or receive payment from them. R. Judah says: we should receive repayment from them, as this can only depress them, but [the rabbis] said to him: even though it is depressing at the time, they are glad of it subsequently…[1]

The rabbis do not explicitly prohibit *participation* in Roman festivals – that such participation is forbidden is presupposed throughout the tractate.[2] Rather, their concerns are one step removed: the rabbis attempt to prohibit any actions that might lead, even inadvertently, to indirect worship of pagan gods. In these first few lines, therefore, the Mishnah prohibits various types of business interactions between a Jew and an idolater in the time preceding a Roman festival: buying and selling, lending and borrowing, and repaying loans. According to R. Judah, a Jew is prohibited from

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[1] *m. Avodah Zarah* 1:1, 3. For a critical edition of the Hebrew text, see David Rosenthal, "Mishnah Avodah Zarah: A Critical Edition and Introduction" (Ph.D. diss., The Hebrew University of Jerusalem, 1980), 58-59. See also *t. Avodah Zarah* 1:3. Translation from *The Babylonian Talmud: Seder Nezikin*, vol. IV (trans. Isidore Epstein; London: Soncino Press, 1935), 36.

[2] In addition to biblical sources that forbid idolatrous practices, there are a number of texts from the second temple period that express similar anxieties about the celebration of gentile festivals. See e.g. *Jub.* 6:34-35 ("And all the sons of Israel will forget, and they will not find the way of the years. And they will forget the new moons and (appointed) times and the Sabbaths… lest they forget the feasts of the covenant and walk in the feasts of the gentiles, after their errors and after their ignorance") and a section of a Pesher on Hosea 2:13 from Qumran, 4QPHosea 2:15-17 (to what festivals these passages refer is unclear, as the most immediate context for these texts is an *intra*-Jewish calendrical dispute and yet they are unique in their references to the threat of celebrating specifically *gentile* festivals). On these passages, see Moshe J. Bernstein, "'Walking in the Festivals of the Gentiles' 4Qphosea a 2.15-17 and Jubilees 6.34-38," in *Journal for the Study of the Pseudepigrapha* 5.21 (1991): 21-34, and Shemaryahu Talmon, "Anti-Lunar-Calendar Polemics in Covenanters' Writings," in *Das Ende der Tage und die Gegenwart des Heils: Begegnungen mit dem Neuen Testament und seiner Umwelt, Festschrift für Heinz-Wolfgang Kuhn zum 65 Geburtstag* (ed. Michael Becker and Wolfgang Fenske; Leiden: Brill, 1999), 29-40, esp. 32.

repaying a loan to an idolater, but (s)he is allowed to *accept* repayment of a loan *from* an idolater during the three days preceding a festival. According to R. Judah's logic, a Jew is not allowed to repay a loan shortly before an idolater's festival. As the mishnaic text reads in its final redacted form, the passage implies that the idolater might use this newly-acquired money to purchase a sacrifice, and direct his gratitude for his good fortune to his gods. On the other hand, R. Judah argues that a Jew can accept repayment of a loan because such repayment will depress the idolater, giving him no reason to worship his deities. The rest of the rabbis take a more stringent approach and ban even the acceptance of repayment, for they suggest that though the idolater might regret the repayment in the moment, he will surely be glad to have paid off his debt in the long run, and such happiness might, again, lead to some form of idolatry on his part. There are two separate issues articulated in the text: on the one hand, prohibition against contributing materially to the idolater's worship by allowing the means for purchasing materials, and, on the one hand, affording the idolater joy, an emotional repercussion.

The Mishnah's construction of its laws limiting commercial interactions between pagans and Jews before and after festivals draws upon the practical reality that an integral component of the celebration of festivals was centered on commercial preparations (purchasing supplies, food, livestock) and transactions particular to certain named days of the Roman month (paying rent, repaying loans).[3] The rabbinic laws in fact also outline the types of resources that cannot be sold to gentiles; many of

[3] H. H. Scullard, *Festivals and Ceremonies of the Roman Republic* (Ithaca, NY: Cornell University Press, 1981), 43, and Jörg Rüpke, *Religion of the Romans* (trans. Richard Gordon; Malden, MA: Polity Press, 2007), 195. On the Kalends, for example, people paid interest and fixed loans, and rent and debts were due on the Ides. The first chapter of *m. Avodah Zarah* details what can and cannot be sold in detail.

these items were generally associated with festival celebrations, such as frankincense, white cocks, and various types of dates.[4] Moreover, market activity likely intensified during these times to accommodate the increased demand of those preparing for festivities.[5] An important part of celebrating a festival in the Roman world was engaging in commerce in the days that led up to the festival (not dissimilar to contemporary pre-Christmas or pre-Hanukkah shopping, arguably as integral to the celebration of the holidays as the rituals performed on the holidays themselves), and it is for this reason that the rabbis specifically ban commercial interaction with those who celebrated on these days.[6]
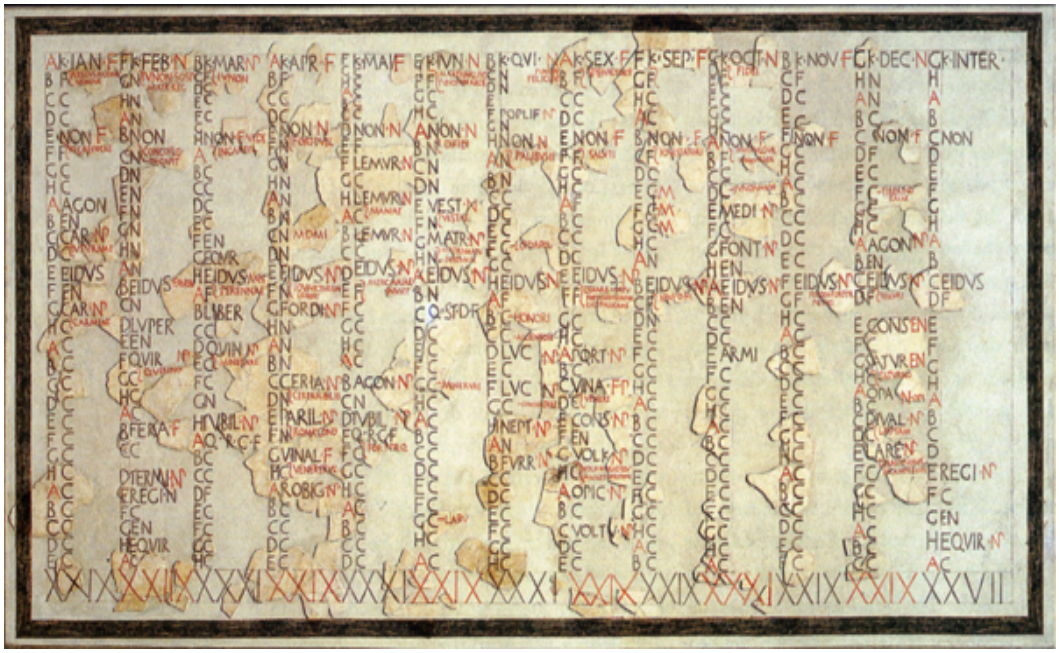
The Roman calendar, as a material document prominently hung in public temples and private dining rooms and elsewhere, records the nundial cycle of market days in the first column for each month, and the named days (the Kalends, Nones,

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[4] E.g. *m. Avodah Zarah* 1:5. Prohibitions related to specific items that were restricted for sale, as well as those that set off limits certain locations, highlight that the Mishnah is not only interested in curtailing *when* commerce occurred, but also *what* was sold and *where* such transactions took place during festival times. The Mishnah prohibits acquiring and using other items from gentiles, such as wine, vinegar, certain types of earthenware and hides, and cheese; these do not seem to be directly related to festivals, however, and are restricted for other reasons related to idolatry (e.g. *m. Avodah Zarah* 2:3-5).

[5] E.g. *m. Avodah Zarah* 1:4 further restricts travel to and from cities associated with markets during festival times, and even singles out the markets at Beth Shean as an example; compare also to the discussion of markets and fairs in *y. Avodah Zarah* 1.2, 39c-d. See Zeev Safrai, "Fairs in the Land of Israel in the Mishnaic and Talmudic Period" (Heb.), *Zion* 49 (1984): 139-158; L. de Ligt, *Fairs and Markets in the Roman Empire: Economic and Social Aspects of Periodic Trade in a Pre-Industrial Society* (Amsterdam: J.C. Gieben, 1993); and Aryeh Kofsky, "Mamre: A Case of a Regional Cult?" in *Sharing the Sacred: Religious Contacts and Conflicts in the Holy Land* (ed. Aryeh Kofsky and Guy G. Stroumsa; Jerusalem: Yad Izhak Ben Zvi, 1998), 19-30 about the fairs at the Oak of Mamre. Consider a comment by Sozomen in the first half of the fifth century, about the interrelation of feasts and fairs: "Here the inhabitants of the country and of the regions around Palestine, the Phoenicians and the Arabs, assemble annually during the summer season to keep a brilliant feast; and many others, both buyers and sellers, resort there on account of the fair. Indeed this feast is diligently frequented by all nations: by Jews… by the pagans… and by Christians" (*Historia Ecclesiastica* 2.4, GCS 50, cited in Kofsky, "Mamre," 24).

[6] On this phenomenon in the modern American context, see Leigh Eric Schmidt, *Consumer Rites: The Buying and Selling of American Holidays* (Princeton: Princeton University Press, 1997), and idem., *Holy Fairs: Scotland and the Making of American Revivalism* (2nd ed.; Princeton: Princeton University Press, 2001; 1989).

Ides) along with the other festal days in the adjacent column.[7] That is, the market days and the festal days are lined up one next to the other.



Fasti Antiates, Roman Republican Calendar (reconstructed)[8]

The physical representation of a list of market days alongside a festal list depicts visually the interrelation between commerce and religion in the Roman world and the experience of the passage of time for those who lived within it.[9]

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[7] Most of the extant Roman calendars can be found in Degrassi, *Inscriptiones Italiae* vol. 13. Feeney points out that "the calendar was a device for regulating ritual and civil affairs so that Roman citizens could organize their religious, political, legal, and business activities" ("Time and Calendar," 883), and Michels makes a similar point at the beginning of his study of the calendar, "because the Romans never separated religion from civic affairs, we shall find that a study of the state calendar leads into many areas of Roman life which at first sight seem to have little to do with religion, such as civil law, electoral and legislative assemblies, even market days. The rites of the state cult combine with all these affairs to make up what is truly a civil calendar, because it represents the life of a citizen, a *civic* Romanus, in all its phases" (*The Calendar of the Roman Republic*, 5).

[8] Note the two first rows in each column; image from *Palazzo Massimo Alle Terme* (ed. Adriano La Regina; Milan: Electa, 1998), accessed through http://penelope.uchicago.edu/~grout/encyclopaedia_romana/calendar/antiates.html.

[9] I use the term "religion" here and elsewhere narrowly to refer to cultic and festal practice, with awareness that use of this category is indeed problematic for antiquity, when so-called "religion" was not a separate, or distinguishable, part of life. My claim here, after all, is that commercial and religious practices were linked and, in certain ways, indistinguishable one from another; I use the term "religion" nonetheless to make this point as explicitly as possible. For a recent study of the history of the category and its

Documentary evidence also suggests a strong link between commercial activities and the celebration of festivals. Consider, for example, the following letter written in 103 C.E., sent from a father in Fayum, Middle Egypt, to his son detailing the preparations that were necessary for two upcoming holidays. Lucius Bellenus Gemellus writes to his son, Sabinus, to "send ten cocks from the market for the Saturnalia, and for Gemella's birthday feast (γενέσια) send some delicacies and… and an artaba of wheaten bread…"[10] In this letter, the celebration of Saturnalia and Gemella's birthday – two of the very same festivals, as we will shortly see, that are listed in the Mishnah – is marked by the purchasing of birds and food at the market.[11]

The interrelation between commerce and festival celebration is reflected not only in daily life, but also in literature. In Ovid's *Fasti*, Janus, the god of January, gives an explanation about the Kalends of January: "I entrusted this newborn time to business, lest the year's start enervate the whole, every man gives a taste of his occupation and offers some proof of his normal work."[12] The first day of the Roman year, also mentioned in the Mishnah's list of Roman festivals, here is characterized by

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(in)applicability in the study of the ancient world, see Brent Nongbri, *Before Religion: A History of a Modern Concept* (New Haven: Yale University Press, 2013); see also Jonathan Z. Smith, "Religion, Religions, Religious," in *Critical Terms for Religious Studies* (Mark C. Taylor; Chicago: University of Chicago Press, 1998) 269-284.

[10] P.Fay.119/P. Penn Museum inv. E02786; John R. Abercrombie, "The University Museum's Collection of Papyri and Related Materials," *Expedition* 20.2 (1978): 32-37; Nicolas Hohlwein, "Le veteran Lucius Ballienus Gemellus: Gentleman-farmer au Fayoum," *Etudes de Papyrologie* 8 (1957): 69-91.

[11] Seneca, in the same letter about the Saturnalia quoted at the beginning of this chapter, also describes the preparations that preceded the festival, though he does not mention the specifically commercial nature of these preparations: "It is the month of December, and yet the whole city is in a sweat!... Everywhere there echoes the noise of preparations on a massive scale. It all suggests that the Saturnalia holidays are different from the ordinary working day, when the difference is really non-existent – so much so in fact that the man who said that December used to be a month but is now a year was, in my opinion, not far wide of the mark!" Seneca's 18th Letter to Lucilius, translation by Robin Campbell in Seneca, *Letters from a Stoic,* 66.

[12] Ovid, *Fasti* (trans. A. J. Boyle and R. D. Woodard; London: Penguin Books, 2000), 8. The interconnectedness of religious and commercial time in a medieval context is explored in Le Goff, *Time, Work, and Culture in the Middle Ages*, 29-42.

the month's eponymous god as a day of commerce that foreshadows the year's financial success.

Given these numerous examples in which commerce played a central role in Roman calendrical festivities, it should be no surprise that the rabbis ban commercial exchange in a tractate that centers on idol worship and pagan festal days: the former was a part of the latter. Commerce in the days leading up to a festival *was* part and parcel of the way in which this time was commemorated.

Which Festivals?

The Mishnah offers a list of idolatrous holidays, identifying those periods of time when Jews must avoid certain contact with their neighbors:

> These are the festivities of the idolaters: Kalends, Saturnalia, Kratesis, the anniversary of the accession to the throne [Genousia] as well as [royal] birthdays and anniversaries of deaths. This is R. Meir's opinion. But the sages say, a death at which burning [of articles of the dead] takes place is attended by idolatry, but where there is not such burning there is no idolatry. The day of shaving one's beard or lock of hair, or the day of landing after a sea voyage, or the day of release from prison, or if an idolater holds a banquet for his son – the prohibition applies only to that day and that particular person.[13]

The Mishnah effectively places the Roman festivals into two categories, public and private.[14] The particular selection and sequence of the Roman festivals listed, however, requires further explanation. The first two festivals, Kalends and Saturnalia,

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[13] *m. Avodah Zarah* 1:3; translation with slight modifications from Epstein, *The Babylonian Talmud: Seder Nezikin*, 36.

[14] The acknowledgment of the categories of public and private festivals in the Mishnah is made explicitly in *y. Avodah Zarah* 1.3, 39c, "עד כאן לציבור מיכן ואילך ליחיד" ("Until here [the text refers to] public [festivals], from this point on, to private [ones]"). On the distinction between public and private festivals in the Mishnah, see Graf, "Roman Festivals in Syria Palaestina," 439-440. An abbreviated and far less systematic list appears in *t. Avodah Zarah* 1:2. The categories of "private" and "public" are more complicated, of course, than rabbinic sources suggest, though it is key to note that the category of *feriae publicae* was utilized in Roman sources and denoted festivals such as the Kalends of January and the Saturnalia, in contrast to other kinds of festivals (e.g. *feriae singulorum*).

are the oldest festivals in the list, both dating back to the Roman Republic. They also represent the beginning and end of the Roman year – Kalends refers to the Kalends of January, the Roman New Year on January 1, and Saturnalia, celebrated in mid-December, marked the upcoming end of the Roman year.[15] Tertullian, in his treatise against idolatry, singles out the very same two festivals as does the Mishnah: in his exegesis of a passage from one of Paul's epistles, he asks "Would you assert that he used to please men by observing the *Saturnalia* and New Year's Day (*Nimirum Saturnalia et Kalendas Ianuarias celebrans hominibus placebat*)?!"[16] The correspondence between the Mishnah and Tertullian here is striking, if only to highlight the prominence of these two festival days for those Jews and Christians living within the Roman Empire.[17] The next festivals – Kratesis, Genousia, and anniversaries of births and deaths – originated during the imperial period in

[15] On the Kalends of January, see Michel Meslin, *La fête des kalendes de janvier dans l'empire romain* (Bruxelles: Latmos, 1970). For the celebration of the first day of January and the festivals of the Saturnalia during the Republic, see Scullard, *Festivals and Ceremonies of the Roman Republic*, 51-58, and later see Graf, "Roman Festivals in Syria Palaestina," 436-437, 440-443 and Stephan Weinstock, "Saturnalien und Neujahrsfest in den Märtyrerakten," in *Mullus: Festschrift Theodor Klauser* (ed. Alfred Stuiber; Münster: Aschendorff Verlagsbuchhandlung, 1964), 391-406. Much of our knowledge about the calendar and festivals comes from Macrobius' *Saturnalia*, edited and translated with notes by Robert A. Kaster (Loeb Classical Library 510-512; Cambridge: Harvard University Press, 2011). See also Lucian's *Saturnalia* in *Lucian vol. VI* (trans. K. Kilburn; LCL 430; Cambridge: Harvard University Press, 1959), 87-139. For an overview of previous scholarship devoted to identifying these festivals within rabbinic texts, see the appendix titled "Identification of the Festivals Quoted in the Mishnah *Avodah Zarah* I, 3" in Stéphanie E. Binder, *Tertullian, On Idolatry and Mishnah Avodah Zarah: Questioning the Parting of the Ways between Christians and Jews* (Leiden: Brill, 2012), 221-223.

[16] Tertullian, *De Idolatria* 14.4. A few lines later, Tertullian continues his diatribe, again referencing these two Roman festivals alongside others, this time in parallel (and juxtaposition) to Jewish sacred days, echoing the midrash with which this chapter began: "But if we do not have any right to communion with outsiders in such things, how much more criminal is it to practice these things among brethren! Who can tolerate or defend this? The Holy Spirit reproaches the Jews with their holidays: *your Sabbaths*, it says, *and new months and solemnities are hated by my soul*. But we, to whom the Sabbaths are foreign and also the new months and the festivals which were once loved by God, we celebrate the *Saturnalia*, the festivals of New year and Midwinter, and the *Matronalia*: presents, New Year's gifts are exchanged, the games roar on, the din of banquets fills the air" (*De Idolatria* 14.6). Text and translation in J.H. Waszinik and J.C.M. Van Winden*, Tertullianus, De Idolatria: Critical Text, Translation and Commentary* (Leiden: Brill, 1987), 49, 51. See also Tertullian, *Apologeticus* 42.3 on the Saturnalia.

[17] On the relationship between Tertullian's *De Idolatria* and the rabbinic tractate, see Binder, *Tertullian, On Idolatry and Mishnah Avodah Zarah*, esp. 120-121.

veneration of the emperors and their families.[18] Kratesis commemorated either a celebration of the accession of an emperor or the empire's victories and expansion specifically in the east, though an exact date of the holiday is not recorded.[19] The dates of the other imperial festivals, including the emperor's birthday and anniversaries, varied with each particular emperor.[20] The final series includes personal festivals celebrated by individuals on their own initiative – rites of passage, moments of thanksgiving, familial feasts. The Mishnah's ordering of these festivals, then, is not calendrical (following the order of the months of the Roman year), but categorical, listing long-established Roman festivals (that stem from the Republican era), imperial festivals associated with the emperor cult, and private festivals as discrete units. Macrobius, in his fifth-century C.E. treatise *Saturnalia*, lists festivals

[18] See the discussion of festivals related to the emperor cult in Ephraim E. Urbach, "The Rabbinical Laws of Idolatry in the Second and Third Centuries in the Light of Archaeological and Historical Facts," *Israel Exploration Journal* 9.4 (1959): 239-241. The "anniversaries of births and deaths" could refer either to imperial birthdays and days of death, or individual ones, though it is more likely that the former meaning is intended (if not both simultaneously), given the public nature of all the other festivals in Rabbi Meir's list of festivals.

[19] Perhaps there was no exact, fixed date of the festival as the festival name could refer to several days in the Roman year. I follow the interpretations of Kratesis in Daniel Sperber, *Dictionary of Greek and Latin Legal Terms in Rabbinic Literature* (Ramat Gan: Bar Ilan University Press, 1984), 195-196, and Graf, "Roman Festivals in Syria Palaestina," 437-438. Graf argues that Kratesis must refer to a general festival in celebration of the accession of an emperor, for which there is evidence in the eastern provinces, rather than an eastern festivals commemorating Augustus' conquest of Egypt, for which there is no evidence, though in the interpretation in the two Talmuds, the rabbis associate the festival with the conquering of the eastern territories as we will see below. See also Binder, *Tertullian, On Idolatry and Mishnah Avodah Zarah*, 223, who summarizes the findings of Hans Blaufuss and W. A. L. Elmslie (who understood that the Mishnah had in mind at least two festivals, one commemorating the start of the Principate and the second in honor of the current Caesar's coronation day), Saul Lieberman and David Rosenthal (who suggest that the festivals commemorated the day on which Augustus captured Alexandria), Daniel Sperber (who assumed the day commemorated the conquest of eastern territories), and the most widely-held view, based on the interpretations found in the Palestinian and Babylonian Talmuds, that the day celebrated Augustus' victory in Actium.

[20] On the Genousia, generally understood as the birthday of the emperor, and the other festivals listed in the Mishnah, see Graf, "Roman Festivals in Syria Palaestina," 438-440 and Binder, *Tertullian, On Idolatry and Mishnah Avodah Zarah*, 224-225. On the celebration of birthdays of individuals, see the reflections by the third-century Roman scholar Censorinus in his *De die natali liber*; Censorinus, *The Birthday Book* (trans. Holt N. Parker; Chicago: University of Chicago Press, 2007), who addresses the history of the calendar, months, and days more generally as well.

categorically as well, in a form that is not dissimilar to the Mishnah's organization.[21] In his list, Macrobius begins with four kinds of public festivals (fixed, movable, commanded, and held every ninth day), as well as festivals belonging to specific clans, and holidays proper to individuals.

The Mishnah does not include all Roman festivals. The extant Roman calendars from the mishnaic period are replete with festivals that originated in the period of the Republic or earlier as well as festivals introduced in the imperial period by the emperors and other members of their families.[22] Why did the Mishnah, then, include the festivals it does rather than the many others it might have? What is the significance of the selection we find in the Mishnah? We might suggest a variety of considerations and explanations. First was the popularity of these festivals during the rabbinic period. The Kalends of January and the Saturnalia were among the most widely-celebrated festivals all over the empire (and thus known by, and of concern to, the rabbis).[23] Second, Emmanuel Friedheim and Fritz Graf have suggested that the regional presence in Palestine of the Roman army might have introduced certain cultic practices to the region and popularized them, especially those associated with the emperor cult.[24] Interestingly, a *Feriale* from Dura-Europos from the first quarter

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[21] Macrobius, *Saturnalia* 1.16.5-8.
[22] A study of the annual Republican festivals can be found in Scullard, *Festivals and Ceremonies of the Roman Republic*; see also Rüpke, *Religion of the Romans*, 186-201.
[23] Meslin, *La fête des kalendes de janvier*, 51-93; Fritz Graf, "Kalendae Ianuariae," in *Ansichten griechischer Rituale: Geburtstagssymposium für Walter Burkert* (Stuttgart and Leipzig: 1998), 199-216; Glen Warren Bowersock, Peter Brown and Oleg Grabar, *Late Antiquity: A Guide to the Postclassical* (Cambridge: Harvard University Press, 1999), 532. There were other popular Roman festivals that the Mishnah does not include; the festival of the Parilia, for example, which was an agricultural festival intricately connected to the city of Rome and its surrounding, was an important festival but probably more so in Rome than beyond it, whereas the Kalends and Saturnalia became empire-wide celebrations.
[24] Emmanuel Friedheim, "On the question of the role of the Roman army in the spread of Roman cults in Judea and Samaria after the destruction of the Second Temple" (Heb.), מחקרי יהודה ושומרון 9 (2000): 201-218; idem., "Public Festivals in Mishnah Avodah Zarah 1:2 and the Cultural Reality in Palestine and its

of the third century C.E., which lists days with prescribed offerings for an auxiliary unit stationed at Dura, includes ordinary public festivals such as the Kalends of January and the Saturnalia; imperial occasions such as the *dies imperii* of Trajan, Antoninus, Aurelius and Verus, Septimus Severus and Carcalla; and military celebrations, namely the day of *honesto mission* and the two *Rosaliae signorum*.[25] These are the very kinds of public and imperial festivals (in addition to the group of private celebrations) that the Mishnah includes in its list, though in the Mishnah the list serves to discourage – rather than to encourage – participation. Third, Friedheim has also noted that the festivals listed in the Mishnah are those that would most likely have attracted Jews because of their emphasis on games, spectacles, and public celebration, as opposed to cultic practices, which Friedheim presumes would have been less appealing to Jews.[26] The Mishnah thus prohibits precisely those festivals that would have been most known and alluring for Jews; other Roman festivals –

Surroundings in the Time of the Mishnah and the Talmud" (Heb.), בכל דרכיך דעהו 14 (2004): 47-72; and Graf, "Roman Festivals in Syria Palaestina," 442-443, 446. For a detailed study of the observance of Roman festivals by a unit of the Roman army stationed at Dura-Europos, see Arthur Darby Nock, "The Roman Army and the Roman Religious Year," *Harvard Theological Review* 45.4 (1952): 187-252. By the third century, Herod had built three imperial temples (a temple of Augustus at Sebaste in Samaria and another near Banias, and a temple of Roma and Augustus at Caesarea Maritima), and images of the emperor on coins and imperial portraits and monuments, as well as in texts, were widespread throughout the period, including in the region of Palestine; see Michael Peppard, *The Son of God in the Roman World: Divine Sonship in its Social and Political Context* (Oxford: Oxford University Press, 2012), 91-93. On the reception of the imperial cult in Palestine and the east, see Regina Trummer, "Josephus Flavius und der Kaiserkult im Heiligen Land," in *Meqor Hayyim* (ed. Irmtraut Seybold; Graz: Akademische Druck- und Verlagsanstalt, 1983), 387-408; Simon R. F. Price, *Rituals and Power: The Roman Imperial Cult in Asia Minor* (Cambridge: Cambridge University Press, 1984); Steven J. Friesen, *Imperial Cults and the Apocalypse of John: Reading Revelation in the Ruins* (Oxford: Oxford University Press, 2001); Monika Bernett, "Roman Imperial Cult in the Galilee: Structures, Functions, and Dynamics," in *Religion, Ethnicity, and Identity in Ancient Galilee: A Region in Transition* (ed. Jürgen Zangenberg, Harold W. Attridge, and Dale B. Martin; Tübingen: Mohr Siebeck, 2007), 337-356, and Werner Eck, *Rom und Judaea: Fünf Vorträge zur Römischen Herrschaft in Palaestina* (Tübingen: Mohr Siebeck, 2007).

[25] Nock, "The Roman Army and the Roman Religious Year," 187-252; specific reference to our mishnaic passage on pg. 233.

[26] Friedheim, "Public Festivals in Mishnah Avodah Zarah 1:2," 47-72. Whether such cultic practices were in fact less appealing to Jews is unclear, as there is evidence, discussed below, of Jews participating in Roman festivals and it is difficult to know what aspects were most appealing to them and why.

those with more pagan cultic emphases and less focus on communal celebration – might not have been as enticing to Jews, such that the rabbis did not need to encourage their followers to abstain from participating in their celebration.

To be clear, Jews across the Roman Empire were almost certainly participating in public festivals and other activities that the rabbis prohibited. This participation is implied by the Mishnah itself, which would not have needed to ban the celebration of festivals if Jews were in any case not participating. There is also extra-rabbinic evidence to suggest that Jews participated in Roman festivals. A Greek inscription carved onto the long side of a limestone sarcophagus found in the south-eastern necropolis of Hierapolis (c. 200 C.E.) ends with these specific instructions: the purple-dyers guild and the carpet-weavers guild were to celebrate Passover, Pentecost, and Kalends at the grave with the 350 *denaria* left by Publius Aelius Glykon Zeuxiano Aelianus.[27] That is, a man we might presume to have been Jewish included his will that two Jewish festivals and one Roman festival be celebrated at his grave.

[27] Walter Ameling, ed., *Inscriptiones Judaicae Orientis II Kleinasien* (Tübingen: Mohr Siebeck, 2004), 414-422. An English translation of the inscription and an analysis of its implications for Jewish identity in Asia Minor are found in Peter A. Harland, "Acculturation and Identity in the Diaspora: A Jewish Family and 'Pagan' Guilds at Hierapolis," *JJS* 57 (2006): 222-244. The inscription reads: "This grave and the burial ground beneath it together with the surrounding place belong to Publius Aelius Glykon Zeuzianos Aelianus and to Aurelia Amia, daughter of Amianos Seleukos. In it he will bury himself, his wife, and his children, but no one else is permitted to be buried here. He left behind 200 denaria for the grave-crowning ceremony to the most holy presidency of the purple-dyers, so that it would produce from the interest enough for each to take a share in the seventh month during the festival of Unleavened Bread. Likewise he also left behind 150 denaria for the grave-crowning ceremony to the association of carpet-weavers, so that the revenues from the interest should be distributed, half during the festival of Kalends on the eighth night of the fourth month and half during the festival of Pentecost. A copy of this inscription was put into the archive." The Jewish identity of the couple is presumed by most scholars, though the possibility remains that it was a gentile family affiliated with Jewish practices (similar to the God-fearers of Aphrodisias), because the inscription does not explicitly use the term *Ioudaios* (Harland, "Acculturation and Identity," 228-230). The participation of non-rabbinic Jews in Roman, and even specifically pagan, life, however, seems to have been the norm, at least until the late third or early fourth century; the celebration of the Kalends of January by Jews in Hierapolis, therefore, is not particularly out of the ordinary. In earlier periods, Jews also participated in the festivals of those among whom they lived, as is implied in 1 Macc 1:41-43

He must have particularly enjoyed participating in these very festivals during his lifetime.[28]

The participation of the Roman Empire's religious minorities in its festivals might have been due, at least in part, to the changing character of several Roman festivals. Many festivals were regarded by this time as occasions for civic celebration rather than as exclusively or primarily cultic in meaning. Graf suggests that the Kalends of January was included in the Mishnah's list, for example, because the festival expressed "the unity and stability of the empire, to tie it together by a ritual shared by all inhabitants of the empire, from Britain, Spain and Africa to Anatolia, Syria and Egypt" and had a "political and ideological function."[29] This explains both why Jews might have participated in it, and why the Mishnah sought to limit such participation. Graf also ties the festival to the imperial cult by virtue of its intended effect of unifying the empire.

Separating a festival's civic and cultic aspects might appear to impose modern categories onto an ancient society that did not dichotomize its practices in this way. Such distinctions, if not in these terms, however, were already made in antiquity with regard to these same issues, also by the rabbis. The rabbis are able to see the same object—a statue of a god—as having cultic significance in one setting (a temple, for

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[28] Other evidence of Jewish participation in Roman rituals and symbols abounds, depicted perhaps most vividly by another sarcophagus, this time from Beth Shearim: mythical scenes recall Hades and Moira, but the inscription insists that the deceased "lay with many of his [Jewish/Besaran] people." Another Greek inscription, found on a lintel in what might have been an ancient synagogue in the Upper Galilee, is dedicated by a group of *Ioudaioi* to the Caesar L. Septimius Severus Pius Pertinax Augustus and his sons; carved inside a wreath is the name of the empress Julia Domna. The combination of the names of emperors and *Ioudaioi* in the same short inscription is striking, and points to the tensions that existed, as Seth Schwartz has put it, between "the retention of some sense of Jewish separateness" and the "full participation in normative Roman imperial religious life." See Schwartz, *Imperialism and Jewish Society*, 131, 158.

[29] Graf, "Roman Festivals in Syria Palaestina," 441-442.

instance) and having non-cultic significance in another (a bathhouse).[30] In other words, the rabbis are not only able to imagine the distinction between cultic and non-cultic, they in fact rely on this distinction throughout the tractate at the heart of this chapter. Commerce was only prohibited when it served specifically idolatrous ends or was conducted before or during periods of worship. Rabbinic texts, not modern readers, draw these distinctions. It is also not unreasonable to think that on the whole Jews would have been more comfortable participating in activities that deemphasized cult and that were geared toward civic engagement, even if some Jews – however many –wholeheartedly participated in all aspects of Roman cultic worship without similar qualms, perhaps even celebrating the divine providence of the Roman Empire and worshipping the emperor as a God.

By the late fourth century, around the time of the redaction of the Palestinian Talmud, the Kalends of January had indeed moved far beyond the confines of the city of Rome and was celebrated throughout the empire.[31] Most significant were reforms made to pagan cultic practices during public festivals by the Christian emperors. As the empire gradually Christianized, the civic character of Kalends continued to be emphasized while many of its cultic pagan rituals (sacrifice, for example) were shed to allow for continued civic involvement by the empire's religiously diverse, and

[30] *m. Avodah Zarah* 3:4, discussed further in n.47.

[31] While originally the Roman New Year began in March, to mark the start of the growing season and the time of war, the beginning of the Roman calendrical cycle was changed to January, the month of the double-faced Janus, the god of gates and doors, beginnings and endings already during the Republic (e.g. Isidore of Seville, *Etymologies* 5.33.3 and Plutarch, *Moralia* 268). By 153 B.C.E., the consuls assumed office and took the auspices on the first day of January, an important civic dimension of the festival; vows were made for the success of the emperor and the empire, and after three days of celebrations, the festival culminated with games given by the newly-appointed consuls. The Codex-Calendar of 354 offers a vivid depiction of the blending of traditionally religious and civic devotion associated with the Kalends of January (the illustration is a forgery, but the accompanying text is not). See Salzman, *On Roman Time*, 79.

increasingly Christian, inhabitants.[32] Robert Markus writes that the "one way of reconciling the claims of public life and those of Christian exclusiveness was through de-valuing the religious significance of traditional civic celebrations. If a case could be made for treating these as no more than secular in nature, they could be celebrated without the stain of idolatry."[33] Christian emperors did not allow civic festivities such as the Kalends to be cancelled on account of their "profane rites," but they eliminated any trace of sacrifice and other practices with which they were no longer comfortable.[34] Of course cultic dimensions remained as the empire appealed to the gods for civic luck and success, or incorporated cultic elements in games, but the cultic features were deemphasized. Peter Brown writes that the Kalends came to represent "a neutral public culture" in which "men of different *religiones* could collaborate to maintain a Roman world restored to order."[35] The evidence points to a slow development of the Kalends, and other festivals, from a pagan Roman festival to one that could be regarded as a civic holiday in which cultic dimensions were muted.

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[32] For a number of additional examples of Christian appropriations of pagan festivals, see Michele R. Salzman, "The Christianization of Sacred Time and Sacred Space," *Journal of Roman Archaeology*, Supplementary Series 33 (1999): 124-127. In the sixteenth century, Isaac Casaubon commented on the (erroneous) dating of Christ's birthday to December 25, the day of the pagan celebration of Sol Invictus: "It would seem that the pious fathers were not so much concerned about the true birthdays [of John and Jesus], as much as they converted the feasts of the pagan rites into better use. For they hoped that the Christian religion would find easier acceptance if they simultaneously destroyed the impious feasts of the Gentiles and instituted new ones in their place, which pertain to the true cult of God" (Casaubon, *De rebus saris… exercitationes XVI*, 123, cited in Carl Philipp Emanuel Nothaft, "From Sukkot to Saturnalia: The Attack on Christmas in Sixteenth-Century Chronological Scholarship," *Journal of the History of Ideas* 74.4 [2011]: 520). Casaubon points to the transformation of pagan festivals into Christian ones and the possible logic of those responsible for this shift. While Tertullian bans public Roman festivals for their idolatrous character (*De Idolatria* 14.4, 14.6), he takes a very different stand from the Mishnah on Christian participation in private Roman festivals – he deems them sufficiently social rather than idolatrous ("I should think that no danger can be noticed in the breath of idolatry which is mixed up in them," 16.1). This distinction is perhaps another reflection of a shift in attitudes towards Roman festivals, in which at least some of them were regarded as civic or social and thus not inherently idolatrous.

[33] Robert Markus, *The End of Ancient Christianity* (Cambridge: Cambridge University Press, 1990), 107.

[34] See *CTh* XVI.10.17 (399) as well as *CTh* XVI.10.3; 8 (342; 382), as cited in Markus, *The End of Ancient Christianity*, 109.

[35] Peter Brown, *The Rise of Western Christendom*, 85.

In the midst of this process, many Jews and Christians must have participated in festivities that the rabbinic and ecclesiastical leadership still considered idolatrous and forbidden and against which they preached and taught.[36] As late as 743 C.E. (long after Justinian's elimination of the consulship and the accompanying state celebrations in 541 C.E.), Boniface wrote from Rome to Pope Zacharias that "They say that on the first day of January year after year, in the city of Rome and in the neighborhoods of Saint Peter's church by day and by night, they [pilgrims] have seen bands of singers parade the streets in pagan fashion, shouting and chanting sacrilegious songs and loading tables with food day and night…"[37] Boniface then evokes a passage from Paul's writings when he states that "it is of such things that the Apostle says reprovingly, 'You observe days and times, I fear I have labored with you in vain.'"[38] Here, Boniface channels Paul's anxiety in his letter to the Galatians that those he has counseled in the ways of God have reverted back to celebrating improper festivals:

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[36] Augustine's sermon, with which I began this dissertation, and the rabbinic sources are two examples. Anxiety over celebrating at the incorrect times and participating in pagan holidays is already articulated in Paul's letter to the Galatians 4:8-11, discussed below. In Antioch, too, John Chrysostom denounced the various rituals performed on the Kalends (special decorations, lamps, libations, night choruses, gift exchanges, omens), and offered spiritualizing alternatives in his sermon *On the Kalends*. See Jaclyn L. Maxwell, *Christianization and Communication in Late Antiquity: John Chrysostom and his Congregation in Antioch* (Cambridge: Cambridge University Press, 2006), 154-157; idem. "Lay Piety in the Sermons of John Chrysostom," in *Byzantine Christianity* (ed. Derek Krueger; Minneapolis: Fortress Press, 2006), 33-36; Maud W. Gleason, "Festive Satire: Julian's *Misopogon* and the New Year at Antioch," *Journal of Roman Studies* 76 (1986): 106-119. Chrysostom famously also discouraged his congregants from participating in *Jewish* Sabbaths and festivals, which they seem to have done as well. He writes in one homily, for example, that "some of these are going to watch the festivals and others will join the Jews in Keeping their feasts and observing their fasts. I wish to drive this perverse custom from the Church right now…" *Adv. Jud.* 1.1.5, translation by Paul W. Harkins in *St. John Chrysostom: Discourses Against Judaizing Christians* (Fathers of the Church 68; Washington, D.C.: The Catholic University of America Press, 1979), 3-4.

[37] Boniface Letter 40, in Ephraim Emerton, trans., *The Letters of Saint Boniface* (New York: Columbia University Press, 1976 and 2000), 59-60, as cited in Brown, *The Rise of Western Christendom*, 430.

[38] Emerton, *The Letters of Saint Boniface*, 60.

> Formerly, when you did not know God, you were enslaved to beings that by nature are not gods. Now, however, that you have come to know God, or rather to be known by God, how can you turn back again to the weak and beggarly elemental spirits? How can you want to be enslaved by them again? You are observing special days, and months, and seasons, and years (ἡμέρας παρατηρεῖσθε καὶ μῆνας καὶ καιροὺς καὶ ἐνιαυτούς). I am afraid that my work for you may have been wasted.[39]

Just as Paul's followers in Galatia strayed from observing the proper festivals, those at the center of Boniface's letter have similarly begun participating in Roman festivals that the church authorities deemed inappropriate. In 692, at the Council of Trullo, and again in 743, at the Council of Rome, the fact that Christians were partaking in the festival still prompted the church synods once again to forbid their faithful Christian followers from celebrating the Kalends.

At a certain point, the Kalends came to be regarded as a Christian, rather than a pagan, holiday. In an early (fifth century?) section of Toledot Yeshu, Jesus instructs his followers to stop celebrating Hanukkah and instead to celebrate Kalends, an authentically *Christian* festival, the text implies.[40] Much to the chagrin of the Christian clergy, when Muslims entered the cities of North Africa and the Levant and witnessed the celebration of the Kalends, they, too, no longer regarded it as a pagan festival, calling it "a great feast of the Christians."[41] By then, the Kalends of January was no longer regarded by many as a pagan festival, but a day on which the inhabitants of cities – including Christians, and likely Jews – within the lands of the Roman Empire celebrated their civic pride.

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[39] Galatians 4:8-11 NRSV.
[40] MS Strasbourg in Samuel Krauss, *Das Leben Jesu nach jüdischen Quellen* (Berlin: S. Cavalry, 1902; repr. Hildesheim: Olms, 1994), 48; translation from Stökl Ben Ezra, "An Ancient List of Christian Festivals in *Toledot Yeshu*," 487.
[41] Brown, *The Rise of Western Christendom*, 46; cited in H. R. Idri, "Fêtes chrétiennes en Ifriqiya à l'époque ziride," *Revue africaine* 98 (1954): 261-276.

While civic festivals can unite members of different religions in common celebration, such times can have the exact opposite effect, too; they often facilitate highly charged assertions of identity.[42] The rabbinic material might be an example of such a phenomenon. As Jews, a minority in the Roman Empire, began to feel more comfortable partaking in the surrounding culture's festivals and balancing their own religious commitments with their sense of belonging within the social and religious world around them, the rabbis needed to assert their own identity as Jews and their authority over Jewish practices more vehemently. It is in this complicated context that the discussion of Roman festivals in the rabbinic corpus is best understood.

Already in the Mishnah, the legal prohibitions not only aim to limit Jewish participation in idolatrous activity and separate Jewish and Roman festival days, but also, by delineating such specific prohibitions, the Mishnah implicitly *permits* forms and times of interaction that are not explicitly banned. So, for example, if business between Jews and pagans is prohibited during the three days prior to a pagan festival, then trading on all other days is implicitly permissible.[43] In the development of

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[42] The festivities often became violent, as Isaac of Antioch, a fifth-century Syriac poet, wrote: the "ranks of the city are overturned and renewed" on the Kalends; Isaac of Antioch, *Homily on the Night Vigil*, line 17, in *Homiliae S. Isaaci Syri Antiocheni* (ed. Paul Bedjan; Leipzig: O. Harassowitz, 1903); S. Landersdorfer, trans. *Ausgewählte Schriften der syrischen Dichter* (Bibliothek der Kirchenväter; Munich: J. Kosel, 1913), 212, and the discussion in Peter Brown, *Power and Persuasion in Late Antiquity: Towards a Christian Empire* (Madison, Wis.: University of Wisconsin Press, 1992), 87-88. Libanius, too, records the violence of the Kalends of 384, when the notable Candidus hid at home, his face covered, fearing that his palace would be burned to the ground due to outrage over the previous summer's food shortages (Libanius, Oratio 1.230 [1.184], in Norman, *Libanius' Autobiography*, 121).

[43] While the rabbis prohibit commerce with gentiles three days prior to public festivals, commerce surrounding private festivals is much less stringently restricted in the Mishnah: trade is prohibited on the very day of the festival, not the three days prior as well, and only with the person who celebrates, not with all gentiles. This distinction between public and private festivals was likely made for practical reasons, as it would be impossible to ban all commercial activity before each private festival and still reasonably engage in commerce with gentiles. The Tosefta further emphasizes these leniencies at the very beginning of the tractate as well. The text differentiates between festivals that have a set date, and those that are variable – one is obligated to abstain from commerce preceding the former, but one must only abstain from commerce during the latter (*t. Avodah Zarah* 1:1).

rabbinic law from the Mishnah to the Talmuds, many of the Mishnah's prohibitions concerning idolatry become tempered.[44] Both the Palestinian and Babylonian Talmuds significantly reduce the time during which the ban on engaging in commercial activity is effective in the Diaspora – the Mishnah dictates that all Jews abstain from business with idolators three days prior to a festival (and, according to one opinion, also three days thereafter), while the Tosefta and the two Talmuds only restrict trade for those in Babylonia to the day preceding the festival or the day of the festival itself.[45] Scholars have explained that this was likely yet another practical decision on the part of these later rabbis, who recognized the impracticality of rendering so many calendar days off-limits.

By banning the specifically *religious* or festal aspects of Roman life, other aspects of daily life are rendered relatively unproblematic and can be understood, to use Moshe Halbertal's phrase, as "a neutral space of citizenship" in which "people from different, and sometimes opposing, religious communities meet as citizens…"[46] The purpose of this neutral space, according to Halbertal, is to "enable Jews to coexist with what they perceive to be their ideological and religious enemy. In that space they will interact with pagans but not in their capacities as pagans."[47] In the Mishnah,

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[44] On the complex development of these prohibitions, see Hayes, *Between the Babylonian and Palestinian Talmuds*, esp. 127-143 and 154-170.

[45] *t. Avodah Zarah* 1:1. Carlebach, *Palaces of Time*, 149; Blidstein, "Rabbinic Legislation on Idolatry," 29-60.

[46] Moshe Halbertal, "Coexisting with the enemy: Jews and pagans in the Mishnah," in *Tolerance and Intolerance in Early Judaism and Christianity* (ed. Graham N. Stanton and Guy G. Stroumsa; Cambridge: Cambridge University Press, 1998), 163.

[47] Ibid. Similarly, Seth Schwartz argues that the mishnaic rabbis, contrary even to the sensibilities of their pagan neighbors, exclude much of what one might consider idolatry as "mere decoration," thereby sanctioning activities such as bathing in the presence of pagan statuary and the use of coins with pagan imagery (while still maintaining that idol worship is strictly forbidden). Schwartz, *Imperialism and Jewish Society*, 167-176, and idem., "Gamaliel in Aphrodite's Bath: Palestinian Judaism and Urban Culture in the Third and Fourth Centuries," in *The Talmud Yerushalmi and Graeco-Roman Culture* (ed. Peter Schäfer;

the rabbis balance prohibitions against idolatry and pagan practice, on the one hand, with a desire to design a framework of Jewish law and a set of times that allow for coexistence between Jews and gentiles in a single society, on the other.

But what ought not be overlooked in all of these laws is that the rabbis set out to create these communal boundaries first through regulating the *times* of interaction – the mishnaic passages that open the tractate on idolatry are devoted to outlining these temporal rhythms of synchronization and differentiation. Biblical injunctions against idolatrous practices do not focus particularly on refraining from participating in idolatrous festivals, whereas the earliest rabbinic sources (along with New Testament and early Christian sources) specifically emphasize a need to separate from pagan sacred times.[48] Perhaps this new stress on time, and keeping separate times, is not accidental but rather a distinct *product* of the Mishnah's Greco-Roman environment: because festivals were so important in Roman society, abstention from them became important for the rabbis. The laws of the Mishnah discussed here required constant attention to the Roman calendar even as leniencies, for example those related to personal feasts, permitted rabbinic Jews to function in the Roman economy without being paralyzed by rabbinic regulations. Despite their efforts to limit such interactions, however, the rabbinic festival prohibitions facilitated the intrusion of the Roman calendar – and Roman *time* – into the Jewish calendar.

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vol. 3; Tübingen: Mohr Siebeck, 1998), 203-217. I remain persuaded by Halbertal and Schwartz's readings and the broader conclusions that they draw from them, notwithstanding the important nuances that the reading of Azzan Yadin-Israel offers for understanding Rabban Gamliel's specific response to the philosopher in the mishnaic text at the center of these three studies; Azzan Yadin-Israel, "Rabban Gamliel, Aphrodite's Bath, and the Question of Pagan Monotheism," *Jewish Quarterly Review* 96 (2006): 149-179.

[48] So, too, there are several rabbinic passages that juxtapose the rabbis' moon-based calendar with the gentiles' calendar reckoned according to the sun as a point of difference; see e.g. *t. Sukkah* 2:6, *Gen. Rab.* 6:1, *Pesiqta Rabbati* 15, *Mekhilta de-Rabbi Ishmael*, Pishah 1.1.

Jews throughout the ancient Mediterranean constantly mediated between their own calendar and other officially-sanctioned calendars for purposes other than festival celebrations as well. While those in Palestine often (but not always)[49] used the Jewish calendar in inscriptions and legal or commercial documents, similar materials from the Diaspora remind us that Jews usually dated their documents according to local official calendars (Julian, Alexandrian, Greek, Macedonian).[50] At times, the dates were aligned. A Jewish 4th-century funerary inscription from Catania aptly demonstrates the practice of synchronizing between the Roman and Jewish calendrical dates.[51] The inscription dates the buried woman's death according to the Julian calendar and the consular year but also according to the Jewish lunar-solar calendar. Along with the two dates, the inscription bears a distinctively Jewish biblical name (Aurelius Samuel), a line of Hebrew and a reference to the law that God gave the Jews, and an image of *menorot*, leaving no doubt that this dedication belonged to a Jew.[52] Here, then, is another post-mortem example of the synchronization of these Roman and Jewish calendars, if not their festivals. It was not enough to provide either the Julian or rabbinic date for the husband who commissioned his wife's inscription – he insisted on recording both dates. Finally, the Council of Sardica from 343 C.E. lists 16 years of Jewish Passover dates alongside a list of Christian Easter dates. The Julian calendar seems to have been

[49] Several documents from Judaean Desert caves, from Judaea and Arabia, are dated according to the Roman calendar; see Ranon Katzoff and Bertram M. Schreiber, "Week and Sabbath in Judaean Desert Documents," *Scripta Classica Israelica* 17 (1998), 106.
[50] Stern, *Calendars in Antiquity*, 331-332. Sefer HaRazim, likely from Palestine, also includes reference to Roman indictions at 1:27-28; see Michael Morgan, *Sepher Ha-Razim: The Book of Mysteries* (Chico, Calif.: Scholars Press, 1983), 8; cf. Mordecai Margalioth, *Sefer Ha-Razim: Sefer Keshafim mi-Tekufat ha-Talmud* (Jerusalem: Yediot Achronot, 1966), 24.
[51] Stern, *Calendars in Antiquity*, 340-341.
[52] Ibid.

used to determine the date of Passover (Passover could only fall in the Julian month of March, before the equinox) and to ensure that this date never coincided with the Easter dates (which fell only in the Julian month of April, after the equinox). Ironically, as Stern points out, in this case the Jewish calendar relied on the Roman Julian calendar to ensure separation from a *Christian* festival![53] The Mishnah, however, does its best to overlook this reality, in which the Roman calendar as well as other non-Jewish local calendars were incorporated into the temporal landscape even of Palestinian Jews. When the Mishnah makes mention of the Roman calendar, it does so apparently in order to mandate complete separation from its many sacred days.

The Mishnah's effort to separate Jews from those who celebrated the Roman festivals likely had unintended consequences as well. By formulating the restrictions on interactions with gentiles in the days surrounding *festivals*, the rabbis inadvertently – and ironically – imposed the rhythms of the Roman calendar onto the Jewish timescape and, indeed, onto the Jewish calendar itself. Jews were obligated not only to observe their own holidays, but also to be vigilant not to participate, even indirectly, in the celebration of their neighbors' festivals. Participating and abstaining from festivals had, in this way, a similar effect, much as the synchronizing of dates on funerary inscriptions or commercial documents: both activities mapped Roman time onto Jewish time.

[53] Stern, *Calendars in Antiquity*, 337. Stern writes: "This apparent 'rule of March' on the Jewish side, i.e. use of the Julian month of March as the criterion for determining the date of Passover and thus governing the intercalation, set the Jewish calendar clearly apart from the Christian Easter, but at the same time – paradoxically – made it closely dependent on the Julian (or Antiochene) calendar" (337).

THE JEWISH ORIGINS OF THE ROMAN FESTIVALS

The extensive prohibitions laid out in the Mishnah, and elaborated upon in subsequent rabbinic texts, present only some of the ways in which rabbinic sources engage with the Roman calendar. From these prescriptive texts in both tannaitic and amoraic sources, it would seem that rabbis' views of the Roman festivals – indeed, of Roman time – were wholly negative and combative toward the sacred days of a competing religious system that posed a threat of assimilation to members of their community. As we will see shortly, however, the matter is more complicated. In explaining the origins of the Roman festivals – that is, the history behind the creation of particular festivals – the rabbis of the Palestinian and Babylonian Talmuds often weave tales about how the Jews were integral to the origins of several Roman festivals (from which Jews, nonetheless, were prohibited from celebrating). Whether Jewish involvement is presented negatively or positively in these texts, imagining Jews as defining actors in these aetiologies inscribes Jewish history onto the Roman calendar. Through this creative process, the days on the Roman calendar not only signify moments in *Roman* mythological and historical memory, but also in *Jewish* historical consciousness, as days on which certain Jews sinned, for example, or aided their Roman allies in defeating the Greeks and gaining Roman favor. This is an additional form of superimposing Jewish time onto the Roman calendar.

Among the most well-known images from Roman Palestine are the series of fourth-, fifth-, and sixth-century zodiac mosaics that adorned synagogue floors at Hamat

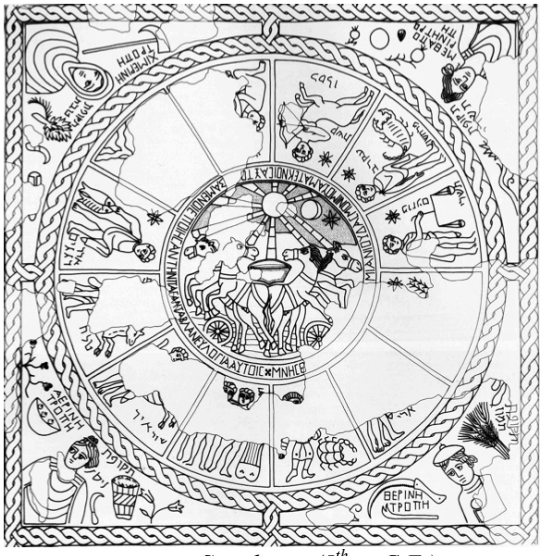
Tiberias, Sepphoris, Bet Alpha, and elsewhere in the region.[1] These mosaics, located at the very center of the synagogue, serve as visual articulations of the merging of Greco-Roman and Jewish time.[2]

[1] Zodiacs also adorn the floors of synagogues at Na'aran, Huseifa, and Horvat Susiya. On the synagogue mosaics' temporal dimensions, see Talgam, "The Zodiac and Helios in the Synagogue," 63-80, and for a discussion of the temporal aspects of a later (twelfth-century) zodiac mosaic at San Savino in Piacenza, see Charles E. Nicklies, "Cosmology and the Labors of the Months in Piacenza: The Crypt Mosaic at San Savino," *Gesta* 34.2 (1995): 108-125, which highlights the way in which human and cosmic time is incorporated into the imagery. There are many studies of the synagogue zodiacs; see Zeev Weiss, *The Sepphoris Synagogue: Deciphering an Ancient Message through its Archaeological and Socio-historical Contexts* (Jerusalem: Israel Exploration Society, 2005), 104-141, 231-235, 239-242, which provides a detailed comparison of the mosaic at Sepphoris with other synagogue zodiacs and Roman artistic conventions from the region; Mira Friedman, "The Meaning of the Zodiac in Synagogues in the Land of Israel during the Byzantine Period," *Ars Judaica* I (2005): 51-62; Rachel Hachlili, "The Zodiac in Ancient Jewish Art: Representation and Significance," *BASOR* 228 (1977): 61-77; idem., "The Zodiac in Ancient Jewish Art: A Review," *JSQ* 9 (2002): 219-258; Steven Fine, *Art and Judaism in the Greco-Roman World: Toward a New Jewish Archaeology* (Cambridge: 2005), 196-205; Jodi Magness, "Heaven on Earth: Helios and the Zodiac Cycle in Ancient Palestinian Synagogues," *DOP* 59 (2007): 1-52; Gideon Foerster, "The Zodiac in Ancient Synagogues and its Place in Jewish Thought and Literature," *Eretz Israel* 19 (1987), 225-234; Yaffa Englerod, "On the Significance of the Zodiac on the Floors of Ancient Synagogues in the Land of Israel," *Katedra* 98 (2000): 33-48; a more comprehensive bibliography can be found in Talgam, "The Zodiac and Helios," 63-64 n.2-6. Also relevant is the *parapegmata* found near the Baths of Trajan in Rome that later became a small Christian sanctuary to Saint Felicity, in which a zodiac circle is depicted with seven busts of planets above it, symbolizing the planetary week, and a list of the days of the lunar month is inscribed on either side, a wonderful merging of different time-frames in a single calendrical form; see Salzman, "Pagan and Christian Notions of the Week," 189 and Attilio Degrassi, *Inscriptiones Italiae* vol. 13, *Fasti et Elogia* Facs. 2, *Fasti Anni Numani et uliani* (Rome, 1963), 299-307. Zodiac mosaics became popular in other spaces as well, for example in a mid-third century CE villa in Münster-Sarnsheim and a fifth-century CE mosaic from the Tallaras baths on Astypalea on an island in the Aegean Sea, andin Christian spaces of worship, including at two eighth-century floors at the baptistery in Florence and San Miniato al Monte outside the city, as well as others in Piacenza and Tunisia; see, for example, Klaus Parlasca, *Die römischen Mosäiken in Deutschland* (Berlin: de Gruyter, 1959), 86-87 (84:2); Stylianos Pelecanidis, *Corpus Mosaicorum Christianorum Vetustiorum Pavimentorum Graecorum* I (Thessaloniki: Byzantine Institute, 1974), 46-47; Ruth Jacoby, "The Four Seasons in Zodiac Mosaics: The Tallaras Baths in Astypalaea, Greece," *Israel Exploration Journal* 51 (2001): 225-230; and Renzo Manetti, *Le Porte Celesti: segreti dell'architettura sacra* (Florence: Aletheia, 1999).

[2] Though admittedly not of specifically rabbinic time, as the relationship between the synagogue and the study house is quite fraught, and a matter of ongoing scholarly debate. See for example Lee I. Levine, *The Ancient Synagogue: The First Thousand Years* (New Haven: Yale University Press, 2005), 466-498.



Zodiac mosaics from synagogue at Hamat Tiberias (4th c. C.E.)



Sepphoris (5th c. C.E.)



Bet Alpha (6th c. C.E.)[3]

The twelve symbols of the zodiac form a circle around the figure of Helios, the haloed god of the sun from Greek and Roman mythology, who is depicted alongside the moon; at each of the four corners, female figures represent the four seasons as well as the

[3] Images and dating from Talgam, "The Zodiac and Helios," 65-67; image of the mosaic at Hamat Tiberias from Moshe Dothan, *Hammath Tiberias: Early Synagogues and the Hellenistic and Roman Remains* (Jerusalem: Israel Exploration Society, 1983), pl. 29:1; mosaic drawing from the Sepphoris Excavation Report by Zeev Weiss at the Hebrew University of Jerusalem; mosaic from Bet Alpha from Eliezer Lipa Sukenik, *The Ancient Synagogue of Beth Alpha: An Account of the Excavations Conducted on Behalf of the Hebrew University* (Jerusalem: The University Press/London: Oxford University Press, 1932), pl. X.

solstices and equinoxes.[4] The imagery of the zodiac is undoubtedly Greco-Roman, with local and regional artistic styles and symbols such as native fruits and agricultural tools incorporated throughout, and yet the months are labeled in Hebrew.[5] The effect is such that the Jewish lunar-solar calendar is superimposed visually onto what is typically used in reference to the *Roman* yearly cycle and astronomical depictions of time, or alternatively can be characterized as a Jewish version of a Greco-Roman calendar. The zodiac likely served some kind of liturgical function in the synagogue as well, though precisely how it was used remains unknown.[6] Michael Avi-Yonah has argued for taking into account the calendrical function of these mosaics in their synagogal settings, stating that "we can regard the zodiac panel as a reminder of the duties toward God implied in a fixed calendar...," including daily prayers, festivals and fasts, and other time-related practices. It is worthwhile to note, though, that while these zodiacs might have had some kind of calendarical function within a Jewish communal setting, their temporal imagery drew largely on classical Greco-Roman artistic themes and styles, creating an

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[4] Each mosaic is unique as well; e.g. the Sepphoris Zodiac lacks Helios and has an image of the sun in its place. For a discussion of these differences, see Weiss, *The Sepphoris Synagogue*, 104-141.

[5] On local features such as fieldwork tools and agricultural produce associated with the female busts of the seasons, see Weiss, *The Sepphoris Synagogue*, 124. Weiss writes that "the agricultural implements were no copied from an artistic layout or convention known in the Roman-Byzantine World; rather, they are depictions of actual tools that were used in the seasonal labor. The same applies to the fruit, vegetables, and the rest of the field's yield accompanying the seasons… These differences derive from the fact that the seasons, as well as the depictions of the months, reflect the agricultural calendar of the region in which they were found" (ibid.). Studies that have interpreted the zodiac with reference to the Jewish calendar include Michael Avi-Yonah, "The Caesarea Inscription of the 24 Priestly Courses" (Heb.), *Eretz-Israel* 7 (1964): 24-28, and idem., *Art in Ancient Palestine* (Jerusalem: Magnes Press, 1981), 396-397; Hachlili, "Zodiac in Ancient Jewish Art: Representation and Significance," 72-75; and Dothan, *Hammath Tiberias*, 47-49. On the incorporation of the months of the zodiac in a contemporaneous Roman calendar codex from the fourth century, see Salzman, *On Roman Time*, 31-33.

[6] One reconstruction is offered by Steven Fine, "Art and the Liturgical Context of the Sepphoris Synagogue Mosaic," in *Galilee through the Centuries: Confluence of Cultures* (ed. Eric M. Meyers; Winona Lake, Ind.: Eisenbrauns, 1999), 227-237. See also Joseph Yahalom, "The Zodiac in the Early Piyyut in Eretz Israel" (Heb.), *Jerusalem Studies in Hebrew Literature* 9 (1986): 313-322. For a discussion of the potential interaction between *piyyutim* and synagogue mosaics, see Schwartz, *Imperialism and Jewish Society*, 270-272.

illuminating merging of elements.[7] Indeed, these mosaics are often evoked as parade examples of the intersection of Jewish and Greco-Roman culture and of the embeddedness of Jews within their cultural context, which of course they are, and yet they are *also* symbols of time, visually expressing the strange synchronization between these cultures' time frames that, I will argue below, finds expression in the literary sources on the origins of Roman festivals as well.

Narratives from the Palestinian Talmud

In their elaboration of the Mishnah's list of Roman festivals, the Palestinian and Babylonian Talmuds provide explanations for the origins of the Roman holidays. In the Palestinian Talmud, each explanation consistently casts a particular Roman festival in a negative light, while in the Babylonian Talmud the stories are often more ambiguous. Both sets of texts, however, frequently appeal to moments in the Jewish past in the explanations they propose. Unpacking several examples of such aetiologies in both Talmuds will highlight the variety of ways in which different rabbinic voices sought to enmesh the Roman calendar with a Jewish past through a variety of strategies and tales.

Some of the aetiologies in the Palestinian Talmud are short and polemical, turning Roman sacred days into profane and negative times rather than times for joy and celebration. An anonymous passage offers an etymological explanation for the origins of the Saturnalia, proposing that the name of this festival stems from the

[7] Michael Avi-Yonah, "The Caesarea Inscription of the Twenty-Four Priestly Courses," in *The Teacher's Yoke: Studies in Memory of Henry Trantham* (ed. E. Jerry Vardaman, James Leo Garrett, and J. B. Adair; Waco, TX: Baylor University Press, 1964), 56-57, quoted in Hachlili "Zodiac in Ancient Jewish Art: Representation and Significance," 72-73. See also the discussion in Talgam, "The Zodiac and Helios," 66-73.

phrase שנאה טמונה, "hidden hatred," which, according to the text, alludes to Esau's hatred of Jacob in Gen 27:41. The Talmudic text interprets "hidden hatred" to mean that Esau "hates, takes vengeance, and punishes (שונא נוקם ונוטר)," a reference to Esau's resolve to kill his brother Jacob after losing his birthright.[8] In a follow-up comment attributed to R. Isaac ben R. Eleazar, this connection is highlighted: "In Rome they call it Esau's Saturnalia," tapping into the rabbinic association of Esau as Rome's biblical ancestor.[9] While in the biblical story this passage evokes Esau's great loathing of his brother Jacob, the rabbinic text implies that it is now Esau, Jacob's nemesis and the imagined progenitor of Rome, who was also reviled; this festival thus comes to represent not celebration of Rome's greatness but abhorrence of it.[10] The Saturnalia was a carnivalesque festival known for its overturning of societal hierarchies, and it is perhaps also this sense of the day into which the author of this passage taps, evoking the inverted power dynamics of the biblical twin brothers. In another case, the emperor's birthday festivities are paralleled with Pharaoh's birthday feast.[11] This explanation casts the contemporary Roman leader in the shadow of an ancient enemy of the Jews, a biblical character who epitomizes the enslavement of Israel and the denial of God. In both these cases, biblical enemies of the Jews are evoked in reference to Rome and its sacred days.

The Palestinian Talmud provides two more elaborate aetiologies for the festival of the Kalends of January. The first story of Kalends' origins (to be discussed

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[8] *y. Avodah Zarah* 1.3, 39c, translated and discussed in Schäfer, "Jews and Gentiles in Yerushalmi Avodah Zarah," 341. Schäfer understands this passage as referring to God's hatred of Esau, but the text itself leaves its meaning somewhat ambiguous.
[9] *y. Avodah Zarah* 1.3, 39c.
[10] In rabbinic texts, Esau often represents Rome; Carol Bakhos, *Ishmael on the Border: Rabbinic Portrayals of the First Arab* (Albany: SUNY Press, 2006), 47-64, 79-84.
[11] *y. Avodah Zarah* 1.3, 39c.

in detail below) is attributed to Rav and relates directly to biblical history, while the second is credited to Rabbi Yohanan and is one of the few examples of aetiologies that rely exclusively on the Roman past, not mentioning any Jewish involvement in the process. Rabbi Yohanan attributes the festival to a moment of military victory in Roman history when the Romans defeated their Egyptian enemies. The explanation relies on an etymology for the words "Kalendae Ianuarii":

> Rabbi Yohanan did not hold the same opinion [as that of Rav], but [suggested the following origin of the *kalendae*]: the kingdom of Egypt and the kingdom of Rome were at war with one another. They said [to each other]: How long are we going to kill one another in battle? Come and let us make a rule that whichever kingdom will say to its chief general: Fall on your sword [and kill yourself], and [whose general] will listen to that command – [that kingdom] will seize the power [over both of us] first! The Egyptian [general] did not listen to them. The [general] of Rome was a certain old man with the name Januarius. He had twelve sons. They [i.e., one of the Romans] said to him: If you will listen to us [and fall on your sword], we shall make your sons commanders, prefects, and generals! So he listened to them [and fell on his sword]. That is why they call it קלנדס יינובריס (*qalendas Yanubris* = Lat. *calendae Ianuarii*)! On the next day they mourned for him, [it was a] black day (מילני אימירא).[12]

The Kalends of January, based on this explanation, commemorates a Roman general with the fitting name of Januarius who sacrificed his own life for the sake of his sons (twelve of them, mirroring the year's twelve months and Jacob's twelve tribes) and that of the kingdom of Rome. The festival derives its name from the events that transpired to Januarius on that very day.[13] This story is one about Rome and its ascent to power; its inclusion in the Palestinian Talmud might be attributed to its somewhat unfavorable

[12] *y. Avodah Zarah* 1.3, 39c; translation (with some modifications) and analysis in Schäfer, "Jews and Gentiles in Yerushalmi Avodah Zarah," 340-341. See also the discussion in Veltri, "Römische Religion," 120-122.

[13] Literally, they name the Kalends of January after their father – the Kalendae of January (Graf, "Roman Festivals in Syria Palaestina," 438). Perhaps the text also plays around with the Greek καλεω (to call) and the Latin calendae (a similar convergence of Greek and Latin appears in the next passage discussed as well).

portrayal of the day – in addition to a day of celebration, it is following by a day of mourning.[14] As far as I can find, the origins of this story beyond rabbinic literature are unknown.

The rabbinic text plays with both calendrical themes and the historical event of Rome's ascent to power. Because of the general's death, the story ends by calling the day following the Kalends "מילני אימירא," a reference to the "black day" (*dies ater*) that immediately followed the 1st of January.[15] Such "black days" (*dies atri*) occurred frequently in the Roman calendar and were considered times of bad omen, particularly for military activity, because they often commemorated days on which the Roman army had been defeated in battle (October 6 was a *dies ater* that marked the anniversary of the Battle of Arausio in 105 B.C.E., and July 18, also a *dies ater*, marked the anniversary of the Battle of Allia in 390 B.C.E. when the Romans were defeat by the Gauls).[16] Here, the rabbis invoke these historic battles and their calendrical associations and play with the idea of a "black day." They latch onto a reality of the Roman calendar – that the Kalends was followed by a *dies ater*, and that such a day was marred by bad omens – but use it to highlight the irony that even in victory, Roman rule was not wholly positive. The day that commemorates this battle is still followed by a day of ill omen because it was

[14] Schäfer makes this observation in "Jews and Gentiles in Yerushalmi Avodah Zarah," 340-341.
[15] Graft, "Roman Festivals in Syria Palaestina," 440. The days immediately following the named days (Kalends, Nones, Ides) were considered both days of rest (*dies nefasti*) and bays of bad luck (*dies atri*); see e.g. Varro, *De lingua Latina* 6:29.
[16] The term מילני אימירא is derived from the Greek words μέλαινα (dark-colored, black) and ἡμέρα (day), which is the literal Greek equivalent of the Latin *dies ater*. See Michael Sokoloff, *A Dictionary of Jewish Palestinian Aramaic*, 50, 305, and Marcus Jastrow, *Dictionary of the Targumim, the Talmud Babli, and Yerushalmi, and the Midrashic Literature* (Hendrickson Publishers, 1943, repr. 2005), 51, 775. Ovid refers to these "black days" following the named days on the Roman calendars thusly: "The next day after these days [the Kalends, Nones, and Ides] will be black (watch you are not deceived!). The belief comes from a real event: for on those days Rome suffered sorrowful losses, with Mars not going their way" (*Fasti* 1.57-60). Macrobius makes mention of such days of ill-omen in *Saturnalia* I.15.22. See the discussion in James Ker, "*Nundinae*: The Culture of the Roman Week," *Phoenix* 64.3/4 (2010): 381-382.

marked by a defeat – the death of the Roman general. The event was a misfortune for the Jews, of course, for whom the ascendance of the Roman Empire and its rule of Palestine caused countless subsequent troubles for the Jews, not least the destruction of the temple, also perhaps a sentiment that the passages taps into.[17]

In contrast to Rabbi Yohanan's story, Rav provides a different etymology that relies not on Roman (pseudo-)history but on a naturalistic explanation based in part on biblical lore. As we will see, this story transforms the Kalends into a festival that is not Roman at its core, but that, instead, originates with the Hebrew Bible's first human being at the beginning of history. According to Rav, Kalends was established by Adam. When Adam realized that the days began growing longer after the winter solstice, he exclaimed: "קלנדס, meaning καλον *dies*, how beautiful is the day!"[18] In this aetiology, Adam's elation that the length of days began to increase resulted in a proclamation that explains the etymology of the word 'Kalends.' The Kalends of January does not take place immediately following the winter solstice, but a few days thereafter, precisely enough time for Adam to have realized what was happening. It is not clear whether the

[17] There is one instance of a black day (the day preceding the Nones of October) on which both a defeat and a victory occurred, mentioned in Plutarch's *Lucullus* XXVII.8, cited in Grafton and Swedlow, "Calendar Dates and Ominous Days in Ancient Historiography," 23-24. Plutarch writes: "As Lucullus was about to cross the river, some of his officers advised him to beware of the day, which was one of the unlucky days – the Romans call them 'black days' (μίαν οὖσαν τῶν ἀποφράδων ἃς μελαίνας καλοῦσιν). For on that day Caepio and his army perished in a battle with the Cimbri. But Lucullus answered with these memorable words: 'Verily, I will make this day, too, a lucky one for the Romans.' Now that day was the sixth of October" (translation by Bernadotte Perrin in Plutarch, *Lives vol. 2* [LCL 47; Cambridge: Harvard University Press, 1914], 561). The rabbinic source might be picking up on this doubled association of such a black day as a time of simultaneous defeat and victory.

[18] Translation from Schäfer, "Jews and Gentiles in Yerushalmi Avodah Zarah," 340. For the last line, I follow Schäfer, 339n.13. Jacob Neusner suggests a different reading that is also possible: καλον *deo*; see Jacob Neusner, *The Talmud of the Land of Israel: A Preliminary Translation and Explanation*, vol. 33 (trans. J. Neusner; Chicago and London: 1982), 20. This story appears in a different version in *y. Berakhot* 8:6, 12b, where the story recounts God's creation of fire (to comfort Adam in the darkness that surrounds him). In both versions, Adam's proclamation establishes a human institution – Kalends in Avodah Zarah and the blessing over fire at the conclusion of the Sabbath in Berakhot (Alyssa Gray, *A Talmud in Exile*, 102-103).

Palestinian Talmud here portrays Adam as a generic person or specifically as a pagan, though his invention of the festival of Kalends in this story suggests that the rabbis certainly did not regard him as specifically Jewish. Adam speaks a combination of Greek and Latin in the story, and in at least one passage in the Babylonian Talmud (admittedly a later source), Adam is explicitly identified as a *min*, a heretic.[19] Nonetheless, it is this natural occurrence in the context of the life of a biblical figure, rather than anything particular to Roman history or pagan worship, that is cause for celebration according to Rav. As we will see below, the Babylonian Talmud elaborates on this simple etymology and its themes in its construction of a far more elaborate aetiology for the same festival.

The text presents two alternatives offered by the Amoraic rabbis: either the holiday originated as a day that acknowledges the natural cycles of the sun or as a day that memorializes the death of a general and the ultimate victory of Rome. Both of these accounts of the origins of Kalends are most convincingly understood polemically. The beginning of Rome's dominion is marked by death and is therefore followed by a black day, a *dies ater* (just as the Kalends was in the Roman calendar), a feature of the Roman calendar that the text playfully inverts as a negative feature, and Adam establishes the holiday after discovering the winter solstice, long before the Romans.[20] In the context of the passage in the Palestinian Talmud, the two stories might even have been harmonized by its ancient readers: the festival was first established by Adam as he observed the

[19] *b. Sanhedrin* 38b; a passage attributed to Rabbi Judah (in Rav's name) calls Adam a *min* and accuses him of practicing epispasm. There does not seem to be an explicit connection in this Babylonian text to the Yerushalmi passage, however.

[20] *y. Avodah Zarah* 1.3, 39c. As is discussed below, Roman texts offer many different explanations for the origins of the Kalends of January as the beginning of the year, some of which are specifically Roman and others of which identify natural and celestial reasons for the beginning of the year to begin in January. Claiming that Adam, a biblical figure, was responsible for the institution of the festival (or at least its name), however, seems to me to be a polemical move, even as the Romans might have been flattered that some rabbis believed the holiday to have such ancient origins.

natural rhythms of the sun, and then again by the Romans after their victory over the Egyptians. It is worth noting, however, that the two stories present the reader with two approaches to the festival: the Kalends of January commemorates both the natural renewal of the year (not inherently Roman even if it has been appropriated by Rome) and by association the festival's mythological origins (Adam is a mythological figure invoked as the festival's originator), and, in addition, the day commemorates a moment in Roman military history (and is thus Roman at its very core). At least in one of the aetiologies provided by the Palestinian Talmud, the Kalends of January already has biblical resonances, marking the first day of the Roman year with biblical symbolism.

The aetiology for Kratesis preserved in the Palestinian Talmud is a particularly illustrative example of the reading of Israelite history into the Roman calendar. In a passage that reveals the rabbis' familiarity with a range of Roman myths and history, the argument is made that *biblical* characters and their sins are to blame for the establishment and expansion of Rome. This story, in turn, serves as a strong warning against assimilation into Roman culture. Rather than a day to be celebrated for its historical importance in the growth of the Roman Empire eastward, the day symbolizes the Jewish sin of assimilation and subsequent suffering. It is one of the clearest examples in the Palestinian Talmud of the inscribing of Judaism and the Jewish past onto the Roman calendar.

According to this passage in the Palestinian Talmud, the festival of Kratesis commemorates the empire's expansion in the east – the name of the festival, based on the Greek word for "power," specifically evokes the notion of military strength, conquering, and political sovereignty, apt nomenclature to be applied to such a

festival.[21] What are the origins of Kratesis, the Palestinian Talmud inquires? A comment attributed to Rabbi Yose ben Rabbi Eleazar suggests that the festival commemorates the second time Rome seized power, while Rabbi Levi offers a more elaborate story of origins, mining biblical history to explain the reasons for Rome's ascension to power and thus the impetus for such a festival:

> It is the day on which Solomon married into [the family of] Pharaoh Necho, king of Egypt. On that day [the angel] Michael came down and thrust a reed into the sea, and pulled up muddy alluvium (שלעטוט), and it grew to a large thicket of reeds (חורש), and this was the great city of Rome. On the day on which Jeroboam erected the two golden calves, Remus and Romulus came and built two huts in the city of Rome. On the day on which Elijah disappeared, a king was appointed in Rome: "There was no king in Edom, a deputy was king" (1 Kings 22:48).[22]

This story presents the founding of Rome, and thus the festival that commemorates Rome's imperial expansions, in a completely negative light. It is Solomon's sin of marriage with a foreign princess, and the subsequent introduction of idolatrous practices into Solomon's home, both mentioned together in the biblical account of his life, that provoked the angel Michael to throw a reed into the sea, causing Israel's arch-enemy, Rome, to arise out of it.[23] In the biblical text, the marriage between

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[21] See the entries for κρατεω and other related terms in Liddell and Scott, *An Intermediate Greek-English Lexicon* (7th ed.; Oxford: Clarendon Press, 1889), 448-449.

[22] *y. Avodah Zarah* 1.2, 39c in *Talmud Yerushalmi according to Ms. Or. 4720 (Scal. 3) of the Leiden University Library with restorations and corrections* (ed. Yaacov Sussman; Jerusalem: Academy of the Hebrew Language, 2001), 1377-1378; and *y. Avodah Zarah* 1, 2/7 in *Synopse zum Talmud Yerushalmi*, vol. IV (ed. Peter Schäfer and Hans-Jürgen Becker; Tübingen: 1995), 259. Translation with modifications from Neusner, *The Talmud of the Land of Israel* (vol. 33), 22-23. See the discussion of this passage, and its use of the biblical source texts, in Schäfer, "Jews and Gentiles in Yerushalmi Avodah Zarah," 342.

[23] 1 Kings 3:1. On Solomon's marriage to a Pharaoh's daughter in biblical sources, see 1 Kings 3:1, 7:8, 9:16 and 24, 11:1-10 and 2 Chronicles 8:11. See also Josephus' *Jewish Antiquities* VIII.7.5 (and *b. Yevamot* 76a on Solomon's marriage to Pharaoh's daughter in another context). The specification of Pharaoh Necho in the Palestinian Talmud requires further investigation, as here the rabbis are either being deliberately anachronistic in their recounting of Solomon's life, or they are simply wrong in their chronology (only one Pharaoh Necho is mentioned in biblical sources, and he lived *later* than Solomon). Pharaoh Necho II is the Pharaoh referenced in 2 Kings 23:29 and 2 Chronicles 35:20-27; this figure lived at the time of King Josiah, several generations after King Solomon. Schäfer identifies an *aggadah* that connects the Pharaoh of 1 Kings 3:1 with Pharaoh Shishak, who is then identified as Pharaoh Necho; see

Solomon and Pharaoh's daughter as well as Solomon's other marriages themselves garner criticism, especially because the marriages cause Solomon to pursue idolatrous practices. The description of Solomon's marriage to Pharaoh's daughter in 1 Kings 3:1 is coupled with an account of the continued illegitimate sacrifices that Israel brought at the open shrines prior to the building of the Temple (1 Kings 3:2-3), an activity in which Solomon himself participated as well.[24] In 1 Kings 11:1-10, Solomon's marriages are again linked with his idolatrous sins:

> King Solomon loved many foreign women along with the daughter of Pharaoh: Moabite, Ammonite, Edomite, Sidonian, and Hittite women, from the nation concerning which the Lord had said to the Israelites, "You shall not enter into marriage with them, neither shall they with you; for they will surely incline your heart to follow their gods"; Solomon clung to these in love. Among the wives were seven hundred princesses and three hundred concubines; and his wives turned away his heart. For when Solomon was old, his wives turned away his heart from other gods; and his heart was not true to the Lord his God, as was the heart of his father David. For Solomon followed Astarte the goddess of the Sionians, and Milcom the abomination of the Ammonites. So Solomon did what was evil in the sight of the Lord, and did not completely follow the Lord, as his father David had done. Then Solomon built a high place for Chemosh the abomination of Moab, and for Molech the abomination of the Ammonites, on the mountain east of Jerusalem. He did the same for all his foreign wives, who offered incense and sacrificed to their gods. Then the Lord was angry with Solomon, because his heart had turned away from the Lord, the God of Israel, who had appeared to him twice, and had commanded

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Schäfer, "Jews and Gentiles in Yerushalmi Avodah Zarah," 342, who cites Louis Ginzberg, *The Legends of the Jews*, vol. VI (Philadelphia: The Jewish Publication Society of America, 1968), 378 n.123. Solomon is also associated with the angel Michael in various texts; see e.g. the scene in which Michael gives Solomon a signet ring in the *Testament of Solomon* 1:6-7.

[24] 1 Kings 3:2-4. Marrying the daughter of a foreign ruler itself does not seem to have been the essence of the sin (nor infrequent); it was the accompanying, and seemingly inevitable, adoption of idolatrous practice that was problematic for the biblical author. See for example the warning in Ex 34:15-16, in which the text warns against marrying Amorite, Canaanite, Hittite, Perizzite, Hivite, and Jebusite women precisely because doing so leads to idolatry: "And you will take wives from among their daughters for your sons, and their daughters who prostitute themselves to their gods will make your sons also prostitute themselves to their gods" (NRSV). Immediately following this passage, the text warns again: "You shall not make cast idols" (Ex 34:17).

> him concerning this matter, that he should not follow other gods; but he did not observe what the Lord commanded.[25]

The association between Solomon's marriages and his inappropriate sacrificial practices (placed together in the biblical text to imply their interrelation) is the immediate reason that this historical moment is evoked in the context of a tractate about idol worship.[26] Moreover, it is also possible that Solomon's intermarriages are highlighted here because they blur the boundaries between the "us" and the "them" of Jews and gentiles more generally. While such marriages might not have been problematic in and of themselves in the biblical context, were it not for inevitable lapses into idolatry, in a rabbinic context such unions seem much more so.[27] It is thus not only Solomon's pining after the gods of his wives and their idolatrous practices, but also the practice of intermarriage itself (to the extent that they can be separated at all), that the rabbinic text finds problematic. Because of these two interrelated sins, intermarriage and idolatry, Solomon is held responsible by the author of this story for

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[25] 1 Kings 11:1-10 NRSV.

[26] The interconnectedness of Solomon's sin of idolatry with his relationships with foreign women is highlighted in many later sources as well. The *Testament of Solomon* ends with a reminder of Solomon's shortcomings: "So because I loved the girl… I accepted as nothing the custom (of sacrificing) the blood of the locusts. I took them in my hands and sacrificed in the name of Raphan and Moloch to idols, and I took the maiden to the palace of my kingdom. So the spirit of God departed from me and from that day on my words became as idle talk. She convinced me to build temples of idols" (26:5-6; trans. by D. C. Duling in James H. Charlesworth, ed., *The Old Testament Pseudepigrapha*, vol. 1 [New York: Doubleday, 1983], 987-987). The *Dialogue of Timothy and Aquila* also mentions these sins when the Christian Timothy remarks to his Jewish interlocutor that Solomon "did not keep any of the commandments of God, and you know that! For he even built altars to each one of the idols which his wives worshipped, which he had taken as foreigners. Concerning these God spoke to the children of Israel by the hand of Moses, saying: *You shall not make marriages with them* (Deut 7:3) he said, namely the surrounding Gentiles. Know, therefore, that Solomon greatly provoked the Lord God of heaven, because he disobeyed him… Know, O Jew, that he worshipped and slaughtered grasshoppers to the idols" (9:6-11; text and trans. in William Varner, *Ancient Jewish-Christian Dialogues: Athanasius and Zacchaeus, Simon and Theophilus, Timothy and Aquila, Texts and Translations* [Lewiston, NY: Edwin Mellen Press, 2004], 156-157. In this text, the discussion surrounds God's declaration that Solomon is as a son of God in Ps 2:7, and Solomon's birth, implicitly comparing and contrasting it with Jesus' birth.

[27] On the development of the prohibition of intermarriage from biblical through rabbinic times, see Shaye J. D. Cohen, *The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley: University of California Press, 1999), 241-262.

the emergence of the geographical area that would eventually become the city of Rome, the center of the empire.

The idea that the geographical origins of Rome are rooted in Israelite sin might also function on an additional polemical register. In contrast to Jerusalem, which was regarded as the focal point of God's actions during the world's initial creation (Jerusalem is presented as the center of creation and the universe in several second temple and rabbinic sources), Rome is created far later in history, as an afterthought and a punishment for improper behavior.[28] That is, the city is not original and ancient, but rather quite recent and of dubious origins. Moreover, whereas Jerusalem is often characterized as the geographical location under which the watery *tehom* of creation is kept at bay by the city's powerful spiritual presence, in this story Rome is surrounded by unruly water, an image that evokes chaos as it is described in the rabbinic text, and in contrast to the positive functions of water in Roman myths of the city's origins.[29]

The text describes the angel Michael placing a reed into the sea and pulling out of it a substance called "שלעטוט," which probably refers to שלע טוט, a sediment of mud or muddy alluvium.[30] From this substance grew a large thicket of reeds, for which the text uses the word "חורש," a term associated specifically with the use of reeds for

[28] E.g. *Let. Aris.* 83-84, *Jub.* 8:12-21, *b. Yoma* 54b. See also the collection of traditions in Zev Vilnay, *Legends of Jerusalem, The Sacred Land: Volume 1* (Philadelphia: The Jewish Publication Society of America, 1973), 5-10.
[29] E.g. *m. Yoma* 5:2, *t. Yoma* 2:12, *y.* Yoma 5.4, 42c, *Tg. Yer. I* to Exod 28:30, *y. Sanhedrin* 10.2, 29a, *b. Sukkah* 53a-b. On these themes relating the *tehom* to Jerusalem, see Naomi Koltun-Fromm, "Rock Over Water: Historic Rocks and Primordial Waters from Creation to Salvation in Jerusalem," in *Jewish and Christian Cosmogony in Late Antiquity* (ed. Lance Jenott and Sarit Kattan Gribetz; Tübingen: Mohr Siebeck, 2013), 239-254, and Yaron Eliav, *God's Mountain: The Temple Mount in Time, Place and Memory* (Baltimore: John Hopkins University Press, 2005), esp. 224-227.
[30] See the entry for שלעטוט in Jastrow, *Dictionary*, 1587.

construction.[31] A similar reference to the founding of a city out of muddy alluvium as that in the rabbinic source appears in Thucydides' *History of the Peloponnesian Wars*. The text reads as follows:

> Opposite to Oeniadae lie most of the islands called Echinades, so close to the mouths of the Achelous that that powerful stream is constantly forming deposits against them, and has already joined some of the islands to the continent, and seems likely in no long while to do the same with the rest. For the current is strong, deep, and turbid, and the islands are so thick together that they serve to imprison the alluvial deposit and prevent its dispersing, lying, as they do, not in one line, but irregularly, so as to leave no direct passage for the water into the open sea. The islands in question are uninhabited and of no great size. There is also a story that Alcmaeon, son of Amphiraus, during his wanderings after the murder of his mother was bidden by Apollo to inhabit this spot, through an oracle which intimated that he would have no release from his terrors until he should find a country to dwell in which had not been seen by the sun, or existed as land at the time he slew his mother; all else being to him polluted ground. Perplexed at this, the story goes on to say, he at last observed this deposit of the Achelous, and considered that a place sufficient to support life upon, might have been thrown up during the long interval that had elapsed since the death of his mother and the beginning of his wanderings. Settling, therefore, in the district round Oeniadae, he founded a dominion, and left the country its name from his son Acarnan. Such is the story we have received concerning Alcmaeon.[32]

The rabbinic sources seem to have a similar (or perhaps even identical) geological phenomenon in mind: in both texts, alluvial deposits accumulate in a watery area, preventing water from running through it and eventually creating an area of land. In Thucydides' description, the land created by these alluvial deposits is uninhabitable at first, until Alcmaeon flees to the series of islands and inhabits them as a punishment for killing his mother. The land is characterized as having been created recently (that is, after the death of Alcmaeon's mother), and only suited for one who is a murderer

[31] See Jastrow, *Dictionary*, 440.
[32] Thucydides' *History of the Peloponnesian Wars*, Book 2:102; trans. Richard Crawley, *The History of the Peloponnesian War* (London: J.M. Dent, 1910; repr. Digireads.com, 2009), 87.

and a societal misfit whom society does not want to pollute other, more inhabitable, lands. It is, in other words, a sliver of a no-man's land on which one who killed his mother goes to live – not a glorious story of the founding of a city! Whether or not the author of the rabbinic text had this particular episode in mind when constructing the story about Rome's origins is unknown – in the rabbinic source, the author makes use of this trope in the context of the founding of Rome, rather than of a region in the Greek isles, and it is unclear whether both sources are accessing shared geological and cultural assumptions or whether the rabbinic text appropriates a Greek or Greco-Roman trope known to it from this source or elsewhere. What becomes clear regardless of direct or indirect literary or oral dependence of the sources, though, is that the imagery of a city arising from alluvial deposits is not a complimentary description of its geological foundations, but a rather polemical one, associated in both this except from Thucydides and the rabbinic source with sin.

The Talmudic representation of the founding of Rome from watery origins echoes the stories the Romans themselves were telling about the city's history as well. A set of traditions and images from Roman mythology depict Rome as rising out of water in a positive light. The Tiber and the reed crown are commonly associated with Rome's origins in texts, statues, and coins. One coin from 71 C.E., for example, captures the centrality of water in a particularly evocative image: Roma sits on a rock beside the seven hills of Rome along with the she-wolf and twins of the city's founding while the river Tiber, depicted as a traditional bearded figure, holds a reed.[33]

[33] Harold Mattingly et al, eds., *Coins of the Roman Empire in the British Museum*, vol. II: Vespasian to Domitian (London: By Order of the Trustees of the British Museum, 1930), 187, no. 774, cited in Brian Campbell, *Rivers and the Power of Ancient Rome* (Chapel Hill: University of North Carolina Press, 2012),

Another coin, issued by Antoninus Pius, presents the Tiber "as an old man, half-draped and crowned with reeds, reclining either on an urn, from which water flows, or on a rock; he holds a reed in his left hand while the right rests on the prow of a ship."[34]



Coin issued by Antoninus Pius,
with a personified Tiber River holding a reed into water (140-144 C.E.)[35]

In both depictions, the personified Tiber grasps a reed, as though he is about to insert it into the water, just as does the angel Michael in our midrash. On this level, too, the rabbinic story functions as a subversive retelling of a popular account of Rome's origins, inverting its central symbols and characters. The reed, celebrated in Roman mythology and iconography, becomes a negative element, and the biblical angel Michael replaces the mythologized Tiber.

The passage in the Palestinian Talmud continues by explaining that Jeroboam's sin of idolatry, in which he erected two golden calves in his territories, directly resulted in the settlement of Remus and Romulus, the twin founders of the city of Rome, in the Roman hills (two calves for two brothers).[36] Jeroboam was

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13. On the association of water and Rome, including discussion of Rome's watery origins and images depicting the Tiber draped and crowned with reeds, see Campbell, *Rivers*, esp. 13-22, 153-157.

[34] Campbell, *Rivers*, 153, referring to Harold Mattingly, A. Sydenham, et al. eds., *The Roman Imperial Coinage*, vol. III: Antoninus Pius to Commodus (London: Spink & son, 1930), 118, no. 707.

[35] Sestertius (24.8g, 32mm, 12h), Rome mint, Struck 140-144 CE. Obv.: ANTONINVS AVG PI - VS P P TR P COS III, laureate head right. Rev.: Tiber reclining left, resting right hand on prow and holding reed in left. Image and information accessed at http://www.forumancientcoins.com/gallery/displayimage.php?album=2338&pos=4

[36] 1 Kings 12:25-33.

motivated to set up golden calves at Bethel and Dan because of his fear that his people would return to Jerusalem to offer sacrifices and decide to remain loyal to his rival, King Rehoboam of Judah, and kill their former king. Out of this fear, Jeroboam built places of worship in his own territories that were considered idolatrous, appointed priests who were not Levites to preside over them, and established his own festival to be celebrated at these two idolatrous shrines. The biblical text then describes a "man of God" rebuking Jeroboam's actions, but even after a dramatic set of events, Jeroboam continues in his wicked ways; the final passages of 1 Kings 13 read: "Even after this event Jeroboam did not turn from his evil way… This matter became a sin to the house of Jeroboam, so as to cut it off and to destroy it from the face of the earth."[37] The rabbinic passage couples this biblical episode with the mythological story of Rome's founding by the twin brothers Remus and Romulus, creating a parallel between the two golden calves and the two founders of Rome. The birth of the brothers and their consequent establishment of the city is presented by Livy in Book One of his *History of Rome* as the mythical origins of the city, a story the rabbinic text evokes.[38] As Solomon's sins caused the physical, geographical

[37] 1 Kings 13:33-34 NRSV.

[38] For the story of Remus and Romulus' competition and the founding of the city, see Livy, *Ab urbe condita* 1:4-10. It is interesting that the rabbinic text preserves the historically accurate order of the names (by birth order), in contrast to most other sources, in which the order of the names is usually reversed. It is also worthy of note that the text credits both brothers with founding the city, given that the traditional story only credits Romulus (Remus dies before the founding). As has become clear already, those who composed the Mishnah and the Talmuds were familiar with many aspects of Roman culture and it should not come as a surprise that they discuss Roman festivals, myths, and etymologies in sophisticated ways, even if not all of their information is accurate or attested in extant Roman sources. How the rabbis acquired this kind of knowledge is difficult to determine; while I do not think that rabbis sat and read Livy's *History of Rome* in Latin, there were many ways for them to gain access to such information, at the marketplace, in conversations with others, and so on. Regardless of how they learned these myths, it is clear that they knew them well enough not only to make reference to them but to build upon and at times to invert them in intricate ways.

formation of the territory that became Rome, Jeroboam's idolatry caused the *mythical* founding of the city by the twin brothers.

Jeroboam's idolatrous sins are already discussed earlier in the tractate as well. Embedded within the discussion of the first *mishnah* is a long homily about the king and his idolatrous practices, starting with the very beginning of his reign: "Once Jeroboam took up the reign over Israel, he began to entice Israel [toward idolatry], saying to them, 'Come and let us practice idolatrous worship. The heathen deity is easy going (ותרתנית היא וז"ע).'"[39] It details Israel's role in the process: "On the day on which Jeroboam began to reign over Israel, all Israel came to him at dusk, saying to him, 'Rise up and make an idol.'"[40] The passage continues with Jeroboam's creation of two calves of gold at Bethel and Dan and the subsequent series of idolatrous transgressions he committed with these golden idols.[41] This homily anticipates the far briefer allusion to Jeroboam in the aetiology provided for Kratesis (it does so even with the precise language it uses, "On the day on which Jeroboam…"), in which his creation of the two golden calves causes Romulus and Remus to found the city of Rome, now considered the contemporary epicenter of idolatrous worship.

In addition to, and perhaps in conjunction with, his sin of idolatry, Jeroboam is accused of another transgression in a remark at the end of the homily attributed to R. Abin bar Kahana, who teaches: "Also in regard to the Sabbaths and the festivals we find that Jeroboam invented them on his own."[42] The same rabbi then provides a

[39] *y. Avodah Zarah* 1.1, 39a; translations with modifications from Neusner, *The Talmud of the Land of Israel* vol. 33, 8. I rely on Jastrow's translation of the final phrase (*Dictionary*, 377), which is a strange construction.
[40] *y. Avodah Zarah* 1.1, 39b; Neusner, *The Talmud of the Land of Israel* vol. 33, 9.
[41] *y. Avodah Zarah* 1.1, 39b.
[42] *y. Avodah Zarah* 1.1, 39b; Neusner, *The Talmud of the Land of Israel* vol. 33, 12.

prooftext from 1 Kings 12:32, about Jeroboam appointing a feast on the fifteenth day of the eighth month, on which he offered sacrifices upon the altar and sacrificed to the calves. Thus the Israelite king brought sacrifices "in a month that he made up on his own" (1 Kings 12:33), which Neusner understands as setting up a calendar in Bethel that was at odds with the one in Jerusalem and would have prevented the people from making their festival pilgrimages.[43] The accusation that Jeroboam instituted false festivals – indeed, idolatrous festivals – is particularly fitting within a discussion about festival times and laws constructed to limit participation in these very kinds of celebrations. This final section about Jeroboam's sins of timing serves as the homily's climax. Moreover, in the context of the redacted chapter in the Yerushalmi, this earlier discussion of Jeroboam and his idolatrous sins regarding festivals becomes a prelude for Jeroboam's reappearance in our aetiology of Kratesis and, because of its placement after this extended discussion, the story evokes all of these associations previously made in the tractate.[44]

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[43] Neusner, *The Talmud of the Land of Israel: Abodah Zarah*, 12. 1 Kings 12:33 (בחדש אשר בדא מלבד [מלבו]) is a complicated verse that is written as "in the month that he created on his own," but usually understood (and read) as "in the month that he created of his own heart," though the meaning of both these readings is basically identical. The Yerushalmi interprets these textual issues to indicate that Jeroboam changed not only the date of this festival (assumed to be Sukkot, which fell out on the seventh rather than the eighth month), but also the day of the Sabbath. This interpretation is based on an intertext (Lev 23:38-39) that makes use of the same word (מלבד, which means "aside from" in Leviticus but is read as "of his own heart/inclination" in 1 Kings) in the context of both Sabbaths and references the "festival of the seventh month" (Sukkot). The verses read: "These are the appointed times of God that you shall proclaim as holy convocations, to offer a fire-offering to God… Aside from God's Sabbaths (מלבד שבתת יהוה), and aside from your gifts, aside from your vows, and aside from your free-will offerings, which you will present to God. But on the fifteenth day of the seventh month, when you gather in the crop of the land, you shall celebrate God's festival (אך בחמשה עשר יום לחדש השביעי באספכם את תבואת הארץ תחגו את חג יהוה) for a seven-day period, the first day is a rest day and the eighth day is a rest day" (Lev 23:37-39). The text in the Yerushalmi reads: א"ר אבין בר כהנא אף שבתות וימים טובים מצינו שבדה להם ירבעם מלבו, and then offers its interpretation: בחדש אשר בדה מליבו מלבד כתיב כמה דאת אמר מלבד שבתות ה'.

[44] That is, even if the two sections can stand alone and were only placed together by a redactor, the connections between the two sets of references to Jeroboam within the tractate are highlighted once the chapter was arranged in this way. The Jeroboam references could also serve as the *reason* for the arrangement of the tractate in this way as well.

Finally, the passage about the origins of Kratesis explains that Elijah's disappearance – by which it refers to the events that transpired in the kingdom of Israel during Elijah's lifetime and immediately after Elijah's ascent to heaven – caused the final step in the founding of Rome.[45] In 1 Kings 18 – 2 Kings 1, Elijah actively combats the idolatrous practices of the Israelites and their kings; most dramatically, Elijah ascends Mount Carmel and proves God's legitimacy over Baal.[46] The time during which Elijah lived was characterized by idolatrous sins, which Elijah actively attempted (but ultimately failed) to combat; Elijah's disappearance symbolizes the departure of an active attempt to root out idolatry and idolatrous practices. Indeed, immediately after Elijah's disappearance, the text describes the reign of Jehoram, son of Ahab, over Israel: "he clung to the sin of Jeroboam son of Nebat, which he caused Israel to commit; he did not depart from it…"[47] The final prooftext provided in the rabbinic story about Kratesis refers to an episode about Jehoshaphat, who reigned as king of Judah during part of Elijah's lifetime; Jehoshaphat also did not dismantle the idolatrous shrines set up by previous kings. All of this idolatry stemming from Israel and Judah's leaders that characterized Elijah's era even as the prophet fought against it, is associated, according to this rabbinic passage, with the appointment of a king in Rome, who would be equally as destructive to Israel as the idolatrous Israelite kings were in their day.[48] The Palestinian Talmud likely has Numa in mind here, Rome's first king, who was

[45] Elijah's disappearance appears in 2 Kings 2:1-12. The biblical passage cited in the Yerushalmi story (1 Kings 22:48, "There was no king in Edom, a deputy was king") does not actually refer to Elijah's disappearance, which occurs later, but rather to Jehoshaphat, under whose leadership "the shrines did not cease to function and the people still sacrificed and offered at the shrines" (1 Kings 22:44).
[46] 1 Kings 18:20-40.
[47] 2 Kings 3:3 NRSV.
[48] 2 Kings 2:11 and 3:1-3.

associated with the *historical* founding of the city.[49] The prooftext from 1 Kings 22:48, which refers specifically to Edom and its leadership, implicitly links the biblical text's Edom to Rome, a move also made in other contemporaneous rabbinic texts.[50]

The story blames Israel's leaders' iniquities for the geographical, mythical, and historical origins of Rome: Rome rises as Israel falls, a direct result of Israel's sins.[51] As with the Palestinian Talmud's multiple explanations of the origins of Kalends, in this case, too, the rabbinic sources provide natural, mythological, and historical narratives for the origins of Kratesis. This tripartite explanation for Rome's founding is also found in Roman sources discussing their own stories of origin, making the structure of this rabbinic passage all the more intriguing. The more Solomon, Jeroboam, and the entire nation adopted idolatrous ways of life and assimilated into their pagan surroundings, the stronger their Roman (pagan, idolatrous) enemy became.

The message of the story is quite clear: intermingling with idolatrous neighbors directly led to Rome's founding, assumption of power, and oppression of the Jews; in

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[49] E.g. Livy, *Ab urbe condita* 1:17-20.

[50] See *y. Ta'anit* 1.1, 64a and PdRK 7,11 (ed. Mandelbaum, 134). Edom becomes associated with Rome during the end of the tannaitic period and into the amoraic period, when homilies about Edom become applied to Rome and then also to Christianity. See Bakhos, *Ishmael on the Border,* 63-64, 79-80, and Gerson Cohen, "Esau as Symbol in Early Medieval Thought," in *Jewish Medieval and Renaissance Studies* (ed. Alexander Altmann; Cambridge, Mass.: Harvard University Press, 1967), 19-48.

[51] The three biblical moments that the text pairs with the various stages of Rome's origins all relate specifically to Israelite kings and their idolatrous behavior. These three specific examples could have been chosen because of these unifying features, and perhaps they served additionally as an implicit critique of contemporary political leadership. Another interesting literary pattern emerges in the rabbinic text: the first example, of the marriage of Solomon and the Pharaoh's daughter, represents sexual encounter and is reciprocated by the phallic imagery of the angel Michael's inserting a reed into the sea. The second example, of Jeroboam's creation of two golden beings, corresponds to the birth of Rome's founders – after sex, comes creation and birth. Finally, Elijah's disappearance is a form of death. The three examples, then, present a microcosm of life: procreation, birth, and death. That the text is ahistorical in its setting of the events is another way in which narrative time is playfully employed in a sophisticated way, conflating and expanding historical connections as it sees fit in order to articulate its argument most forcefully.

order to overcome their enemies, Israel must reverse its actions and stay far from idolatry and, in particular, from the pagan festivals that commemorate the geographic expansion of this pagan world. This day on the Roman calendar becomes a festival because of the immorality and idolatrous practices of a series of Israelite kings, insists Rabbi Levi in the Palestinian Talmud; the only appropriate way for Jews to mark this day was to abstain from any form of idolatrous practice or commercial participation that would acknowledge it as a day of celebration.

In the several aetiologies collected in the Palestinian Talmud's discussion of Roman festivals, the biblical past is mapped onto Roman time, whether through an etymology, a character, or a series of events. Through this process, the Roman festal days identified in the earlier tannaitic texts become intertwined with the history of the Jews who are beckoned, in these same rabbinic texts, from abstaining from the celebration of these days. The case is made, in almost every aetiology, that each Roman holiday originated with God's divine hatred, or Israelite sin, or other biblically-inflected themes that warn against becoming too comfortable living in a Roman society and adopting its temporal rhythms. A similar process of incorporating Jewish elements into the explanations of Roman festival origins occurs in passages in the Babylonian Talmud as well, but, as we shall see, the stories that these sources integrate differ in significant ways – and for perhaps surprising reasons – from those found in the Palestinian Talmud.

Narratives from the Babylonian Talmud

In the Babylonian Talmud, Jews and Judaism are also placed at the center of some Roman festivals. As in the Palestinian Talmud, the laws articulated in the Babylonian Talmud are unwavering in their prohibition against participating in the

Roman festivals and the commercial activities surrounding them. Nonetheless, the narratives about the origins of Roman festivals in the Babylonian Talmud are more comfortable than those in the Palestinian Talmud inscribing positive moments of the Jewish past onto certain Roman calendar days, enmeshing Jewish and Roman time in ways that are markedly different from those in the Palestinian Talmud.

Let us first turn to the discussion surrounding the festival of Kratesis preserved in the Babylonian Talmud to highlight the stark contrast between the explanations provided in the two Talmuds. Like the Palestinian Talmud, the Babylonian Talmud offers several explanations for the festival they call Kratesis. Whereas the passages in the Palestinian Talmud *blame* the Jews and their sins for the original founding of Rome in their explanation of the festival, the Babylonian Talmud's aetiology for this very same festival credits – positively, even proudly – the Jews and the Torah for the success of the Roman Empire. In the realm of history and memory, at least, the author of this passage lays claim to the festival's origins.

In the Babylonian Talmud, Rav Judah (citing Samuel) defines Kratesis as "the day on which Rome extended her dominion."[52] The anonymous voice of the Babylonian Talmud challenges Rav Judah's definition of Kratesis by citing an earlier tradition that mentions both the festival of "Kratesis" and an unnamed holiday identified as "the day on which Rome extended her dominion."[53] Ironically, the presence of the conjunction "and" (*vav*) in this *baraita* could indeed originally have served an interpretive function, such that the clause "the day on which Rome

[52] *b. Avodah Zarah* 8b.
[53] A similar, though not identical, passage appears in *t. Avodah Zarah* 1:2.

extended her dominion" served to modify "Kratesis" (as in, "Kratesis, that is the day on which Rome extended her dominion…"), just as Rav Judah understands it.[54] But in the Babylonian Talmud's interpretation of this tradition, it is taken for granted that the conjunction indicates two *different* festivals, and accuses Rav Judah of inappropriately conflating two festivals into one, the latter serving as an explanation of the former. An opinion in the name of Rabbi Joseph is then supplied to resolve this tension between Rav Judah's opinion and that of the Bavli's anonymous layer by explaining that Rome actually expanded her reach *twice*, and thus both opinions are correct – Rav Judah can maintain that Kratesis is a festival that commemorates Rome's expansion in the east, and there could still be *another* festival in celebration of a second expansion of the empire. The two historical moments of expansion associated with the festival Kratesis are then identified in the passage as Rome's two victories: Cleopatra's defeat at the Battle of Actium in 31 B.C.E. ("once in the days of Cleopatra the Queen," in the language of the Talmud) and the earlier victory over the Syrian king Antiochus III in 190 B.C.E. ("in the days of the Greeks"). In these first few lines, the Talmudic text identifies these two holidays only on the basis of Roman history, with no direct relation to Jews or Jewish history.

For some rabbis, however, such a historical explanation was not sufficient. A tradition in the name of Rav Dimi, a late fourth-century Babylonian rabbi, offers a

[54] See Nahum Yaacov Halevi Epstein's comments on the interpretive *vav* in *Introduction to the Mishnaic Text* (Jerusalem: Magnes Press, 1948), 1076-1081. It is thus the Bavli's interpretation of the *baraita* that creates the contradiction with the Mishnah.

different explanation, one that recounts the way in which Rome defeated Greece.[55] It is a strange story in which Jews play a surprisingly important role:

> Thirty-two battles did the Romans fight against the Greeks and could not prevail against them until the Romans made an alliance with the Israelites. And these were the conditions made with them: if kings are [chosen] from among us, the prefects should be chosen from your midst, and if the kings are chosen from among you, prefects shall come from our midst. Then the Romans sent word to the Greeks as follows: hitherto we have been fighting matters out, now let us argue them out: of a pearl and a precious stone which shall form a setting for which? They sent the reply: 'The pearl for the precious stone.' And of a precious stone and an onyx, which shall form a setting to the other? 'The precious stone to the onyx,' was the reply. And of an onyx and the Torah scroll which shall serve as the setting for the other? 'The onyx for the Book of the Law,' they replied. The Romans then sent word: in this case, the Book of the Law is in our possession, for Israel is with us. Thereupon the Greeks gave in.[56]

According to Rabbi Dimi, the Romans were capable of defeating the Greeks only because they had the Jews and the Torah on their side. The Romans first make an alliance with the Jews, and then the Romans convince their Greek enemy into surrendering by informing them that they possess the most precious object, the Torah. That is, once the two sides cease from military activities and resort to settling their confrontation through argumentative diplomacy instead, the Romans make the case that now that they have Israel, the Greeks should surrender to them. This is the proper order of the universe, the Romans imply, as the world's most precious belonging is on the Roman side. Not only do the Romans admit that their victory

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[55] Rav Dimi is frequently associated (including in this text) with bringing traditions from Palestine (*ki ata rav dimi*, i.e., from Palestine). Whether or not this source is actually from Palestine despite the text's implication that it is is impossible to know, as it appears only here in a Babylonian source, with no parallel in any Palestinian source. Perhaps because it is a story about Rome and Roman history the text seeks to emphasize that it originated from within the Roman Empire. I treat it here as a source that reflects Babylonian rabbinic attitudes, as it is the Bavli that chooses to include it, leaving open the possibility that it might also reflect sentiments from Palestine, which differ from the dominant voices preserved in the Yerushalmi regarding the Roman festivals and their origins.

[56] *b. Avodah Zarah* 8b; translation from Epstein, *The Babylonian Talmud*, 39-40, with slight modification.

depends on the Torah; the Greeks, too, recognize the value of the Jewish alliance and immediately capitulate.[57] This rabbinic text seems to be familiar with the alliance between the Jews and the Romans, an alliance also recorded in 1 Maccabees[58] and Josephus (in contrast to the Palestinian Talmud, which does not refer to this alliance in its discussion of this festival).[59] By connecting this historical alliance to Rome's ultimate victory in the rendition offered by the rabbinic text, and by identifying the Jews as the reason for the festival of Kratesis, the passage insists that those two festival dates on the Roman calendar necessarily also allude to the Jews and even acknowledge and celebrate their most precious commodity, the Torah. The text places the Jews into the story of Rome's transformation from a republic into an

[57] It is worth mentioning here the more general relationship between war and the gods in Roman ideology. In his discussion of the battle of Actium, the subject also of this rabbinic passage, Virgil describes the heavenly battle between different gods that persisted alongside the earthy battle. Clifford Ando writes of Virgil's cosmic war: "The victory of Augustus and the West might therefore be understood as a victory of one set of gods – one set of anthropomorphic gods – over the bestial gods of their enemies…" (Clifford Ando, *The Matter of the Gods: Religion and the Roman Empire* [Berkeley: University of California Press, 2008), 122, referring to Virgil, *Aen*. 8.698-700). Ando also quotes Tertullian, who stresses, again, the relationship between war and divinity in the Roman context: "Wars and victories depend on the capture and generally the overthrow of cities. That business cannot take place without injury to the gods… The sacrileges of the Romans are thus as many as their trophies; their triumphs over gods as many as those over nations; their booty as great as the number of surviving statues of captive gods…" (Tertullian *Apol.* 25.14-16 in Ando, *The Matter of the Gods*, 121-122). This rabbinic passage about the Torah on the Roman side, then, has interesting implications for merging Roman and Jewish religion (and thus religious victory) over that of the Greeks in the rabbinic presentation of Roman imagination.

[58] 1 Maccabees 8:1 records: "Judas had heard of the fame of the Romans, that they were valiant in power, that they were favorably disposed toward all who joined them, that they offered friendship to all who approached them." Hadas-Lebel, *Jerusalem Against Rome*, 7. 1 Maccabees then recounts that two envoys journeyed to Rome and finalized an alliance with the Romans; according to the agreement, the Jews were to fight on the side of the Romans, should Rome be attacked, and the Romans were to defend the Jews in case of war. Ibid., 7-39.

[59] Josephus, *Jewish Antiquities* 12.417-418: "No one of those who are subject to the Romans shall make war on the Jewish nation, or furnish those who make war on them any grain, ships, or money. And if any attack the Jews, the Romans shall assist them as far as they are able, and on the other hand, if any attack the Romans, the Jews shall help them as allies." Hadas-Lebel, *Jerusalem Against Rome*, 9. On the presence of historiographical details from Josephus in the Babylonian Talmud, see Richard Kalmin, *Jewish Babylonia between Persia and Roman Palestine* (Oxford: Oxford University Press, 2006), 149-172. I do not intend to suggest here, however, that the texts of 1 Maccabees and Josephus were known to the Talmudic author of this passage, simply that this alliance is known to *us* also from these sources.

empire even though that empire eventually abandoned its treaty with the Jews and began mistreating them, as the text explains later.

In some ways, this story is a counterpart to one of the aetiologies that the Palestinian Talmud offers for Kalends (discussed above), in which the Romans and Egyptians, rather than the Romans and the Greeks, engage in battle without an immediately definitive victory for either side. First, a number of parallel narrative elements link the stories: two competing empires, an unresolved series of battles, a turn to a strategic plan rather than a show of force. Second, a word rarely used in rabbinic texts appears in both passages (איפרכין in the Yerushalmi and הפרכי in the Bavli, meaning "prefects"), perhaps an indication of some kind of literary dependence of the sources as well. It is possible that the story preserved in the Babylonian Talmud is an altered version of that found in the Palestinian Talmud, adapted for a different festival in the Bavli. If this is the case, then the comparison of these two stories and their drastically different sentiments towards Roman victory and expansion becomes that much more intriguing: not only do the stories in the two Talmuds differ, but they might even reflect deliberate changes that were important to each of the authors who stood behind the adapted stories as well as the redactors who chose to include them.[60] The stories are spun in two different ways, in the Palestinian Talmud the story is one that presents Roman victory as a purely Roman affair that does not include the Jews and moreover marks Roman origins with death and suicide,

[60] If, as discussed above, one takes at face value the text's introductory attribution, that Rav Dimi brought the tradition from Palestine, this is an intriguing possibility, especially so if it was altered so dramatically in the Babylonian context.

and in the Babylonian Talmud the story emphasized that it was the Jews and the value of Torah that can take credit for Rome's military and imperial success.

The optimistic perspective on Kratesis in the Babylonian Talmud mirrors, in certain ways, Philo's praise of the Roman takeover and especially his admiration of Augustus. Maren Niehoff has suggested that Philo and Josephus do not complain about Augustus, as might otherwise be expected, because of the emperor's virtue, character, moderation in governance, imperial beneficence, and his amiable relationship with the Jews.[61] Niehoff writes that "the cultic veneration of Augustus in the Alexandrian *Caesareium* was in [Philo's] view compatible with Jewish values and Jewish identity."[62] Moreover, she writes:

> Augustus… appears in the pages of Philo's *Legatio* as a ruler most akin to the Jews. He shared 'our' values and protected 'our' rights… 'he was never elated or made vain by extravagant honours' and refused 'ever to be addressed as a god' (*Leg.* 154). He was therefore annoyed at anyone thus relating to him, while approving of the Jews 'who, he knew very well, eschewed all such language on religious grounds' (*Leg.* 154)… Philo embraced here an Augustan self-image denoting political modesty… Philo used this image to highlight the compatibility of Jews and Romans… Augustus appeared to Philo as someone who generally respected 'the native customs of each particular nation no less than of the Romans' (Leg. 153), but gave special attention to Jewish rights… Augustus not only tolerated these Jewish customs, but also 'showed such a reverence' for them that, supported by virtually his whole family, he 'enriched our Temple with expensive dedications' and ordered 'regular sacrifice of holocausts to be made daily in perpetuity at his own expense as an offering to the Most High God' (*Leg.* 157). These sacrifices were in Philo's eyes a most telling 'proof of his truly imperial character' (*Leg.* 157). This description of Augustus' support for Jewish customs shows a tendency both to establish his behavior at the essence of Roman rule and to draw him spiritually near to the Jewish religion… The affinity which Philo felt existed between the Augustan house and the Jews was so deep that he began to speak about

[61] Philo, *Leg.* 143; Josephus, *Jewish Antiquities* 15:187-201, 16:160-173, 19:282-283, and *Contra Apion* 2:61. Maren Niehoff, *Philo on Jewish Identity and Culture* (TSAJ 86; Tübingen: Mohr Siebeck, 2001), 118, 128-133.
[62] Niehoff, *Philo on Jewish Identity and Culture*, 131.

> the Roman emperor in terms akin to those of a convert to Jewish beliefs… Augustus became a Jew in spirit and acknowledged the true nature of the most high God.[63]

Niehoff demonstrates the way in which Philo's Augustus respects and adopts Jewish customs, to the point of speaking of a conversion. The talmudic retelling of Augustus' victory over the Greeks resembles Philo's depiction of Augustus: in the Babylonian Talmud, the Romans accept the Torah as powerful and central to their success in battle. Philo's sentiment towards Augustus is thus mirrored in the Talmud, as well.

That is not to say that these two sources convey identical sentiments. Philo and the rabbis operated under drastically different cultural conditions: Philo wrote at a time when the temple in Jerusalem still stood, while the subsequent revolt against Rome and the ensuing destruction loomed large for the rabbis even centuries after these events had transpired. It is not surprising, given these diverging contexts, that Philo is more generous in his praise, focusing on Augustus' character and his respect of Jewish custom, while even the most positive rabbinic passage places emphasis on the greatness of the Torah itself and its utility in Roman victory, rather than on the Roman virtue of recognizing its power. The respective audiences of each text also differed: Philo seems ultimately to be interested in demonstrating the compatibility of Jewish and Roman values and customs to both diasporic Jews and Greek-speaking non-Jews who might have been inclined to dwell on the seemingly irreconcilable cultural differences, while the rabbinic author of this story seeks to affirm the importance of the Torah in realms as surprising as military battles pitting two foreign

[63] Ibid., 131-133.

nations against one another. Each text highlights the adoption of Jewish values and customs, but ultimately for different ends.

Identifying the Jews and the Torah with the Roman victory commemorated at Kratesis and other festival days, as the Babylonian Talmud does, allows for a shared sense of history, a past in which the Jews played a fundamental role and that is commemorated each year on its anniversary. In the Palestinian Talmud, the aetiology given for Kratesis also involves the Jews, even though their role in each story is very different. The Palestinian story conveys the message that with each sin of idolatry and assimilation the Jews commit, they allow their Roman enemy to gain greater power and, ultimately, to rule over and oppress them. The story in the Babylonian Talmud presents the Jews as righteous – sharing their Torah with the Romans – and through this partnership, Rome prevails over foreign enemies. In both, however, Judaism is placed at the very core of the festivals, and thus also – metaphorically at least – onto the Roman calendar as the rabbis imagined it.

Kratesis is not the only festival for which an origin story is given in the Babylonian Talmud. The Bavli's story about the origins of Kalends and Saturnalia is similar to (and probably based on) the one told in the Palestinian Talmud about Adam, and it serves as another example of the Bavli's imposition of biblical resonances onto the Roman calendar.[64] The text is attributed to a tannaitic source:

[64] A parallel (though not identical) text is found in *y. Berakhot* 8.6, 12b; partial parallels in *b. Hullin* 60a and *b. Shabbat* 28b; and A1 in *Avot de-Rabbi Natan* (ed. Shneur Zalman Schechter; New York: Jewish Theological Seminary, 1967; repr., New York: Jewish Theological Seminary, 1997), 4. See also Moshe Benovitz's insightful article about the original meaning of this story and its association with Hanukkah and how it came to be associated with the Saturnalia through the Bavli's redaction, "Herod and Hanukkah" (Heb.), *Zion* 28 (2003): 5-40. On the Saturnalia as a festival that marks the end of the year, see Fritz Graf, *Der Lauf des rollenden Jahres: Zeit und Kalendar in Rom* (Stuttgart: Teubner, 1997), 24-25.

> When the first [man] Adam saw that the days were getting shorter, he said: oh no, perhaps because I sinned, the world is darkened because of me and is reverting back to *tohu vavohu* (chaos), and this death has been decreed upon me from heaven. He got up and sat for eight days, fasting and praying. When he saw the period of *tevet* (December-January), he saw that the days were getting longer, he said: it must be the way of the world. He got up and made eight days of holiday. The following year, he made both sets of days holidays. He [Adam] established them as such for the sake of heaven, while they established them for the sake of idol worship.[65]

While this passage draws on a similar tradition about Adam establishing Kalends preserved in the Palestinian Talmud, in the Babylonian version it is not Adam's proclamation that provides the etymology of the name Kalends. In the more developed version of the Babylonian Talmud, Adam performs rituals preceding and following the winter solstice; thus Adam not only establishes Saturnalia and Kalends, he also *celebrates* the festivals long before the Romans! The rabbinic text is fairly exacting in its details: Adam creates an eight-day holiday, which corresponds to the length of the Saturnalia, and then celebrates again during the period of Kalends (a multi-day affair by late antiquity). It is Adam's observation of the sun and the increasing darkness (and then light) that becomes a central feature of the story. As in the Palestinian Talmud's aetiology, crediting the biblical Adam with this festival's origins associated January 1 with a character and a set of references familiar to Jews. In this way, Jewish tradition is incorporated into the Roman calendar once again.

An additional important context for understanding the resonance of this story in the Babylonian Talmud is the Zoroastrian marking of the winter solstice.[66] In the

[65] *b. Avodah Zarah* 8a; translation my own.

[66] The solar calendar year began on the winter solstice during this period, while previously the solstice was celebrated as the midwinter festival (*Maidhyairya*). See S. H. Taqizadeh, "The Old Iranian Calendars Again," *Bulletin of the School of Oriental and African Studies* 14.3 (1952): 603-605, François de Blois, "The Persian Calendar," *Iran* 34 (1996): 44, and Mary Boyce, "Iranian Festivals," in *The Cambridge*

Talmudic story, Adam thinks that he has sinned and therefore assumes that the world is reverting back to chaos; the ideas of sin and evil are associated in Zoroastrianism specifically to this time, when the darkness appears most powerfully. Are the rabbis latching on to what is already a Persian perception of this time? It is perhaps possible that the celebration of the winter solstice not only in Rome, but also in the Sasanian Empire, provides a background for understanding how this story about Adam was interpreted by the rabbis of Babylonia, and why this version specifically, as opposed to its various parallels, appears in the Babylonian Talmud.

The last line of the story insists that the legitimate, godly celebration of these days by Adam predates the Roman celebrations. This ending emphasizes that Adam did not celebrate for pagan reasons, as others do, but that he held feasts in order to thank and serve the true God. Nonetheless, Adam is depicted as participating and playing an active part in the festivals, perhaps establishing them long before the Romans corrupted these same days of celebration with their pagan orientations.[67] Or, read in a different light, one might imagine that the text suggests that a time is created during which those who practice "for the sake of heaven" celebrate at precisely the same time as those who practice "for the sake of idolatry," synchronizing seemingly irreconcilable values within a single day on the Roman calendar. Again – and in this case quite literally – Roman and rabbinic time overlap.

History of Iran, vol. 3: The Seleucid, Parthian and Sasanian Periods (ed. Ehsan Yarshater; Cambridge: Cambridge University Press, 1993), 792-816, esp. 795.

[67] The changing character of the Kalends might also lie behind the depiction of Adam in this text.

Talmudic Aetiologies in Light of Roman Models

Yet another observation about this genre of festival origin stories found in amoraic sources is worth highlighting. The rabbis' ironic merging of Jewish and Roman time finds expression not only in the rabbinic imagination of Jews at the heart of aetiologies of Roman festivals, as I have explored above, but also in the rabbinic adoption of the Roman model of the genre of festival aetiologies. In other words, it is not merely noteworthy that the rabbis see the biblical Adam or the Torah as primary characters in the narrative of the creation of Roman festivals, but also important to recognize that the model of the entire aetiological enterprise, as it finds expression in these rabbinic sources, might itself be Roman. The ways in which the rabbis treat the Roman festivals in their narratives thus fit with conventional Roman paradigms for imagining the origins of festivals.[68] The Hebrew Bible also provides agricultural and historical explanations for each of its festivals, and rabbinic sources pick up on and develop these aetiologies as well when they discuss the various Jewish new years and other holidays.[69] Yet in their discussion of Roman holidays, as we shall see, the explanations provided in the Palestinian and Babylonian Talmuds resemble more closely those from Roman sources in both style and content.

Other rabbinic texts (as well as other earlier and contemporaneous texts, such as the scholion to Megillat Ta'anit) offer aetiologies of Jewish feasts and fasts that

[68] Perhaps not surprisingly, the narratives in the Palestinian Talmud resemble more closely the Greco-Roman sources than do those in the Babylonian Talmud.

[69] E.g. *m. Rosh HaShanah* 1:1-2, *b. Rosh HaShanah* 2a ff. See also Jeffrey Rubenstein's discussion of the origin of the holiday of Sukkot in the Hebrew Bible (e.g. Lev 23:42-43) and the way the rabbis latch onto one of its meanings in *The History of Sukkot in the Second Temple and Rabbinic Periods* (Atlanta: Scholars Press, 1995), 17-18.

likewise share some features with the ones that the rabbis offer for Roman holidays.[70] It is therefore also possible that the rabbis not only adopt these strategies of explanation for Roman holidays in particular, but rather that they are participating in a general discourse of aetiology even when explaining Jewish holidays.

In her work on the aetiologies of festivals, Mary Beard has pointed to the trend of layering multiple meanings on a single festival day in the writings of ancient Roman authors.[71] In the case of the *Parilia*, a festival held annually on the 21st of April – the focus of Beard's thesis – Ovid, Dionysius of Halicarnassus, and Plutarch couple agricultural and historical aetiologies about the foundation of Rome. Beard highlights the variety of explanations provided for this single festival and the "highly evocative power of the festival" that results.[72] It is precisely the constant generation and accumulation of interpretations that afforded the festival its relevance and allowed it to be re-understood in various contexts, even when older aetiologies became irrelevant to those who celebrated the festival. Rather than settling on a simple interpretation, the constellation of religious, historical, civic and natural explanations provided Roman festivals a rich significance and allowed different demographic groups to relate to the festival in ways that were most appropriate to them.

The aetiologies of the Roman festivals presented in rabbinic sources, I suggest, are part of this same Roman phenomenon: they (re)imagined the origins of the

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[70] On Megillat Ta'anit, see Vered Noam, *Megillat Ta'anit: Versions, Interpretation, History* (Heb.; Jerusalem: Yad Ben-Zvi Press, 2003), and idem., "Megillat Taanit: The Scroll of Fasting," in *The Literature of the Sages* (ed. Shmuel Safrai, Zeev Safrai, Joshua Schwartz, and Peter J. Tomso; Philadelphia: Fortress Press, 2006), 339-362.

[71] The layering of natural/agricultural and Roman meaning onto festival days is not uncommon. See Beard, "A Complex of Times," 273-288.

[72] Beard, "A Complex of Times," 280

empire's festivals in ways that were relevant to particular individuals and communities. In other words, though the rabbis prohibited their followers from participating in the festivals, the rabbis nonetheless engaged in the practice of constructing customized aetiologies of those festivals, ones that resonated with Jews yet still conformed to, and emerged out of, Roman paradigms. Two parallels are most striking between the Roman and rabbinic sources (and in particular the Palestinian Talmud): first, the aetiologies, in many cases, explain not only the reason for a festival, but also the significance of its name; second, a range of natural, mythological, and historical explanations are suggested.

Let us consider the case of the Kalends of January, the first Roman festival mentioned in the Mishnah and the first festival of the Roman calendar year. In Latin and Greek sources, various etymologies are given for the Kalends, each of which designated a specific reason for the festival's origins. In the first century B.C.E, Varro, for instance, offers an explanation in light of Roman practice: "the first days of the months are named the *Kalendae*, because on these days the Nones of this month *calantur*, 'are announced,' by the pontiffs on the Capitoline in Announcement Hall…"[73] Here, the name 'Kalends' is a product of Roman society and custom, and gains its meaning as a result of a practice of the pontiffs, that is, religious authorities of Rome. Varro also mentions, however, that "the Kalends of January are called the new year from the new sun," indicating a natural explanation for the new year as well.[74] The tension between civic and natural is prominent in Ovid's *Fasti*. Ovid

[73] Varro, *De Lingua Latina* 6.27; translation by Roland G. Kent in Varro, *On the Latin Language*, vol. 1 (LCL 333; London/Cambridge, MA: W. Heinemann and Harvard University Press, 1938), 198-201.
[74] Varro, *De Lingua Latina* 6.28; translation by Kent, *On the Latin Language*, 200-201.

asserts that the spring is a far better time for the new year to begin than the winter – "everything flowers then, then time has new life, and the new buds plump on the bursting shoots… then suns are seductive… this would rightly have been called the new year."[75] Yet, Ovid's interlocutor reminds the reader that it is during the winter that the sun experiences its moment of renewal: "Winter has the first new sun and the last old one: so Phoebus and the year begin the same."[76] Despite this counterargument, Ovid maintains his position on the incongruity of the new year, insisting that though the civic year begins in the winter, it makes much more sense in terms of how nature functions that the year commence in the spring; this argument, written while Ovid was exiled, served also to criticize Rome.[77] A few centuries later, Isidore of Seville would offer an explanation that is ritually informed but not Roman in origin: "Some people think that the Kalends were named after 'to worship' (*colere*), for among the ancients the beginnings of each month were worshipped, just as among the Hebrews."[78] (Here, Isidore also connects Jewish and Roman festivals, not in their origins, but in their *timing*!).

Most similar to Rav's passage in the Palestinian Talmud, about Adam's discovery of the sun's movements, is a naturalistic explanation provided by Plutarch: "The disappearance and concealment of the moon they call Kalendae, for everything

[75] Ovid, *Fasti* 1, lines 151-160; translation by A. J. Boyle and E. D. Woodard in Ovid, *Fasti* (London: Penguin Books, 2000), 7.
[76] Ovid, *Fasti* 1, line 163-164; trans. Boyle and Woodard, *Fasti*, 8.
[77] Feeney, *Caesar's Calendar*, 204-205.
[78] Isidore of Seville, *Etymologies* 5.33.13; translation by Stephen A. Barney, et al, *The Etymologies of Isidore of Seville* (Cambridge: Cambridge University Press, 2006), 128. It is, of course, noteworthy that Isidore of Seville links this festival with the Hebrews' celebration of the new moon.

concealed or secret is *clam*, and 'to be concealed' is *celari*."[79] Rather than the amount of sunlight and the length of days, as in the Talmud's explanation for the Kalends of January, here it is the moon's waning that gives the first day of each month its name; the similarity lies in that both explanations rely on occurrences in nature rather than specifically Roman history or civic life.[80] Plutarch also offers a civic Roman explanation for the start of the year in January that he deems most accurate and persuasive:

> But more worthy of credence are they who maintain that it was because Romulus was a warrior and a lover of battle, and was thought to be a son of Mars, that he placed the first month which bore Mars' name. But Numa, in turn, who was a lover of peace, and whose ambition it was to turn the city towards husbandry and to divert it from war, gave the precedence to January and advanced the god Janus to great honors, since Janus was a statesman and a husbandman rather than a warrior.[81]

Plutarch explains that the transfer of the Roman New Year from March to January is a result of the different ideologies of Romulus, Rome's founder, and Numa, Rome's second king who built the Temple of Janus and reformed the calendar originally set in place by Romulus. Plutarch then strengthens the argument for such an origin for the New Year by claiming that the entire idea of the beginning of a year is arbitrary rather than natural: "Speaking generally, to be sure, there is not naturally either last or first in a cycle; and it is by custom that some adopt one beginning of this period and others another."[82] By custom, that is, not by nature. Nonetheless, Plutarch acknowledges that the time surrounding the winter solstice is a logical period at which to begin a year because nature at that time reflects a moment of renewal:

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[79] Plutarch, *Roman Questions* 269D; translation by Frank Cole Babbitt, *Plutarch: Moralia vol. 4* (LCL 305; Cambridge: Harvard University Press, 1936), 38-41.
[80] Before it was converted to a solar calendar, the Roman calendar was based on lunar months.
[81] Plutarch, *Roman Question* 268, translation by Babbitt, *Moralia*, 32-33.
[82] Ibid.

> They do best, however, who adopt the beginning after the winter solstice, when the sun has ceased to advance, and turns about and retraces his course toward us. For this beginning of the year is in a certain way natural to mankind, since it increases the amount of light that we receive and decreases the amount of darkness, and brings nearer to us the lord and leader of all mobile matter.[83]

For Plutarch, then, the Kalends of January is a result of Numa's calendrical reform, in which the Roman king reorients a military calendar and Rome itself towards far more peaceful yearly beginnings. Like the Palestinian Talmud, Plutarch acknowledges both natural and mythological/historical accounts of the new year, but whereas the Palestinian Talmud presents the two views most plainly as contradictory, or incompatible, Plutarch harmonizes them, even as he privileges the historical over the natural. This standard debate found in several Latin and Greek texts reverberates in rabbinic sources, which propose both their own natural and civic explanations of the holidays.

Roman writings are not the only sources that provide multiple overlapping aetiologies for festivals, of course. But in their elaboration of the Roman aetiologies, rabbinic sources resemble most closely those in Greek and Latin texts, and seem to participate in the process of adapting the meaning of festivals for their own purposes.[84] How did the rabbis come to create aetiologies for Roman festivals that so closely fit the Roman model? From what we know of rabbinic society in late antiquity, it is difficult to imagine that the rabbis were familiar with these particular Roman sources and yet, as we saw in the study of the aetiologies, the rabbis do appear to be quite conversant in certain details of Roman myth and history, and they seem

[83] Ibid; Babbitt, *Moralia*, 32-35.
[84] To invoke Beard, "A Complex of Times," 273-288 once more. The focus on early mythological history and the foundations of the empire is also a Roman enterprise, deeply connected to the cultivation of Roman identity; see Emma Dench, *Romulus' Asylum: Roman Identities from the Age of Alexander to the Age of Hadrian* (New York: Oxford University Press, 2005), esp. 62-63.

comfortable making Greek and Latin etymological puns, such that parallels in the genre would seem to be more than mere coincidence. Ultimately, regardless of how we account for the similarities and parallels, the rabbis found ways of integrating their own past with the Roman past that was crystallized within the Roman calendar year.

Why Roman Festivals?

The accumulation of stories about the origins of Roman festivals in the Palestinian and Babylonian Talmuds has a counter-intuitive effect. Even in the many stories that seek to warn Jews to maintain distance from their Roman neighbors, the tactics that are used associate Roman festival days with Jewish meaning. Were a rabbi to glance at a Roman calendar, for instance, he would encounter a list of festal days that resonated with Jewish historical significance – festivals that were instituted by biblical characters, that were established as a result of the sins of Israelite kings, and that commemorated political alliances between the Romans and the Jews. By intertwining Roman and Jewish pasts, the days on the Roman calendar become associated with Judaism. The mishnaic prohibitions against participating in Roman festivals imposed Roman time on the Jewish calendar, while the Talmud's aetiologies of Roman festivals imposed Jewish history on the Roman calendar.

There is a surprising and somewhat puzzling element to these passages devoted to the origins of Roman festivals in both Talmuds as well. While the Mishnah's concern with Roman festivals seems to stem from a geographical and cultural context in which such festivals were likely the most popular festivals observed in Roman Palestine and thus posed a real problem for the rabbis of the Mishnah, the religious landscape had changed dramatically by the time of the

redaction of the Palestinian and Babylonian Talmuds. By the fourth century, pagan festivals were no doubt still observed in the region, but of equal or greater concern for the rabbis would have been the growing and increasingly influential Christian community, which presented its own set of competing holidays and calendrical configurations that were at odds with, and often in direct opposition to, Jewish times of celebration. Likewise, in the Babylonian context, Roman festivals were hardly a practical issue, while Zoroastrian and other festivals celebrated by those in the Sasanian Empire must have been attractive for Jews, and certainly more relevant to discussions about participating in and abstaining from the idolatrous practices of non-Jewish neighbors than the Roman festivals. Why, then, do these two compilations, the Palestinian and Babylonian Talmuds, devote so much attention not only to explicating laws regarding specifically Roman festivals (which, as we will see in the conclusion, could be – and at times were – applied to *all* non-Jewish festivals), but also to creating elaborate tales about the *origins* of a particular set of Roman days, while virtually ignoring the holidays that must have been of more concern to them in their immediate contexts? There are a few possibilities. First, the two Talmuds interpret the Mishnah, and so it makes sense that they would explain the origins of the festivals listed in the Mishnah as part of their larger interpretive enterprise, even if they were of less contemporary concern. Second, it is likely that Roman festivals were still influential even in this later period in Palestine (the evidence certainly suggests that the Kalends and Saturnalia were, as were the festivals related to the emperor cult), and also in some way for those in Babylonia, though this still does not explain the relative silence about non-Roman festivals that presumably were of equal

or more relevance. Third, it is possible that discussions of Christian or Zoroastrian festivals were deliberately restrained – perhaps because of an attempt to preserve amicable inter-communal relations and an accompanying fear of backlash if such peace was not maintained – and that the stories about the Roman festivals stood in for (self-censored?) discussions of these other festivals. Relatedly, focusing on the Roman calendar might have been a strategy for ignoring or averting the threats posed by those others in the rabbis' direct orbit; harping, instead, on the less-relevant but safer topic of Roman festivals might have been a way for rabbis to avoid dealing with matters of more urgent concern. In all cases, one of the effects of this focus on Roman festivals is that Christian and Zoroastrian festivals are not synchronized with the Jewish calendar in the same way.

Additionally, through the narrative passages discussed above, we can sense a difference in the sentiments towards Roman festivals in the two Talmuds. The aetiologies preserved in the Palestinian Talmud are, on the whole, much more antagonistic than those incorporated into the Babylonian Talmud.[85] In each passage from the Palestinian Talmud, Israel's involvement is negative and Rome's reason for celebration is evil; in the Babylonian Talmud, the tone of the stories is usually softer and less accusatory. This discrepancy might result from chronological shifts and different geographical settings: rabbis in Roman (and later Christian) Palestine felt more strongly about their pagan neighbors and their rites, and the threat their myths and rituals might have on the Jewish population, whereas those in Babylonia were

[85] In comparing the passages from the Palestinian and Babylonian Talmuds, I do not intend to essentialize either set of sources even as I draw some overarching impressions. See Daniel Boyarin's comment on the challenges of such comparison in *Carnal Israel*, 179.

more comfortable, and perhaps even somewhat nostalgic, discussing the Roman Empire and the important role of the Jews within it. Whereas passages in the Babylonian Talmud display more freedom to ridicule Jesus, likely because it was not composed in a Christian context with its concomitant repercussions, here the fact that the text was redacted outside of the Roman Empire ironically seems to have played a role in subduing attitudes towards that empire found within it.[86] There might be a slight anti-Christian sentiment underlying the attitude exuded by the stories in the Bavli. If the Roman holidays had become Roman rather than pagan symbols by the time of the Babylonian Talmud's composition (but not yet when the Palestinian Talmud was composed), perhaps what the passages in the Bavli do is assert the great antiquity of the Jews and their connection to Roman tradition over and against that of the Christians, whom they regarded as relative newcomers who, nonetheless, aggressively sought to appropriated many of the Roman festivals (as they did many other elements of the empire more generally). The Bavli's stories claim, in contrast, that it is the Jewish people who were part of this long-gone world and its history, a world that the recently-empowered Christians were aggressively changing and destroying to suit their own needs, often at the expense of the Jews.

The impulse to credit biblical figures and the Torah in the stories of the Babylonian Talmud can be understood in a diasporic context in yet another way as well. These tales of origins about Roman festivals that place Jews at the center of Roman history share the sentiment of Artapanus' writings on Abraham, Joseph, and Moses, in which these three biblical figures are credited with establishing astrology,

[86] Peter Schäfer, *Jesus in the Talmud* (Princeton: Princeton University Press, 2007), 115-122.

boats, weapons, philosophy, and other important cultural contributions valued by those far beyond their Israelite/Jewish communities.[87] Moses is even responsible, in Artapanus' account, for strengthening the Egyptian regime.[88] Artapanus, a Jew living in Egypt in the second century B.C.E., attempts to present the Jewish past in a way that is not only palatable in the Diaspora, but that also elevates the contribution of the Jews to the society in which they live, a form of "competitive historiography" as John J. Collins has characterized it.[89] Rather than emphasizing the tensions between Jews and Romans, as the passages in the Palestinian Talmud do, those in the Babylonian Talmud tend to highlight the positive impact and influence of Jews on the surrounding Roman culture and temporal landscape (without completely ignoring the violence and destruction of the Romans as well).[90] In this way, the stories in the Babylonian Talmud engage in a discourse that can also be understood as decidedly diasporic, and that had different effects on the temporal synchronization of Roman festivals with Jewish history than those from a Palestinian context.

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[87] On Artapanus, see Erich S. Gruen, *Diaspora: Jews amidst Greek and Romans* (Cambridge: Harvard University Press, 2004), 201-212; Holger M. Zellentin, "The End of Jewish Egypt: Artapanus and the Second Exodus," in *Antiquity in Antiquity: Jewish and Christian Pasts in the Greco-Roman World* (ed. Gregg Gardner and Kevin Osterloh; Tübingen: Mohr Siebeck, 2008), 27-73; John J. Collins, "Artapanus Revisited," in *From Judaism to Christianity: Tradition and Transition, A Festschrift for Thomas H. Tobin, S.J., On the Occasion of His Sixty-fifth Birthday* (ed. Patricia Walters; Leiden: Brill, 2010), 59-68; John M. G. Barclay, *Jews in the Mediterranean Diaspora: From Alexander to Trajan 323 B.C.E. – 117 C.E.)* (Edinburgh: T & T Clark, 1996), 127-132. Artapanus' humor and irony, often noted by scholars, is not dissimilar to the playfulness of the rabbinic sources discussed here as well; similarly, Artapanus' simultaneous insistence on the violence at the Exodus mirrors rabbinic sensitivities of the destruction caused by the Romans even as they insert themselves into Roman history.

[88] Artapanus 27:4-6, discussed in Barclay, *Jews in the Mediterranean Diaspora*, 130.

[89] John J. Collins, *Between Athens and Jerusalem: Jewish Identity in the Hellenistic Diaspora* (New York: Crossroad, 1983), 32-38, at 33 and 54n.9.

[90] I use the term and category "diasporic" cautiously here. To be sure, the Jews of late antique Palestine also lived in a predominantly gentile context in which asserting their contribution to gentile society was important as well. And yet, it is telling that the Babylonian Talmud's presentation of the Jews' place in Roman history is reminiscent of the writings of Artapanus in a way that those preserved in the Palestinian Talmud are markedly not.

THE SEVEN-DAY WEEK

AND THE ROMAN ADOPTION OF JEWISH TIME

If, through the sources analyzed in the previous chapter, we observed the Judaization of Roman time, in the Roman adoption of the seven-day week, discussed in this chapter, we shall see a parallel phenomenon: the Romanization of Jewish time. As the Jewish rhythm of the week became more widely incorporated in the Roman world, which had previously operated using a nine-day nundial cycle, there was considerable resistance to the adoption of non-Roman divisions of time for a variety of reasons. This chapter explores the ways in which Jewish time was incorporated, as well as resisted, among Romans as a counterpoint to rabbinic anxieties surrounding the participation of Jews in Roman time.

Before I undertake this analysis, it is necessary to consider more broadly the history of the Roman relationship with a seven-day cycle. In addition to the Jewish seven-day week, already a central feature in the Hebrew Bible's cosmogony and observed by Jews, another seven-day week developed in the ancient Mediterranean as well. This second system, which is based on the tracking of the seven visible planets (Saturn, the sun, the moon, Mars, Mercury, Jupiter, and Venus) across the sky, was developed in Alexandria in the second century B.C.E. and was slowly integrated into the Roman Empire after Julius Caesar's conquest of Egypt, in the same period when the Jews and their cultural practices, with their unique time-frames, were also absorbed within the empire.[1] The seven-day cycle thus had two seemingly

[1] The observation of these so-called planets was initiated by the Babylonians by the fifth century B.C.E., but it was not until after Alexander the Great's conquests, during the Hellenistic period, that the movement of the planets was connected to a temporal system and that the heavenly planets and the days of the week

independent origins—the Jewish/biblical week and the astrological, or planetary, week. By the first century C.E., however, the two were all but indistinguishable. As Eviatar Zerubavel observes, "given the coincidence of their identical length, it was only a matter of time before some permanent correspondence between particular Jewish days and particular planetary days would be made."[2] In fact, the confluence of these two systems became so common that "Jews even came to name the planet Saturn Shabtai, after the original Hebrew name of the Sabbath, Shabbath."[3] Because the day of Saturn within the planetary week corresponded with the Jewish Sabbath of the Jewish week, Jews named the planet Saturn after their holy day of rest, "Shabtai."

In her study of the adoption of the seven-day week in the Roman Empire, Michele Salzman argues that the transition from the nine-day nundial cycle to the seven-day week took place gradually, at least through the fourth century.[4] The seven-day cycle had been employed in Roman time-keeping long before Constantine's official incorporation of Sunday as a holy day (and in turn the centrality of the seven-day week) recorded in the *Theodosian Code*.[5] And yet, even after Constantine, the

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were aligned. An accessible explanation of the astronomy, astrology, and mathematics underpinning this system can be found in Zerubavel, *The Seven Day Circle*, 14-19.

[2] Zerubavel, *The Seven Day Circle*, 17.

[3] Ibid.

[4] Salzman, "Pagan and Christian Notions of the Week," 185-211. On the cultural significance of the *nundinae* in Roman life, see Van L. Johnson, "The Superstitions about the Nundinae," *The American Journal of Philology* 80.2 (1959): 133-149, and Ker, "*Nundinae*: The Culture of the Roman Week," 360-385.

[5] *Theodosian Code* 2.8.1 and the *Code of Justinian* 3.12.3, from the 3rd of March in 321 CE (Salzman, "Pagan and Christian Notions of the Week," 185); the text reads: "Let all judges, the people of cities, and those employed in all trades, remain quiet on the Holy Day of Sunday. Persons residing in the country, however, can freely and lawfully proceed with the cultivation of the fields, as it frequently happens that the sowing of grain or the planting of vines cannot be deferred to a more suitable day, and by making concessions to Heaven the advantage of the time may be lost" (translation in Samuel Parsons Scott, *The Civil Code* vol. 12 [Cincinnati: Central Trust Co., 1932; New York: AMS Press, 1973], 275). See also the earliest dated reference to Sunday from the papyri at Oxyrhynchus from 2 October 325, just over four years after Constantine's edict, in *P.Oxy.* LIV 3759; text, translation, and discussion in Stephen Llewelyn, *New*

nundial cycle's division of time into nine-day cycles based on market days persisted alongside the seven-day cycle in calendars and parapegmata, calendrical devices with moveable pegs or written documents used to track temporal cycles such as lunar and stellar events and agricultural seasons.[6] As the empire's population increasingly Christianized and as the empire itself ultimately became Christian, the seven-day week dominated and replaced all other weekly systems.[7]

When the Romans came first informally and then officially to recognize and ultimately to adopt the seven-day week, eventually in place of the traditionally Roman nundial cycle, this adoption was understood by contemporaries as an embrace of the Jewish—if also the planetary—system. This transformation of Roman time did not go unchallenged. On the contrary, I will argue that just as rabbis resisted Jewish adoption of the Roman calendar, both pagan and Christian Romans expressed opposition to their respective communities' integration of the Jewish week and its Sabbath. Here, I explore discussions surrounding the incorporation of this Jewish (and, by then, also Christian) time-frame into Roman time, both from the perspective

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Documents Illustrating Early Christianity, volume 9: A Review of the Greek Inscriptions and Papyri Published in 1986-87 (Grand Rapids, Mich.: Eerdmans, 2002), 107-108.

[6] Salzman, "Pagan and Christian Notions of the Week," 202. Parapegmata are sometimes referred to as "farmer's almanacs." On parapegmata in the ancient world, see Lehoux, *Astronomy, Weather, and Calendars in the Ancient World*.

[7] Robert Goldenberg, in his study of the Sabbath in the Roman Empire, quotes F. H. Colson's concise history of the seven day week: "We measure our time in cycles of seven days primarily because the Jews, by the time of our era, had come to attach vast importance to the religious observance of one day in seven; because the first Christians were Jews; because, though Paul at any rate abjured the Sabbath for his Gentile converts… the Church still clung to the practice of meeting once every seven days; [and] because thus the Christian Lord's day acquired something of the sanctity of the Sabbath, with which indeed so many people still confuse it." See Robert Goldenberg, "The Jewish Sabbath in the Roman World up to the Time of Constantine the Great," *Aufstieg und Niedergang der Römischen Welt II* 19.2 (1979), 442 and his discussion of the evidence in 442-447, and Francis H. Colson, *The Week: An Essay on the Development of the Seven-Day Cycle* (Cambridge: Cambridge University Press, 1926), 9.

of those who felt threatened by these temporal shifts and those who embraced and promoted them.

When Augustine quotes Seneca's since-lost writings on the superstitions of the Jews in his *City of God*, he focuses on Seneca's critique of the Jewish week and its seventh day of rest:

> Along with other superstitions of the civil theology Seneca also censures the sacred institutions of the Jews, especially the Sabbath. He declares that their practice is inexpedient, because by introducing one day of rest in every seven they lose in idleness almost a seventh of their life, and by failing to act in times of urgency they often suffer loss…[8]

Seneca, the first-century Stoic philosopher, deems the seven-day cycle with its weekly day of rest a waste of time; the Jews squander a significant portion of their time, Seneca argues, through this lazy practice. Time and its proper use was a topic of particular concern to Seneca, who also authored a short treatise titled *On the Shortness of Life* in which he makes the case that life is actually much longer than is usually acknowledged, if one knows how to make the most of one's time. He writes in the opening passages of this text that

> It is not that we have a short time to live, but that we waste a lot of it. Life is long enough, and a sufficiently generous amount has been given to us for the highest achievements if it were all well invested. But

[8] Augustine, *City of God* 6.11, in *The City of God against the Pagans* II (trans. William H. Green; LCL 412; Cambridge: Harvard University Press, 1963), 360-361. This passage appears within a longer section in which Augustine discusses Seneca's *Against Superstitions*. Augustine first details Seneca's disparaging descriptions of the theology of the city of Rome and other pagan practices (while at the same time Augustine acknowledges that Seneca continued observing the very practices he derides: "But Seneca, who had been, as it were, emancipated by the philosophers, worshipped what he criticized, performed acts which he reprehended, venerated what he condemned," [6.10]), and then describes Seneca's critiques of Jewish superstitions, the focus of which are Sabbath rituals. Augustine does not refute Seneca's underlying criticism of these Jewish practices here, as he refers his readers to his book against the Manicheans for a full account of his views on the matter. Augustine is not concerned with Seneca's view on Jewish time per se, but rather on Seneca's general (and generally negative) outlook on religious ideas and practices. Augustine does append the quotation with a disclaimer: "But why the rites of the Jews were instituted by divine authority, and for how long, and why at the proper time they were later by the same authority abolished among the people of God to whom the mystery of eternal life was revealed – these are questions that I have discussed elsewhere…" (360-363).

> when it is wasted in heedless luxury and spent on no good activity, we are forced at last by death's final constraint to realize that it has passed away before we knew it was passing. So it is: we are not given a short life but we make it short, and we are not ill-supplied but wasteful of it. Just as when ample and princely wealth fall to a bad owner it is squandered in a moment, but wealth however modest, if entrusted to a good custodian, increases with use, so our lifetime extends amply if you manage it properly.[9]

His critique of the Sabbath fits well with his attitude in this reflection on life – he believes that Jewish law does not allow the Jews to take advantage of the fullness of time.

Seneca's criticism of the Jewish Sabbath exemplifies one of the major themes in the critiques of the seven-day week among Greeks and Romans known to us from other sources as well. As early as Agatharchides of Cnidus in the second century B.C.E., and reappearing in the writings of Horace, Ovid, and Apion, the seventh day of rest is evoked as a feature that differentiates the Jews from others; the Sabbath is cast as a specifically negative trait by other Roman authors, including Tacitus, Juvenal, and Rutilius Namatianus, who all characterize the Jews as idle because of their observance of a weekly day of rest.[10] Juvenal, for instance, disparagingly refers

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[9] Seneca, *De Brevitate Vitæ* 1; text in John W. Basore, *Seneca: Moral Essays, Volume II* (LCL 254; Cambridge: Harvard University Press, 1932), 288-289, and translation by C. D. N. Costa from Seneca, *On the Shortness of Life* (New York: Penguin Books, 1997), 1-2.

[10] Agatharchides of Cnidus is cited in Josephus, *Contra Apionem* I.209-211 and *Jewish Antiquities* XII.5, and Apion's *Aegypiaca* in *Contra Apionem* II.21; Horace, *Sermones* I, 9:63-72; Ovid, *Ars Amatoria* I.76, 415 and *Remedia Amoris* 217-220; Tacitus, *Historiae* V, 3:2 and 4:3; Juvenal, *Saturae* XIV, 105f.; and Rutilius Namatianus, *De Reditu Suo* I, 391-398. See the discussion of these sources and a more extensive bibliography in Peter Schäfer, *Judaeophobia: Attitudes toward the Jews in the Ancient World* (Cambridge: Harvard University Press, 1997), 82-92; Heather A. McKay, *Sabbath and Synagogue: The Question of Sabbath Worship in Ancient Judaism* (Leiden: Brill, 1994), 89-131; Shaye J. D. Cohen, "Common Judaism in Greek and Latin Authors," in *Redefining First-Century Jewish and Christian Identities: Essays in Honor of Ed Parish Sanders* (ed. Fabian E. Udoh; Notre Dame: University of Notre Dame Press, 2008), 73-76. Ovid humorously advises his readers to take women for dates on the Sabbath, as the shops are closed on account of the Jewish Sabbath and the outing will be far cheaper! Again, this remark is embedded within one of Ovid's discussion of days and proper times for various activities: "It's wrong to suppose that only shipmen and toiling farmers must observe times (*Tempora qui solis operosa colentibus arua, fallitur, et nautis aspicienda putat*)… It's not always safe to pursue young girls: the occasion will often condition

to a particular Jew "who gave up every seventh day to idleness (*lux ignava*)," and, centuries later, Rutilius Namatianus exclaims that "each seventh day is condemned to ignoble sloth (*turpi veterno*)."[11] In both these cases, as in others, Sabbath observance brands the Jews as lazy.

We can detect a response to such criticism in the writings of Philo, a contemporary of Seneca. In his discussion of the Jewish festivals in Book Two of his *Special Laws*, Philo devotes a considerable section to explaining the idea of the Sabbath and defending it against those who might be inclined to call it a waste of time.[12] He writes:

> On this day we are commanded to abstain from all work (ἔργων), not because the law inculcates idleness (ῥᾳθυμίας); on the contrary it always inures man to endure hardship and incites them to labor, and spurns those who would idle their time away, and accordingly is plain in its directions to work the full six days.[13]

First, Philo defends Sabbath observance by emphasizing that the law does not promote idleness in its command to cease from labor on the seventh day, the very attack launched by the Roman authors cited above. Philo then explains that the abstention from physical work, the labor of the body, is precisely what facilitates the labor of the soul and mind, and that the alternation between the six days of the week

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success." Ovid, *Ars Amatoria* I, lines 399-416, translation with minor emendations based on that found in Peter Greene in *Ovid: The Erotic Poems* (New York: Penguin Classics, 1983), 178-179. See other references to the Sabbath (and in particular as a day associated with ill-omens) in *Ars Amatoria* at lines 75-78, and *Remedia Amoris* at line 220.

[11] Juvenal, *Saturae* XIV, 106; and Rutilius Namatianus, *De Reditu Suo* I, 391, as discussed in Schäfer, *Judaeophobia*, 87. See also Frontius, *Strategmata* II, 1:17.

[12] On Philo's apologetics regarding the Sabbath, see Weiss, *A Day of Gladness*, 37-39. See also the extensive study of the Sabbath in antiquity in Lutz Doering, *Schabbat: Sabbathalacha und –praxis im antiken Judentum und Urchristentum* (Tübingen: Mohr Siebeck, 1999), and specifically on Philo pp. 315-386.

[13] Philo, *Special Laws* II.15.60; text and translation in F. H. Colson, *Philo: Volume VII* (LCL 320; Cambridge: Harvard University Press, 1937), 344-345.

and the seventh day of the Sabbath is crucial for the maintenance of both parts of a person's essence. The text thus continues:

> Its object is rather to give men relaxation from continuous and unending toil and by refreshing their bodies with a regularly calculated system of remissions, to send them out renewed to their old activities. For a breathing-space enables not merely ordinary people but athletes also to collect their strength and with a stronger force behind them to undertake promptly and patiently each of the tasks set before them. Furthermore, when He forbids bodily labor (διαπονεῖν τοῖς σώμασι) on the seventh day, He permits the exercise of the higher activities (τὰς ἀμείνους πράξεις ἐπιτελεῖν), namely, those employed in the study of the principles of virtue's lore. For the law bids us to take the time for studying philosophy and thereby improve the soul and the dominant mind… Thus while the body is working, the soul enjoys a respite, but when the body takes a rest, the soul resumes its work (ἵνα πονοῦντος μὲν τοῦ σώματος ἡ ψυχὴ διαναπαύηται, ἀναπαύλῃ δὲ χρωμένου διαπονῇ), and thus the best form of life, the theoretical and the practical, take their turn in replacing each other.[14]

Philo inverts the idea of rest and insists that the Sabbath is a *different* kind of work, an exercising of the soul. Even in the language that Philo uses, he evokes the physicality of athletic training to highlight the idea of philosophical work. That is, the Jews work incredibly diligently, laboring their bodies and souls in the most time-efficient ways possible.

Philo's defense of the Sabbath goes further and verges on promotion of a universal weekly day of rest not only for Jews but also for those beyond the Jewish community. In his discussion of the creation of the world, Philo writes:

> Now when the whole world had been brought to completion… the Father invested with dignity the seventh day which comes next, extolling it and pronouncing it holy; for it is the festival, not of a single city or country, but of the universe, and it alone strictly deserves to be

[14] Philo, *Special Laws* II.15.60-64; Colson, *Philo: Volume VII*, 344-347.

> called "public" as belonging to all people and the birthday of the world.[15]

Here, Philo does not indicate that others *are* participating in the celebration of the Sabbath, or even that they should, but simply that such a festival has universal qualities not limited by necessity to Jews. He is tapping into, it seems to me, the increasing attraction of the Sabbath for those in the broader Roman world.

Indeed, in the continuation of Seneca's diatribe against the Jews quoted in Augustine, the Roman philosopher goes beyond simply deriding the Jews for their idleness. He acknowledges the popularity of the seven-day week, with its day of rest, among the Romans of his day, and gives an intriguing explanation for its adoption by non-Jews:

> 'Meanwhile the customs of this accursed race have gained such influence that they are now received throughout all the world. The vanquished have given laws to their victors.' He [Seneca] shows his surprise as he says this, not knowing what was being wrought by the providence of God. But he adds a statement that shows what he thought of their system of sacred institutions: 'The Jews, however, are aware of the origins and meaning of their rites. The greater part of the people go through a ritual not knowing why they do so.'[16]

Just as the rabbis of the Mishnah warn against, and even bemoan, Jewish participation in Roman rhythms of time, here a Roman philosopher chastises his fellow Romans who have adopted Jewish rhythms. Seneca provides a reason for the draw towards the seven-day cycle, explaining that the Jews have a clear basis for their division of

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[15] Philo, *De opificio mundi* 89; translation by F. H. Colson and G. H. Whitaker, *Philo: Volume I* (LCL 226; Cambridge: Harvard University Press, 1929), 72-73. Philo then elaborates a detailed numerology associated with the number 7, which he even connects to a passage by Solon, the Athenian lawgiver, about the stages of people's lives (*De opificio* 104-105). Aristobulus, in an extant fragment on the Sabbath preserved by Eusebius, makes reference to Homer and Hesiod, who also declare the seventh day to be holy; see Aristobulus, Fragment 5, especially lines 13-16, in Adela Yarbro Collins, "Aristobulus," in *Old Testament Pseudepigrapha*, vol. 2 (ed. James H. Charlesworth; New York: DoubleDay, 1985), 841-842.

[16] Augustine, *City of God* 6.11.

time – he must have in mind here the biblical story of the world's creation and God's cessation from work on the seventh day – while others are ignorant about the history and meaning of theirs.[17] It is the Jews' structuring of time around a cosmogony, and their imitation of divine time, that motivates their temporal organization, while their neighbors simply find it attractive to take the day off, according to Seneca.

Not long after Seneca, Josephus similarly notes the attraction of non-Jews to some Sabbath rituals, as does Plutarch, who alludes to the adoption of Sabbath customs by the Greeks in his *De Superstitione*.[18] Josephus writes:

> The masses have long since shown a keen desire to adopt our religious observances; and there is not one city, Greek or barbarian, nor a single nation, to which our custom of abstaining from work on the seventh day has not spread and where our fasts and the lighting of lamps and many of our prohibitions in the matter of food are not observed.[19]

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[17] This despite the layering of meaning heaped on the nundial cycle, discussed in Ker, "*Nundinae*," 360-385.

[18] Plutarch, *De Superstitione* 3.

[19] Josephus, *Apion* 2.282-83, discussed in McKay, *Sabbath and Synagogue*, 101. McKay also cites the *Elegiae* of the poet Tibullus, who preferred not to travel on the day of Saturn, as a possible example of someone influenced by Jewish practices of the Sabbath, but Tibullus does not mention the Sabbath and might thus be referring to superstitions associated with the days of the planetary week and not the Jewish Sabbath, to the extent that the identification of these two days can be differentiated (Tibullus, *Elegies* 1, 3.15-18). Schäfer also assumes that Tibullus refers here to the Jewish Sabbath in *Judaeophobia*, 84-85, but mentions in 243n.19 the possibility that the day of Saturn was also associated with ill omens irrespective of the Jewish Sabbath, as posited by Paul Murgatroyd, *Tibullus I: A Commentary on the First Book of the Elegies of Albius Tibullus* (Pietermaritzburg: University of Natal Press, 1980), 107. On the other hand, Frontinus, *Stratagems* 2.1.17 refers to "the day of Saturn" specifically as the Jewish Sabbath, by referring to it as the day on which "it is sinful for them [Jews] to do any business," and Tacitus, *Histories* 5.4 juxtaposes the seventh day of rest with the day in honor of Saturn, at once conflating them and drawing a distinction ("Others say that this is done in honor of Saturn, whether it be that the primitive elements of their religion were given by the Idaeans, who, according to tradition, were expelled with Saturn and became the founders of the Jewish race, or is due to the fact that, of the seven plants that rule the fortunes of mankind, Saturn moves in highest orbit and has the greatest potency…"). Dio Cassius makes a similarly explicit connection between the day of Saturn and the Sabbath in his *Roman History* 37.17-18, discussed below. It seems to me that we should not assume that the "day of Saturn" is synonymous with "the Jewish Sabbath" in all of our sources, but that when the Jews are mentioned in connection with the former, it is reasonable to conclude that the author does indeed refer specifically to the Sabbath; it does seem to be the case that the two systems, despite their separate origins, were increasingly conflated.

Whether or not Josephus exaggerates about the level of appeal of Jewish customs to non-Jews, here the Sabbath ("the seventh day") is his first, and primary, example, of an observance that has been adopted.

By the beginning of the third century C.E., Dio Cassius writes that the seven-day week had "spread to all men" and was "becoming quite habitual to all the rest of mankind and to the Romans themselves."[20] Before this remark, Dio Cassius introduces the Jews: "I do not know how this title [Ἰουδαῖοι] came to be given to them, but it applies also to all the rest of mankind, although of alien race, who affect their customs."[21] The category does not only denote Jews, Dio Cassius makes clear, but also those who embrace Jewish traditions. Who might be doing so? According to this author, an entire "class exists among the Romans," who, "though often repressed has increased to a very great extent and has won its way to the right of freedom in its observances."[22] These Romans "distinguish [themselves] from the rest of mankind in practically every detail of life," including their veneration of only one divinity, their lack of statues of this divinity, their beautiful temple, and their dedication "to him

[20] Dio Cassius, *Roman History*, 37.18, cited in Zerubavel, *The Seven Day Circle*, 19. Dio Cassius' hyperbolic language should be taken with a grain of salt, of course. For a different – yet fascinating – discussion of Sabbath observance among *Jews* in the Roman Empire, see Willy Clarysse, Sofie Remijsen, and Mark Depauw, "Observing the Sabbath in the Roman Empire: A Case Study," *Scripta Classica Israelica* 29 (2010): 51-57. The article's conclusions nuance both claims that Sabbath observance was banned by Rome and the common understanding of numerous instances mentioned in Josephus in which Roman law mandated that the Jews be permitted to observe the Sabbath and other rites as they saw fit, e.g. *Jewish Antiquities* 14.10.12-25 and 16.6.2, listed in Goldenberg, "The Jewish Sabbath in the Roman World," 415-418. On the ordering of the week around the Sabbath among Jews, and the rhythm that such a temporal orientation produced, see Katzoff and Schreiber, "Week and Sabbath in Judaean Desert Documents," 102-114. That some non-Jews took part in Sabbath observance, at least in a synagogue setting, is at this point well-known; see e.g. discussion of the God-fearers at Aphrodisias in Joyce Maire Reynolds and Robert F. Tannenbaum, *Jews and God-Fearers at Aphrodisias: Greek Inscriptions with Commentary* (Cambridge Philological Society, 1987), and Judith M. Lieu, "The Race of the God-Fearers," *Journal of Theological Studies* 46.2 (1995): 483-501, and the extensive bibliographies in both these studies.

[21] Dio Cassius, *Roman History*, 37.17; text and translation from Earnest Cary and Herbert B. Foster, *Dio Cassius: Roman History, vol. II* (LCL 53; Cambridge: Harvard University Press, 1914), 126-129.

[22] Dio Cassius, Roman History, 37:17.

[their deity] the day called the day of Saturn, on which, among many other most peculiar observances, they undertake no serious occupation."[23] Romans who have adopted Jewish customs are distinguished here, in large part, based on one of their temporal habits, the observance of the Sabbath. It is after this explanation of the Jews and those who practice along with them that Dio Cassius says that the custom of the seven-day week (the origins of which he attributes to the Egyptians) had spread even further, to "all the rest of mankind and even with the Romans themselves and is to them already in a way an ancestral tradition."[24] Despite the determined opposition of certain vociferous internal critics such as Seneca, Romans were clearly integrating the seven-day week into their sense of time, much as Jews, notwithstanding explicit rabbinic disapproval, were adopting elements of the Roman calendar into their own arrangement of time.

Scholarly studies on the transition to the seven-day week within the Roman Empire often assume that it was the planetary week, rather than the Jewish week, that was adopted; these studies presume that such a distinction was still made in the first century C.E. and later.[25] Seneca and Dio Cassius' comments highlight, however, that there was also a consciousness among some contemporary Roman intellectuals that this new temporal rhythm, especially as it was punctuated by a weekly day of rest, was in fact viewed at least by some an incorporation of specifically *Jewish* time-keeping, and, for Seneca, an accompanying anxiety about the dangers of such a phenomenon.

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[23] Dio Cassius, *Roman History*, 37.17.
[24] Dio Cassius, *Roman History*, 37.18.
[25] E.g. Salzman, "Pagan and Christian Notions of the Week," 187-194.

Seneca and fellow Roman pagans were not the only ones to notice that Romans had adopted elements of the Jewish seven-day cycle. Christians, too, recognized this striking phenomenon and cited it in their own polemics with the pagans. In *Ad Nationes*, Tertullian writes: "You [pagans] are clearly the ones who have accepted the sun as one of the seven-days of the week and […] have selected this one day over other days as the day on which you do not take a bath or you postpone it until the evening, or you take care to give yourself some rest and a meal. By resorting to these customs," Tertullian continues, "you are deviating from your own rites to those others; indeed the Jewish feasts are the Sabbath and the 'purifacatory dinner' and the ceremonies of the lamps and fasting with unleavened bread and littoral prayers, which are very alien from your gods."[26] Responding to the pagan charge that Christians were defying their own set of beliefs by venerating the sun, Tertullian returns the attack by accusing the pagans of accepting Jewish practices associated with the Sabbath. Here, the pagans seem not only to be adopting Jewish rhythms of time, but also celebrating the Jewish Sabbath—whether on Saturday or Sunday, as the text itself appears corrupted and thus ambiguous—in ways similar to the Jews. In other words, just as the Mishnah warns the Jews against participating in the festivals of the so-called idolaters, so does Tertullian charge the pagans (and, even

[26] Tertullian, *Ad Nationes* 13.3-4, in André Schneider, *Le premier livre Ad nationes de Tertullien: Introduction, texte, traduction et commentoire* (Rome: Institut Suisse, 1968); translation from Salzman, "Pagan and Christian Notions of the Week," 196-197. On earlier hesitation about the Sabbath from a Christian perspective, see Justin Martyr, *Dialogue with Trypho* 12.3; Goldenberg argues that here Justin is undermining the notion of a seven-day week altogether when he writes "The New Law demands that you observe a perpetual Sabbath, whereas you consider yourselves religious when you refrain from work on one day out of the week, and in doing so you don't understand the real meaning of that precept" ("The Jewish Sabbath in the Roman World," 442). Translation by Thomas B. Falls in St. Justin Martyr, *Dialogue with Trypho* (Washington, D.C.: The Catholic University of America Press, 2003), 22. Justin's attitude can be read in complete contrast to Paul's reflection on different practices in Romans 14:5-6: "Some judge one day to be better than another, while others judge all days to be alike. Let all be fully convinced in their own minds. Those who observe the day, observe it in honor of the Lord…" (NRSV).

more to his dismay, some of his fellow Christians) with participating in the customs of the Jews, in both cases through the adoption of calendrical systems.[27] Tertullian finally concludes this passage by acknowledging the similarities between the practices of Jews, Christians, and pagans: "You [pagans] who reproach us with the sun and the day, recognize your proximity: we are not far from your Saturn and your Sabbaths!"[28]

Once Christianity became differentiated from Judaism, the Christian negotiation of Jewish time, and especially the Jewish Sabbath, was complicated as well.[29] Here, though, Tertullian addresses *pagan* adoption of Jewish rhythms, and he does so, as did Seneca, in reprimanding ways that are reminiscent of the rabbis' attempts to distance themselves and their communities from Roman rhythms. The irony is, of course, that neither Jews nor Romans – nor Christians, who would play a key role in the coordination of Jewish and Roman time as their influence and leadership increased within the empire - could keep their times separate for long.

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[27] On Tertullian's critique of Christians who still mark the Sabbath, see *De Jejuniis* 14ff., referenced in Salzman, "Pagan and Christian Notions of the Week," 198-199, who also cites Hippolytus' similar critique (*Comm. In Dan.* 4.20). Debates about the Sabbath and its correct organization and observance appear in the Pseudo-Pauline epistles (e.g. Colossians 4:16), and, unsurprisingly, do not elude John Chrysostom (see him commentary on the mention of "false Sabbaths" in Amos 6:3 in *De Lazaro* PG 48.972). Christians during this time of course recognized the Jewish origins of their week and their adoption and transformation of it, which accounts for the anxiety displayed in Tertullian and Chrysostom. In a passage by Ignatius, there is mention of those who "no longer keep Shabbat but live in accordance with the Lord's day" (*Letter to the Magnesians* 9, translation in William R. Schoedel, *Ignatius of Antioch: A Commentary* [Philadelphia: Fortress Press, 1985], 123); this simple story of replacement is complicated in the later revisions of Pseudo-Ignatius, as well as in similar passages throughout Augustine's corpus, both sets of texts discussed in Shaye J.D. Cohen, "Dancing, Clapping, Meditating: Jewish and Christian Observance of the Sabbath in Pseudo-Ignatius," in *Judaea-Palaestina, Babylon and Rome: Jews in Antiquity* (ed. Benjamin Isaac and Yuval Shahar; Tübingen: Mohr Siebeck, 2012), 31-33, 38-40.

[28] Tertullian, *Ad Nationes* 13.5, cited in Salzman, "Pagan and Christian Notions of the Week," 196.

[29] The Sabbath was, as Schwartz reminds us, "one of the two or three best known markers of Jewish difference in the Roman world both before and after the Destruction," even as Roman pagans and Christians were attracted to it (Schwartz, "Was there a 'Common Judaism' after the Destruction?" 11.

CONCLUSIONS

As we have observed, the division and sanctification of time was a matter of dispute and anxiety in Jewish and Roman communities. Attempts were made by the rabbis throughout late antiquity, in both tannaitic and amoraic sources, to separate their temporal rhythms from those of the Roman Empire and its festivals. Yet some of these same rabbinic voices interpreted Roman time in light of Jewish symbols, stories, and traditions, effectively merging the Jewish biblical past with the contemporary Roman calendar and festal days. Moreover, through mandating commercial separation before and after Roman festivals – an attempt by the rabbis to ensure temporal differentiation from their pagan neighbors – the Roman calendar became unintentionally integrated into Jewish temporal consciousness and daily practice. According to several Roman perspectives, too, the adoption of Jewish rhythms of time was an unwelcome development. This was the case not only because the seven-day week threatened the continuity of one of the underpinnings of Roman identity – the nundial cycle and all it represented in Roman society – but also because the Jewish Sabbath as a day of rest and abstention from work was regarded by our Roman sources as a fundamentally flawed organization of time, one that greatly challenged Roman sensibilities regarding productivity and labor. These moments of resistance to and incorporation of the time-frames of one's neighbors provide a glimpse into a process of negotiation between differentiating oneself from, and synchronizing one's times with, those one considers to be dangerously 'other.' The story does not end in antiquity, however, and it is to the unfolding of these temporal negotiations (based on

the very sources composed by the rabbis in antiquity) in subsequent periods to which I briefly turn now.

The Mishnah's list of idolatrous festivals at the beginning of tractate Avodah Zarah refers exclusively to those of the Roman world, and the discussions preserved in the Palestinian and Babylonian Talmuds focus on unpacking the significance of these particular festivals for the history of the Jews. What was the afterlife of this series of mishnaic prohibitions and the Roman festival list once the Jews lived in different regions outside of the empire? Passages in both Talmuds already begin to expand the applicability of the Mishnah's list. In these discussions of the Roman festivals, the texts add two additional lists more relevant to those living in Babylonia.

> The Palestinian Talmud states:
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> Rabbi Ba in the name of Rav: [there are] three festivals in Babylon and three festivals in Media. Three festivals in Babylon: Mahuri, Kanauni, and Banauta. Three in Media: Nausardi, Tiriasqi, and Mahirkana [Nusardi, Triaski, and Moharneki]. Rabbi Huna in the name of Rabbi Nahman ben Yaakov: Narus [Nauruz, which falls] on the second of Adar in Persia and on the twentieth of Adar in Media.
>
> The Babylonian Talmud states:
>
> Those are the Roman [annual festivals]. Which are the Persian ones? Mutardi, Turyaskai, Muharnekai, Muharin [Nauruz]. These then are those of the Romans and Persians, which are the Babylonian ones? Muharnekai, Aknayata, Bahnani and the Tenth of Adar.[1]

[1] *y. Avodah Zarah* 1.2, 4c, and *b. Avodah Zarah* 11b. The names of the festivals in these lists are fairly corrupt; in my transcription of the festival names from the Babylonian Talmud I relied on the Soncino translation, and in my transcription of the festival names from the Palestinian Talmud I adapted the interpretations of Taqizadeh, Kohut, and Neusner. On these lists of festivals, especially their variants and proper names, see Alexander Kohut, "The Talmudic Records of Persian and Babylonian Festivals Critically Illustrated," *The American Journal of Semitic Languages and Literatures* 14.3 (1898): 183-194; S. H. Taqizadeh, "The Iranian Festivals Adopted by the Christians and Condemned by the Jews," *Bulletin of the School of Oriental and African Studies* 10.2 (1940): 637-639; Baruch Micah Bokser, "Talmudic Names of the Iranian Festivals," *Journal of the American Oriental Society* 95.2 (1975): 261-262; and Jacob Neusner, *Talmudic Judaism in Sasanian Babylonia: Essays and Studies*, vol. 1 (Leiden: Brill, 1976), 141-143. The Palestinian Talmud makes another reference to festival seasons in Babylonia and Media: "R. Ba in the name of Rav: 'There are three festival seasons in Babylonia, and three festal seasons in Media. The three

While the Mishnah might have intended to limit the prohibited festival days by producing what it considered to be an exhaustive list, Rabbi Ba's statement in the Palestinian Talmud and the anonymous voice of the Babylonian Talmud both interpret the list more expansively. In these brief parallel passages, the implication is that the Mishnah's list of Roman festivals from which Jews must distance themselves was not exhaustive but exemplary, a list of holidays from a particular historical and geographical context that must be expanded to include other non-Jewish festivals later and in new places. The list served, in other words, as a template for non-Jewish festivals more generally; *all* festivals of the gentiles were now governed by the same set of commercial restrictions.

This practice of applying the set of mishnaic prohibitions to other festivals not explicitly mentioned in the Mishnah continued into the medieval and early modern period. In Christian Europe, for instance, Jewish calendars listed Christian festivals, often in separate sections of the calendar titled *luah he-haga'ot* (calendar of gentiles) and *luhot she'eno nimolim* (calendars of the uncircumcised), as Jews needed to be aware of the predominantly Christian temporal landscape in which they lived.[2] In a Christian calendar written in Hebrew, contained within the thirteenth-century *North French Hebrew Miscellany*, a list of Christian Saints' Days is introduced with the words "These are the months of the gentiles and their abominations," perhaps evoking

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festal seasons in Babylonia are Mahuri, Kanuni, and Banauta. The three festal seasons in Media are Nausardi, Tiriasqi, and Mahirkana'" (*y. Avodah Zarah* 1.3, 39c; trans. Neusner, *The Talmud of the Land of Israel* vol. 33, 22).

[2] Carlebach, *Palaces of Time*, 119. The strange construction of the Hebrew phrase "luhot she'eno nimolim" is common in early modern Ashkenazic manuscripts; it refers to gentile calendars ("calendars belonging to the uncircumcised") even though, following the grammar of the construction, it should literally be translated as "uncircumcised calendars." See Carlebach's broader discussion of the early modern period in her chapters titled "Keeping Christian Time in Jewish Calendars" and "Church Time and Market Time" in *Palaces of Time*, 115-159.

the language of Mishnah Avodah Zarah 1:3, "These are the festivals of the gentiles…"[3] That is, in place of Roman festivals there were now Christian ones. The appearance of side-by-side Jewish and Christian calendars in *sifrei evronot* and other Jewish manuscripts is not unlike what I have suggested was the incorporation of the Roman calendar into the Jewish calendar through the Mishnah's laws and lists. While the rabbis of the Mishnah and Talmuds did not produce written calendars (according to rabbinic sources, the months were not fixed but were determined by visual observation for much of the rabbinic period, and even when the calendar was fixed and calculated in advance by the end of the rabbinic period and the beginning of the geonic period, it was probably not written as a calendrical document as it would be centuries later), the detailed prohibitions against participating in activities before, during, and after Roman festivals effectively mapped the Roman calendar onto the Jewish calendar. This phenomenon thus continued in the centuries after the classical rabbinic period, not with the Roman calendar but with the evolving Christian calendar. As Carlebach writes in her study of early modern Jewish calendars, "the Christian religious calendar provided the primary framework for the rhythms of social life in premodern Europe… For Jews living in Christian Europe, there was no refuge from this all-encompassing timescape."[4] In these later calendars that form the center of Carlebach's study, Jewish scribes produced, in effect, lists of Christian festivals that functioned in much the same way as the Mishnah's list of Roman festivals and the

[3] *The North French Hebrew Miscellany: British Library Add. MS* 11639 (London: Facsimile Editions, 2003), Fol. 542v, and Jeremy Schonfield, ed., *Companion Volume to Edited Manuscript from Thirteenth Century France in Facsimile* (London: Facsimile Editions, 2003). See Elisheva Baumgarten's discussion of Jewish awareness of the Christian calendar and festival rituals in medieval Ashkenaz, including analysis of this Christian calendar, in "Calendars Shared and Contested: Jewish and Christian Ritual Time in the High Middle Ages" (unpublished).

[4] Carlebach, *Palaces of Time*, 142.

later Talmudic lists of Persian and Babylonian festivals as well.[5] This is similar to the ways in which, in earlier centuries, Christians struggled with their own attempts to separate Christian festivals from their Jewish counterparts, as the controversies surrounding Easter's dating in late antiquity highlight most cogently.[6]

How medieval Jews observed the Talmudic prohibitions curtailing commerce before and after non-Jewish holidays varied. Some, such as R. Gershom Me'or Ha-Golah (960-1028) in Mainz, pointed out that the prohibitions could not be maintained effectively because "most of the days of the year are their holidays" and argued for maintaining *halakhic* leniency with regard to Christian festivals; indeed, many medieval Jews in Ashkenaz abandoned these strictures, and the halakhists of their day attempted to justify these practices, often by "mitigat[ing] the idolatrous status of Christianity, or eas[ing] the scope of the Jewish prohibitions."[7] In North Africa, Maimonides considered Christianity to be idolatrous and the laws of Mishnah Avodah Zarah to apply to Christian festivals, primarily because of the doctrine of the trinity, while he considered Islam to be monotheistic and in an altogether different category

[5] Carlebach also discusses the subversive strategies used by Jewish scribes when they referenced Christian festivals, often employing puns and hidden jabs undermining the Christian sacred days (*Palaces of Time*, 125-132); this practice is not entirely unlike the Talmudic aetiologies that cast the origins of Roman festivals in a negative light.

[6] Leonhard, *The Jewish Pesach and the Origins of the Christian Easter*.

[7] E.g. see the Tosafot's comments on *b. Avodah Zarah* 2a, which redefine Christian offerings to icons as directed solely for the upkeep of the clergy and not a form of idolatry, discussed briefly in a monograph still in progress about Maimonides and commercial law by Mark Cohen. See also Baumgarten's discussion in "Calendars Shared and Contested" of the thirteenth-century *Sefer Amudei HaGolah*, also known as *Sefer Mitzvot Katan* (passages #60-68), in which R. Isaac b. Joseph of Corbeil maintains a narrow definition of idolatry, including in relation to Christian festival celebrations. For discussion of the larger trend, see Carlebach, *Palaces of Time*, 120-121; Jacob Katz, *Exclusiveness and Tolerance: Studies in Jewish-Gentile Relations in Medieval and Modern Times* (Springfield, NJ: Behrman House/Oxford University Press, 1961), 32-34; Moshe Halbertal and Avishai Margalit, *Idolatry* (trans. Naomi Goldblum; Cambridge: Harvard University Press, 1992), 210-213; and Israel M. Ta-Shma, *Ritual, Custom and Reality in Franco-Germany, 1000-1350* (Heb.; Jerusalem: Magnes Press, 1996), 241-50.

to which the Talmudic prohibitions did not apply to the same extent.[8] Different hermeneutical trajectories were pursued at various historical and cultural moments, though, in both Christian Europe and the Muslim lands. At times, all "festivals of the gentiles" were regarded as off-limits, while at other times more limiting interpretations were preferred, allowing for increased interactions with those beyond the Jewish community. But this medieval inconsistency comes as no surprise, for, as we have seen in this chapter, as early as the Mishnah, the rabbis' relationship with non-Jewish time has been complex and even contradictory, as laws designed to distance Jews from non-Jewish holidays actually put non-Jewish holidays onto the Jewish calendar.

[8] See Maimonides' *Laws of Idolatry* 9:4, *Commentary on the Mishnah: Avodah Zarah* 1:3, Mishneh Torah, *Hilkhot ma'akhalot asurot* (Laws of Forbidden Foods) 11:7 and 13:11, and responsum #448 to Rabbi Obadiah the Proselyte in *Teshuvot ha-Rambam, vol. 2* (ed. Joshua Blau; Jerusalem: Mekitse Nirdamim, 1986), 726; as well as Howard T. Kreisel, *Maimonides' Political Thought: Studies in Ethics, Law, and the Human Ideal* (Albany: SUNY Press, 1999), 39-40; David Novak, "The Treatment of Islam and Muslims in the Legal Writings of Maimonides," in *Studies in Islamic and Judaic Traditions* (ed. William M. Brinner and Stephen D. Ricks; Atlanta: Scholars Press, 1986), 233-250, reprinted in *Tradition in the Public Square: A David Novak Reader* (ed. Randi L. Rashkover and Martin Kavka; Grand Rapids, Mich.: Eerdmans, 2008), 231-250; and Eliezer Schlossberg, "Maimonides' Attitude towards Islam" (Heb.), *Pe'amim* 42 (1990), 42-45. On the incorporation of local practices and customs known from commercial documents of the Cairo Geniza into Maimonides' rulings on commercial laws, see Mark Cohen's chapter on "Partnerships," especially the section on partnerships with non-Jews, in his forthcoming monograph. Cohen points out that Maimonides discusses commercial partnerships with Muslims in his Mishneh Torah in a section on the Laws of the Sabbath, not the Laws of Idolatry, because for Maimonides the main problematic issue with such arrangements was the possibility of a Jew inappropriately earning money on the Sabbath, not a matter of collaborating with an idolater.

PART II: BETWEEN MALE AND FEMALE TIME

> *...in the collision of natural biological and social timescales, the rhythms of our bodies and society, the analysis of rhythms provides a privileged insight into the question of everyday life.*
>
> *-Stuart Elden, on Henri Lefebvre's Rhythmanalysis*[1]

The previous three chapters focused on the role that the Roman calendar and pagan festivals played in the construction of time in rabbinic laws concerned with avoiding idolatrous practices, and on the intersection of rabbinic and gentile time within the context of the Roman Empire. In the following three chapters, I shift away from exploring time at the outer boundaries of the community to analyzing the organization of time *within* the rabbinic community, and in particular on the ways that rabbinic ritual laws constructed daily and monthly time for men and women.

Embedded within the Babylonian Talmud's discussion regarding the proper times for the recitation of the Shema prayer, a peculiar story about time-keeping appears. In the Mishnah, Rabbi Eliezer proposes that the night-time Shema may be recited until the end of the first night-time watch.[2] The later editors of the Babylonian Talmud wonder: why did Rabbi Eliezer not state more simply until what *hour* of the night one may recite the Shema, rather than using the more-elusive and by-then-long-defunct category of the night watch, a temporal relic from when the temple still stood in Jerusalem? In addition, it is not clear whether the night has three or four watches, obscuring Rabbi Eliezer's time-frame even more (two conflicting tannaitic opinions exist on this matter, attributed to two

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[1] From Stuart Elden's introduction to Henri Lefebvre, *Rhythmanalysis: Space, Time and Everyday Life* (trans. Stuart Elden and Gerald Moore; London: Continuum, 2004), viii.

[2] In rabbinic sources, the night is divided into a number of "watches." Sources debate the number of watches in a night (either three or four). The term "watches" refer to the priestly watches in the temple, but might also relate to the Roman military watches. On the debate about the number of nightly watches, see *t. Berakhot* 1:1, in which Rabbi is of the opinion that there are four watches, and Rabbi Nathan claims that the night has only three watches.

different sages from the tannaitic period).[3] The anonymous voice of the Talmud responds to this practical question with a theologically-inflected answer: "He [Rabbi Eliezer] holds indeed, that the night has three watches, but he wants to teach us that there are watches in heaven as well as on earth."[4] In what way does the division of time into "watches," rather than hours, indicate heavenly time? The passage continues to explain:

> For it has been taught: Rabbi Eliezer says: The night has three watches, and at each watch the Holy One, blessed be He, sits and roars like a lion. For it is written: *The Lord does roar from on high, and raise His voice from His holy habitation; 'roaring He doth roar' because of his fold* (Jeremiah 25:30).[5]

Based on an exegesis of a passage from Jeremiah in which God is described as roaring, Rabbi Eliezer determines that each of God's roars signals one of the nightly watches.[6] Because the verb *sha'ag* is used thrice in the passage from Jeremiah, God must roar three times every night – and hence, there must be three nightly watches.[7] Rather than

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[3] This makes a difference of a full astronomical hour in the determination of the last time one may recite the Shema in the evenings according to the opinion of Rabbi Eliezer.

[4] *b. Berakhot* 3a.

[5] Ibid.

[6] The idea of a roaring God, referenced by Rabbi Eliezer, is based on a passage from Jeremiah that evokes the image of God roaring in heaven: "The Lord roars from on high, He makes His voice heard from His holy dwelling; He roars aloud over His [earthly] abode; He utters shouts like the grape-treaders, against all the dwellers on earth" (Jer 25:30 – the verse is cited explicitly as a proof text). The way that Rabbi Eliezer understands this biblical verse is that God projects His heavenly roars onto the earth, so that they are heard among all of the land's inhabitants, an interpretation that the biblical text itself seems to suggest. The exegesis, however, is intertextually extended as well. While the verse describes the sound of God's roars as evoking the shouts of grape-treaders, Rabbi Eliezer depicts God's roars as the sound of a lion. The assumed interpretation behind the idea of God roaring like a lion is actually quite sophisticated and hinges on the particular verb used in Jeremiah, שאג, which is used elsewhere to describe the roar of a lion. In Amos 3:8, God's speech is paralleled with the roaring of a lion: "A lion has roared, who can but fear? My Lord God has spoken, who can but prophesy?" The author of this *midrash*, then, read Jeremiah ("the Lord roars from on high") and Amos together, and ended up with a God who roars like a lion. (The biblical metaphor of God roaring like a lion is probably due to the association of lions with royalty; e.g. Judah's symbol was a lion.) On the level of text-criticism, the Jeremianic prooftext might be a later addition to the narrative, because the use of such a prooftext is not paralleled in the description of any other characters in the story.

[7] The biblical passage from Jeremiah makes no reference to *when* God roars (God simply roars), and the purpose for God's roaring in Jeremiah is to signal the destruction of the nations ("Tumult has reached the ends of the earth, for the Lord has a case against the nations, he contends with all flesh; He delivers the wicked to the sword…" Jer 25:31). In the lines that follow this story in the Babylonian Talmud, it is

presenting a straightforward technical explanation of the division of the night into three units of time, the Talmud presents Rabbi Eliezer's opinion in vivid theological terms: the specific time-marker – 'watches' – is employed to allude to the idea that heavenly and earthly times are synchronized.

The passage continues by describing this synchronization: when God roars, these sounds reverberate on earth as animal and human sounds. At the first watch, a donkey brays; at the second watch, dogs bark; and at the third watch, a baby cries and nurses from her mother while the woman talks with her husband.[8] As soon as the woman speaks, the man knows that it is time for him to rise and recite the morning Shema. Following a discussion about precisely when God roars (the beginning of each watch? the middle? the end?), the anonymous voice of the Babylonian Talmud concludes that God must roar to signal the *end* of each watch. For those who object that no signal is needed for the end of the last night watch (for it is obvious that morning has arrived based on the appearance of the sun), the Talmud replies:

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acknowledged in an interpretation attributed to Rabbi Isaac ben Samuel that God's roars must be roars of mourning for the loss of the temple (God is imagined to say: "Woe to the children, on account of whose sins I destroyed My house and burnt My temple and exiled them among the nations of the world…"). Rabbi Eliezer, on the other hand, suggests that God roars three times each night, and that God's roars are time-markers signaling the transition between nightly watches. The purpose of God's roars in Rabbi Eliezer's explanation is not to spread a message of destruction, but simply to instruct those on earth about the correct ritual timing for the Shema prayer. One textual hook for Rabbi Eliezer's connecting this verse from Jeremiah with the recitation of the Shema might be the appearance of the words הדברים האלה in both Jer 25:30 and in the biblical commandment upon which the Shema prayer is based, Deut 6:6.

[8] "And the sign of the thing is: In the first watch, the donkey brays; in the second, the dogs bark; in the third, the child sucks from the breast of his mother, and the woman talks with her husband." Rabbi Eliezer conjures up these specific ways in which God "makes His voice heard from His holy dwelling" in heaven by those on earth. While Jer 25:30 only refers to this idea in the most general terms, Rabbi Eliezer depicts in detail the associated animal sounds. On the pseudo-science behind the idea that animals make noise at particular times of night, see Moshe Benovitz, *BT Berakhot Chapter 1 with Comprehensive Commentary* (Hebrew; Jerusalem: Society for the Interpretation of the Talmud, 2006), iv. Benovitz also explains that ancients used the constellations and their positions in the sky to determine the time of night, and that this practice is echoed in the animal metaphors used in this text (in the earliest strata of the passage, the animals represent constellations – Ursa Major, Hercules next to Ophiuchus, and Cassiopeia with Cepheus and Andromeda - and their nightly positions in the sky).

> And if you object that the last watch needs no sign, [I reply] that it may be of use for the recitation of the Shema, and for a man who sleeps in a dark room and does not know when the time of the recitation arrives. When the woman talks with her husband and the child sucks from the breast of the mother, let him rise and recite [the Shema].[9]

In a dark room, where the sun does not shine, the baby's cry (which channels God's heavenly roar) causes a ripple of events that concludes with the father's recitation of the morning Shema at its proper time.

I begin Part II with this passage because it touches upon many of the themes around which the following three chapters revolve. At the most basic level, this is a text about the timing of the Shema – what is at stake is a practical answer about how late into the evening one may recite the Shema prayer, a central concern in the rabbinic discussions about the Shema. Secondly, the discussion highlights that time-markers were not *only* or even *primarily* functional, but that they carried additional meanings and associations. Rabbi Eliezer could just as easily have said "until four hours" rather than "until the end of the first watch" if he wanted to get across the *practical* information about the Shema's timing. Instead, the time-marker "watches" evokes God and heavenly time for the rabbinic sages who try to decipher their predecessor's words (perhaps not only because God roars in heaven, but also because the division of the night into watches evoked the sacred temple watches). With the recitation of the Shema, the text comes full circle, back to God, who was the first to mark the moment. That it is God who marks the proper time to say the Shema in heaven is significant for the rabbis' understanding of the ways in which their time on earth related to God's divine time.

[9] *b. Berakhot* 3a.

Lastly, the text provides us with a cultural observation about the relationship between different kinds of earthly time, and the ways in which various members of a community related *differently* to the *same* time. On the one hand, God's time in heaven is completely in sync with the time of those who dwell on earth: the animals, children, women, and men. On the other hand, the synchronization is hardly straightforward. While each act of marking time is animated by all parties, through roaring, crying, nursing, and praying, morning-time itself *signifies* something entirely different for each party involved, and the kinds of relationships this text emphasizes are telling. The woman marks her time by nursing and speaking, which are acts directed towards her family – her child, who feeds, and her husband, who listens. The man, upon hearing his wife's voice, realizes that morning has arrived and marks the first moment of the day by directing his actions to God, through rising up and reciting the words of the Shema, "Hear O Israel, the Lord our God the Lord is One," a declaration of faith in God and an articulation of devotion and love for God and God's commandments. More specifically, this text highlights the different ways that men and women marked their morning hours – it was only the men for whom the early signs of morning signaled the time to rise and praise God through the Shema; for women (or at least the woman in this story), the morning was associated with the bodily act of feeding a child. It is the intersection of these themes – the timing of the Shema, the synchronization of earthly and heavenly time, and the merging of the categories of time, gender and difference and what they reveal about a community and its relationship to time – with which the second half of this dissertation begins.

In assessing the role of gender in rabbinic ritual time, I engage with the scholarship of Nancy Jay and, especially, with her critique of Émile Durkheim. Jay, in her study of sacrifice and patriarchy, has taken Durkheim to task for not considering gender in his explanation of the role that religious rituals play in the formation of the categories of thought, including conceptions of space and time.[10] If these categories are cultivated through rituals, and women are excluded from key rituals, as they are in the societies upon which Durkheim based his conclusions, would one thus have to conclude that women have no means through which to acquire thought? Jay writes of Durkheim's analysis of religion and sacrifice in Australia:

> According to Durkheim, Australian women, who were profane in relation to men, were excluded from all rituals, even from knowledge about them. That is, women had no access to *any* of the process by which conceptual thought is formed. Over and over he described their exclusion. The exclusion of women even provided an identifying sign to distinguish religious practices from those that were mere magic. If the capacity for conceptual thought is acquired only through participation in a process that excludes women, how does it come about that women can think? If you hold fast to Durkheim's analysis, there is no way to answer this question.[11]

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[10] Durkheim's approach tries to mitigate between the position of the empiricists, who argue that the categories are cultivated through experience and thus time is dependent upon *empirical* intuition, and the Kantian apriorists, who insist that the categories exist *a priori* and precede all thought, and that a sense of time is immediately intuited rather than acquired. Finding both models too simplistic and unable adequately to account for both the unified sense of the categories shared among those within a single society and the divergent cultivation of the categories among those in different societies, Durkheim proposes that the categories are neither inherent nor based solely on individual experience, but rather that individuals cultivate the categories in certain ways based on social institutions, which mediate experience, and in particular through religious rituals. This idea is developed most explicitly in Émile Durkheim, *The Elementary Forms of Religious Life* (trans. Carol Cosman; Oxford: Oxford University Press, 2001), 11-21. Religious rituals, Durkheim writes, "are meant to stimulate and sustain or recreate certain mental states" (11). Durkheim illustrates his point most vividly with an example of how people in a society cultivate the category of time through that society's institutions, "We can conceive of time only by differentiating between discrete moments. Now, what is the source of this differentiation? …such an organization must be collective… The division into days, weeks, months, years and so on corresponds to the recurring cycle of rituals, holidays, and public ceremonies" (12). Religious rituals play a central role in the way that people in a religious society conceptualize time; indeed, it is *only* through such rituals that the categories are acquired, for Durkheim. A discussion of Durkheim's engagement with theories of time can be found in Gell, *The Anthropology of Time*, 3-14.

[11] Nancy Jay, *Throughout Your Generations Forever: Sacrifice, Religion, and Paternity* (Chicago: The University of Chicago Press, 1992), 136.

Jay leaves her question largely unanswered. She is, of course, being hyperbolic. She is not suggesting that Durkheim's model is irredeemably flawed because it does not account for the process by which women, who are excluded from rituals in his account, come to think. Jay rather seeks to stress that attention must be paid to the fact that rituals are gendered, and that without taking seriously the *ways* that rituals are gendered, a full account of their societal function cannot compellingly be given.

The argument can be taken a step further. If institutions and rituals are gendered, then it follows that men and women might cultivate the categories differently based on the rituals in which they partake. For example, men and women might cultivate and conceive of the category of time in distinct ways if their respective rituals structure and construct time differently.[12]

I take seriously Jay's rhetorical challenge of Durkheim's theory and, in the chapters that follow, I attempt to answer the questions that emerge from her critique. I ask: during the rabbinic period, which rituals became gendered, and in what ways did the performance of these rituals, in turn, cultivate the category of time in unique ways for men and women within the rabbinic community? I identify a series of rabbinic ritual innovations, and I argue that through the gendering of such rituals, men and women structured and orientated their time in different ways, creating a gendered temporality distinct from earlier forms of Judaism. I agree with Marjorie Lehman, who writes in her study of the exclusion of women from the obligation to sit in a *sukkah* that

> When certain members of the Jewish community are exempt from a requirement and, in this regard, have the option of inclusion or exclusion

[12] Here, I am also in conversation with the important work on ritual by Catherine Bell, *Ritual Theory, Ritual Practice* (Oxford: Oxford University Press, 1992), which largely leaves out the category of gender in the discussion of time, and time out of the discussion of gender.

> from it, this choice upsets conclusions drawn by contemporary ritual theorists that ritual produces social cohesion, that its practice favors out variability, and that ritual acts order daily life.[13]

Such exclusion, I argue, in fact *creates* difference, and in the examples I discuss below it cultivates a variety of *different* temporal rhythms for men and women that might in fact have ordered daily life, but not uniformly.

Chapter 4 centers on the very first ritual discussed in rabbinic sources, the recitation of several biblical passages known as the Shema prayer, the subject of the Talmudic story analyzed above. The Mishnah opens with a detailed discussion of the proper timing of this ritual; one's time, it is suggested, ought to be marked first and foremost by this regularized declaration of love and devotion to God each morning and evening. I demonstrate, through an analysis of rabbinic sources as well as earlier exegetical discussions from second temple sources, how and why the timing of this ritual was such an integral, and even essential, component of its fulfillment, and I explore the intended effects of the anchoring of one's day around such precise ritual times. I then turn to another feature of the rabbinic Shema: that, through an interesting process that I will analyze, only men became obligated in its recitation. According to the Mishnah, women are exempt from the fulfillment of this particular ritual, as well as from the entire category of rituals (labeled "positive time-bound commandments") into which the Shema fits. Women, in other words, are kept apart from the central devotional prayer that bounds each rabbinic day, and from other rituals that similarly construct time for the individual and the community.

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[13] Marjorie Lehman, "The Gendered Rhetoric of Sukkah Observance," *Jewish Quarterly Review* 96.3 (2006): 310.

Rabbinic texts do not regard women as beyond time, however. While women are excluded from the so-called "positive time-bound commandments," there is an entire set of rituals related to the laws of menstrual purity that applies *only* to women, and that would construct a woman's time in ways that were markedly different from the time of men. In Chapter 5, I trace the development of the laws of bodily purity from biblical texts, which provide extensive instructions that concern both men and women, to rabbinic texts that focus far greater attention on those laws that relate to the menstruant. The web of menstrual purity laws functioned in the rabbinic period in ways that are remarkably different from the laws of purity that pertain to men, especially with regards to matters of time. I thus argue that one of the defining features of women's time during the rabbinic period was the alternation between times of purity and impurity, dictated by the state of a woman's body. I contend further that while positive time-bound commandments are based on external time-markers such as the celestial beings, operate on an axis of sacred-or-profane time, and orient men's time towards God, the menstrual purity laws rely on the internal rhythms of a woman's body, operate on the alternation between times of bodily purity and impurity, and orient women's times towards their bodies, their husbands, and other objects that could be contaminated at times of impurity. Returning to the Durkheim-Jay debate, I reflect on the role that each set of rituals might have played for the cultivation of the category of time during the rabbinic period.

In Chapter 6, I move from an exploration of how rabbinic laws about women's bodies structured Jewish women's time to ancient Jewish use of the features and processes related to the female body in the language and terminology of time. In particular, I show how ancient Jews – rabbinic and non-rabbinic – employed female

bodily metaphors in the imagination of the eschatological era and the monthly calendar. I conclude this chapter with a consideration of the irony of the centrality of female bodily language and metaphors in rituals and dramas that tend to exclude actual women.

At the center of the first two chapters of Part II lie two rabbinic tractates: tractate Berakhot and its discussion of the Shema, and tractate Niddah and its discussion of menstrual purity. The well-known mishnaic text of tractate Berakhot often serves as an illustrative example of the multiplicity of opinions preserved alongside one another in rabbinic literature, the merging of legal and narrative literary forms, the continued importance of the temple in tannaitic texts, and the preservation of a variety of ancient Jewish time-markers.[14] Studies of the opening sections of the tractate in the Tosefta, Yerushalmi, and Bavli have focused on the relationship between these rabbinic compilations,[15] the development of rabbinic hermeneutics and conceptualization from the tannaitic to the ammoraic periods,[16] the history of the tractate's interpretation within its ancient context,[17] and the significance of the rabbinic laws about the Shema ritual.[18] Little scholarly work has been done, however, on what the tractate reveals about the role of ritual timing in the construction of the Shema and on the rabbis' (shifting) conceptions of time within their discussions of the Shema's proper timing, despite the fact that tractate Berakhot is one of the main tractates in which the rabbis engage in sustained

[14] David Kraemer, "The Mishnah," in *The Cambridge History of Judaism IV*, 299-315; Stern, *Time and Process in Ancient Judaism*, 46-58.
[15] Alberdina Houtman, *Mishnah and Tosefta: A Synoptic Comparison of the Tractates Berakhot and Sheviit* (Tübingen: Mohr Siebeck, 1996).
[16] Benovitz, *BT Berakhot Chapter 1*; Daniel Sperber, "Yerushalmi Berachot 1.1," in *Magic and Folklore in Rabbinic Literature* (Ramat Gan: Bar Ilan University Press, 1994), 174-243.
[17] Richard Hidary, "Classical Rhetorical Arrangement and Reasoning in the Talmud: The Case of Yerushalmi Berakhot 1:1," *AJS Review* 34.1 (2010): 33-64.
[18] See Elizabeth Shanks Alexander's chapter entitled "Women's Exemption from Shema and Tefillin," in *Gender and Timebound Commandments in Judaism* (Cambridge: Cambridge University Press, 2013), 137-177.

discussions about time and timing. Even less attention has been paid to the role that this ritual then played in the construction of a specifically male time.

Likewise, tractate Niddah and earlier biblical and second temple texts about menstrual impurity, and bodily impurity more generally, have been studied from a variety of perspectives. Recent scholarship on purity has focused on teasing out the different categories of impurities (ritual, moral, gentile) and their conceptual development,[19] on understanding rituals of purity and impurity in their Greco-Roman and Zoroastrian contexts,[20] and on the role that the laws of purity have had on the construction of bodies, corporeality and the self.[21] Here, I add another dimension to the way we understand the laws of purity by highlighting the effects these laws had on the construction of *time* for those who observed them (both men and women, who were affected quite differently by the timing of the purity laws that applied to them in the rabbinic period). Not only did these laws construct bodies and selves, communities and others, but also structures of time, often unnoticed or unacknowledged, that dictated how women conducted themselves at different moments of their menstrual cycles, or men when they happened to become impure. By juxtaposing the rabbinic discussions of the Shema and Niddah, moreover, I highlight the different ways that these rituals functioned in constructing time for men and women according to rabbinic sources.

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[19] Klawans, *Impurity and Sin in Ancient Judaism*; Hayes, *Gentile Impurities and Jewish Identities*; Martha Himmelfarb, "Impurity and Sin in 4QD, 1QS, and 4Q512," *DSD* 8.1 (2001): 9-37.
[20] Samuel Israel Secunda, "Dashtana – 'ki derekh nashim li': A Study of the Babylonian Rabbinic Laws of Menstruation in Relation to Corresponding Rabbinic Texts" (Ph.D. diss., Yeshiva University, 2007); Yair Furstenberg, "Eating in a State of Purity in the Tannaitic Period: Tractate *Tohorot* and its Historical and Cultural Contexts" (Ph.D. diss., The Hebrew University of Jerusalem, 2010).
[21] Fonrobert, *Menstrual Purity*; Mira Balberg, "Recomposed Corporealities: Purity, Body, and Self in the Mishnah," (Ph.D. diss., Stanford University, 2011).

It is important to state at the outset that I am not arguing that the rituals discussed in these chapters were performed by, or impacted, *only* men or *only* women, but rather that they became gendered in rabbinic law. We know that women certainly performed many of the positive time-bound commandments, either because there were exemptions to the rules that necessitated their participation or because some women observed rituals without being obligated to do so, and that men were also obligated to observe their own set of rituals related to bodily purity in addition to being implicated in their wives' cycles of purity and impurity. So there was certainly overlap in the performance of these sets of rituals by men and women. What is worthwhile highlighting, however, is that rabbinic sources associate positive time-bound rituals more strongly with men in this period while casting purity as primarily a woman's concern, and thus the temporal frameworks established by these two sets of practices became increasingly, though not absolutely, gendered.

I also do not seek to imply that the rabbis *intentionally* created two such distinct systems of time for men and women. Though I argue that the rabbis, as early as the Mishnah, do deliberately exclude women from a large set of rituals and simultaneously minimize the practical and ritual effects of male impurity, it is not clear that they did so in order to differentiate men and women's *time*. Instead, a series of local legal decisions, often concerned with matters of gender but not necessarily related directly to the gendering of time, created a system in which men and women operated within different temporal orders. Thus it is perhaps most accurate to consider the results of these many laws as the potential social *effects*, intended or not, rather than as the deliberate fashioning of laws for the specific purpose of creating a gendered temporal system.

Regardless of the intentionality behind each of these laws, however, by the end of the rabbinic period men and women's time was punctuated by a unique set of rituals that oriented time in drastically different ways. It is this process, and its social and rhetorical implications, that the following chapters unpack.

THE SHEMA, POSITIVE TIME-BOUND COMMANDMENTS, AND MEN'S TIME

The rabbinic Shema has its roots in a short biblical phrase found within a biblical commandment in Deut 6:4-9, which reads:

> Hear, O Israel! The Lord is our God, the Lord is One. You shall love the Lord your God with all your heart and with all your soul and with all your might. Take to heart these instructions with which I charge you this day. Impress them upon your children, and recite them when you stay at home and when you are away, when you lie down and when you get up. Bind them as a sign on your hand and let them serve as a symbol on your forehead; inscribe them on the doorposts of your house and on your gates.[1]

Within its literary context, this biblical passage encourages, indeed obligates, its readers to devote themselves to God ("love the Lord your God"), to constantly remind themselves of the commandments ("take to heart, recite them"), to educate their children in them ("impress them upon your children"), and to surround themselves with physical reminders of God and God's commandments ("bind them as a sign on your hand and let them serve as a symbol on your forehead; inscribe them on the doorposts of your house and on your gates"). The daily recitation of the Shema prayer, a literalized interpretation of the phrase "recite [these instructions]… when you lie down and when you get up," was regarded as such an important component of rabbinic practice and identity that the entire Mishnah begins with a detailed discussion of the rules of the Shema's recitation, and specifically with elaborate debates about its proper timing.

Tractate Berakhot opens with the famous question "from what time (מאימתיי) does one [that is, is it appropriate to] recite the Shema each evening?" and follows with a

[1] Translation from NJPSV. For a study of the passage's textual variants in sources from the second temple period, see Armin Lange and Matthias Weigold, "The Text of the Shema Yisrael in Qumran Literature and Elsewhere," in *Textual Criticism and Dead Sea Scrolls Studies in Honour of Julio Trebolle Barrera: Florilegium Complutense* (ed. A. Piquer Otero and P. Torijano Morales; Leiden: Brill, 2012), 147-177.

parallel question about how early each morning one may begin reciting the Shema.[2] Much of the tractate's first chapter is devoted to outlining the exact times the Shema may be recited for one's ritual obligations to be fulfilled. In addition to the passage's doctrinal[3] and apotropaic[4] functions, the ritual, as it is presented in rabbinic sources, became a marker of the transition between day and night; each evening at dusk and each morning at dawn, the Shema's recitation signaled the temporal shift from light to darkness and then from darkness to light. What values and associations might the performance of this ritual at these specific times of day have instilled in its practitioners?

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[2] See *m. Berakhot* 1:1-3:6 for discussion of the Shema and its daily recitation, and parallels in *t. Berakhot* 1:1ff. How early the order of the mishnaic tractates was set is not entirely clear, but this seems to have happened fairly early. See Hermann L. Strack and Günter Stemberger, *Introduction to the Talmud and Midrash* (Minneapolis: Fortress Press, 1992), 119-121; Zacharias Frankel, *Darkhe ha-Mishnah* (Warsaw: Tsailingold, 1923), 254; Jacob Nahum Epstein, *Mavo le-nusah ha-Mishnah* (Jerusalem: 1965), 980-983; and most recently Menahem Kahanah, "'Golden Apples in Silver Settings': The Mishnah and the Order of its Tractates," *Tarbiz* 76 (2006): 29-40.

[3] The words of the Shema, which both acknowledge God's unity and command devotion to that God, served as a doctrinal statement affirming monotheistic belief and thus became an important identity marker for the rabbis. This occurs throughout rabbinic sources, but appears most poignantly in the Babylonian Talmud. See e.g. *b. Berakhot* 47b, which labels anyone who does not recite the Shema an *am ha'aretz* (this sources will be explored at greater length below). The story of Rabbi Akiva's martyrdom, during which he recites the Shema, is another good example of the way in which the Shema is used to affirm and confirm identity and piety; see *b. Berakhot* 61b for the story (which builds upon the tannaitic sources at the core of the story, *m. Berakhot* 9:5 and *t. Berakhot* 6:11, in which the verses that became part of the Shema are interpreted as obligating blessings over evil even at times of death: אפילו הוא נוטל את נפשך). For discussion of this function of the Shema, see Urbach, *The Sages*, 19, and Alan F. Segal, *Two Powers in Heaven: Early Rabbinic Reports about Christianity and Gnosticism* (Leiden: Brill, 1977), 152.

[4] The opening words of the passage were in other contexts appealed to for their healing and protective powers. In addition to the incorporation of the Shema passages in amulets and magical bowls, *b. Berakhot* 6a assures that the recitation of the Shema in bed – that is, right before going to sleep – keeps the nighttime demons away. Geniza fragments attest to the continued use of Deut 6:4-9 in magical spells; see T-S K 1.147, fol. 1e, lines 1-16 in Peter Schäfer and Shaul Shaked, *Magische Texte aus der Kairoer Genizah* (Tübingen: Mohr Siebeck, 1994), 223, and T-S K 1.95 in Shaul Shaked, "An Early Geniza Fragment in an Unknown Iranian Dialect," *Acta Iranica* 28 (1988): 228, 230. Deut 6:4-9 and 11:13-21 also appear frequently on ancient magic bowls; see for example Bowl No. 11:6-7 in Joseph Naveh and Shaul Shaked, *Amulets and Magic Bowls: Aramaic Incantations of Late Antiquity* (Jerusalem: Magnes Press, 1987), 184-187, and Dan Levene, "Hear O' Israel: A Pair of Duplicate Magic Bowls from the Pergamon Museum in Berlin," *Journal of Jewish Studies* 54 (2003): 104-21. On the recently-discovered Halbturn amulet that contains a transliteration of the opening line from the Shema into Greek, see Esther Eshel, Hanan Eshel, and Armin Lange, "'Hear, O Israel' in Gold: An Ancient Amulet from Halbturn in Austria," *Journal of Ancient Judaism* 1.1 (2010): 43-64, and the series of articles devoted to the amulet's discovery, dating, linguistic features, historical and geographical context in the special issue entitled "Golden Words: An Ancient Jewish Amulet from Austria and the Jewish Presence in Roman Pannonia," *Journal of Ancient Judaism* 1.2 (2010): 141-277.

In the first half of this chapter, I analyze the rabbinic discussions concerning the timing of the Shema in tannaitic and amoraic sources, and I contextualize the rabbinic concern, even obsession, with getting the recitation's timing just right in light of a long hermeneutic tradition associated with Deut 6:7 found in earlier second temple sources. I argue that in both second temple and rabbinic sources, the timing of the ritual, and the way in which its timing was conceptualized, were integral parts of the ritual's construction and gave the ritual specific and evolving meaning.

This ritual, as we shall see, also became gendered in rabbinic literature. Women, along with slaves and children, were not obligated in its daily recitation according to tannaitic sources. In addition, it is the rabbis of the Mishnah who, for the first time, categorize commandments according to their relationship to time – time-bound and non-time-bound commandments – and then categorically exclude women from participation in positive time-bound commandments. Women were thus excluded from the ritual of the recitation of the Shema because it was regarded as one of the so-called "positive time-bound commandments" from which women are exempt. In what ways, then, did the daily recitation of the Shema structure specifically *men's* time? The second half of the chapter considers this question concerning the social implications for the gendering of this particular practice, as well as the broader category of positive time-bound commandments.

Time is of the Essence

The proper timing of the Shema's recitation was such an integral part of the ritual for the rabbis that, according to rabbinic law, the Shema only constituted a prayer when it was recited at its proper time. In particular, one *mishnah* posits that when the Shema is

recited within the correct temporal parameters, it is considered a prayer, but when it is recited after the proper time, the act of reciting the words of the Shema is an act of reading Torah, or even Torah study, rather than prayer. After detailing the latest possible time for the morning Shema recitation (which, according to Rabbi Joshua, is the third hour of the day), the Mishnah declares that "one who recites later than this has not lost but is rather as one who recites from the Torah (הקורא מכאן ואילך לא הפסיד כאדם שהוא קורא בתורה)."[5] According to this ruling, which appears in the text without attribution and is therefore presented as the opinion of the authoritative voice of the Mishnah and its redactor, the act of reading the Shema has a different significance and ritual identity depending on whether it is done before or after the third hour. Before that hour, it is the recitation of the Shema; after, it is the recitation of Torah, itself a virtuous activity but categorically different from the Shema.[6] That is, an alternative meaning and function is provided by the Mishnah for this "failed" ritual on account of the timing of its performance.

This rabbinic principle states that the essence of the Shema changes if it is performed at a different time. Proper timing, in this case, defines the significance or

[5] *m. Berakhot* 1:2. The term הפסיד connotes suffering loss or being at a disadvantage. The idea behind this choice of language in this *mishnah* is that someone who recites the Shema verses at the improper time "loses nothing" because the act is still a pious one of reading Torah passages (see Jastrow, 1192). The Bavli expands by stating that such a person can even recite the benedictions before and after the Shema as usual (*b. Berakhot* 10b; Jastrow, *Dictionary*, 1192).

[6] That is, while someone who recites the Shema verses after the third hour is not considered to have fulfilled his obligation to recite the Shema (which is a transgression itself), he does fulfill a *different* meritorious act of reciting Torah verses. That is, the recitation of those biblical verses, when recited later in the day, are considered to be an act of reading biblical verses aloud, and perhaps even an activity that fulfills another part of the commandment in Deut 6, which is the obligation to study Torah and teach one's children, though the Mishnah does not state this explicitly). In all other instance in which the phrase לא הפסיד appears in the Mishnah, it is part of the longer phrase לא הפסיד כלום (*m. Demai* 7:7, *m. Nazir* 2:10, *m. Qinnim* 2:3, 5). Here, the word כלום is left off, perhaps indicating that while one has not lost *everything* (that is, it wasn't a complete waste of time), one has still lost *something* by not reciting the Shema in its proper time.

efficacy of the act of reciting these words. Timing is not only central for the performance of the ritual in the case of the Shema; it is embedded into its meaning and significance, and therefore delineating the precise time of recitation, as the Mishnah does, becomes crucially important because the ritual's proper timing is constitutive of the fulfillment of the commandment.

That the timing of the act constitutes its essence is a fairly unique principle with regard to the Shema. More typically, commandments that have set times must be performed during a particular time period or they fulfill no religious duty.[7] Consider this statement from the Mishnah: "This is the governing principle: any act whose religious requirement applies by day is valid when done at any time of the day, and a matter whose religious requirement applies by night is valid when done at any time of the night."[8] There is no mention, in this rule, that if such an act is done outside of the correct temporal parameters, that act is considered a *different* pious activity. Sacrifices, for example, are

[7] Or, alternatively, there is considerable flexibility for certain rituals even when they do have fixed times; e.g. *m. Pesahim* 1:3, on the ritual of searching out and discarding leaven before the Passover, the mishnaic text instructs: "[If] one did not seek out [leaven] on the night of the fourteenth, he may seek it out on the fourteenth, if he did not seek it out on the fourteenth, let him seek it out at the appoint time, [if] he did not seek it out at the appointed time, let him seek it out after the appointed time [to nightfall]" (trans. Neusner, 230). Here, there appears to be a specific time, but little consequence if the act is done thereafter (though at a certain point it is, in fact, too late to perform the ritual at all).

[8] *m. Megillah* 2:6; trans. Neusner, 320. This "general principle" follows a list of rituals that ought to be performed during the day (e.g. reading the *megillah*, reciting *hallel*, sounding the *shofar*, waving the *lulav*, a series of sacrificial acts, and so on) and at night (e.g. cutting wheat for the *omer*, offering up fats and sacrificial parts). On this passage, see Tzvi Novick, *What is Good, and What God Demands* (Leiden: Brill, 2010), 44n.9. Novick points out an important distinction between *m. Berakhot* 1:1 and *m. Megillah* 2:6, in that the former applies to the endpoint of the acceptable time range, while the latter refers to a commandment that ought to be performed simply "at night," not at a specific time of night (or day). He writes: "the very point of the statement in *m. Meg.* 2:6 is to provide precise legal content… acts properly performed during the night can be performed from the beginning to the end of the night. The characterization of the מצוה in *m. Ber.* 1:1 as 'until dawn' thus appears to occur under the influence of the Sages' subsequent delimitation of the acts in question to 'until midnight.'" See also Novick's discussion of the terms "until midnight" and "until dawn" on pg. 173. The timely performance of commandments is also praised *Sifra Hova* 10:3 (25a), "Rabbi Yehudah says: Beloved is a commandment in its time…" (see also *b. Qiddushin* 33a, *b. Hullin* 54a, 133a); on this and related passages, see Novick, *What is Good, and What God Demands*, 170, who writes that "it is most reasonable to suppose that the sense of the maxim is: one who fulfills a commandments in its time manifests love toward it."

only efficacious if they are performed at the correct times, and one cannot offer sacrifices at other times.[9] In the Mishnah's discussion of the Passover sacrifice, only an animal slaughtered *after* midday is considered fit to serve as a Passover offering.[10] That is, if an animal is slaughtered earlier in the day, it cannot be used for the purpose of the offering; it is an *invalid* (*pasul*) Passover offering because it was not slaughtered at the proper time. Likewise, the Tosefta adds that an animal must be designated to serve as a Passover offering *before* midday in order later to be used for such purposes.[11] Again, if an animal is designated or sacrificed at the improper time, the act is an invalid offering and does not fulfill one's sacrificial duty or any other ritual obligation.[12] This is in marked contrast to the recitation of the Shema verses, which when performed at times other than those designated for the Shema prayer fulfills another obligation, i.e.,

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[9] E.g. *m. Zevahim* 2:3, 14:3, and *t. Pesahim* 3:7. See Stern, *Time and Process in Ancient Judaism*, 46-58. Timing is also a significant factor in magical practices, because words are only efficacious if they are said at the correct time according to the logic of such rituals. On timing in magical ritual, see e.g. Radcliffe G. Edmonds III, "At the Seizure of the Moon: The Absence of the Moon in the Mithras Liturgy," in *Prayer, Magic, and the Stars in the Ancient and Late Antique World* (ed. Scott B. Noegel, Joel Thomas Walker, and Brannon M. Wheeler; University Park, PA: Pennsylvania State University Press, 2003), 236-238. The topic of time appears frequently in the texts of magical bowls and amulets; e.g. one Aramaic bowl ends with the declaration "You will not sin against them, you will not deal them an evil injury, you will not dwell in their house, and you will not appear to them either *in their dreams of the night or in their sleep of the day*, from this day and forever…" (italics added), another ends similarly, "they will not commit offense against them… *either during the night or during the day*," and a third includes the line "I will bind you with the bond with which the seven stars [and the twelve stars of the zodiac have been bound unto the great day of judgment and unto the great ho]ur of redemption…" (Charles D. Isbell, *Corpus of Aramaic Incantation Bowls: Aramaic Incantations of Late Antiquity* [Missoula, MT: Society of Biblical Literature and Scholars Press, 1975], 25, 28, 32-33). Magical practices are only efficacious when performed at certain times, and they are designed to effect the world at certain times as well.

[10] *m. Pesahim* 5:3. Kaye, in her study of time in the Babylonian Talmud, provides a thorough analysis of the function of time with regard to the Passover sacrifice and its development through amoraic and stammaitic strata of rabbinic sources. See Kaye, "Law and Temporality in Bavli *Mo'ed*," 184-186, and the Babylonian Talmud's extended discussion of these principles in *b. Pesahim* 97a-b.

[11] *t. Pesahim* 9:6.

[12] There are a number of cases in which a sacrifice remains valid, however, even when something has gone wrong in the ritual process; in some such cases, the "failed" sacrifice is still valid as an altogether *different* sacrifice. See e.g. *m. Terumah* 4:3, in which a sin offering is re-designated a freewill offering if it is purchased with money that was initially designated for the former but not used in time. In this case, the sacrifice does not satisfy the owner's obligation but is still considered valid as a sacrifice of a different sort, a case analogous to the Shema.

recitation of the Torah. What is unique about the laws regarding the Shema's timing is not that the prayer must be recited at a proper time, but that it is only considered *the recitation of the Shema* when it is recited at a specific time, and a categorically different (though still ritually significant) act when it is performed too early or too late.

Tzvi Novick has identified two different sets of temporal categories in rabbinic literature.[13] The first is timeliness, which according to Novick was borrowed from biblical wisdom literature. Timeliness presumes that there is an ideal time for an action and other times fall on a spectrum of better or worse depending on their proximity to the ideal time. The second is what Novick names the deontological frame, wherein there is a right time for an action and all other times are wrong.[14] The above analysis of the Shema suggests that, in certain instances, there was a third rabbinic approach to time in law. This third system lays out neither a right-wrong dichotomy nor a better-worse spectrum but rather defines the same act differently depending on the time in which it was performed. Bearing this aspect of the ritual in mind provides additional context for the elaborate debates about the Shema's timing in tannaitic and amoraic sources. I turn more closely to these debates below.

[13] Novick, *What is Good, and What God Demands*, 164-175, esp. 171.
[14] Novick writes: "Timeliness is a point or range of points in the middle of a continuous spectrum: trailing away on either side are less appropriate and then, at a greater distance, manifestly inappropriate moments. The deontological realm structures time altogether differently. There is a period during which performance of the obligatory act constitutes satisfaction of the obligation (the satisfaction period), and outside this period it is impossible to satisfy the obligation (the non-satisfaction period). The distinction between the two periods is sharp (at least in principle), and neither period is internally differentiated" (171). Novick identifies an instance in which the norm of timeliness (a wisdom virtue) is applied to deontological time to instill a sense of immediacy – the sense that it is best to perform a commandment as soon as one is able, rather than simply at any point during its appropriate time – to create an internal differentiation within the appropriate period of ritual performance.

"When you lie down, and when you wake up": From Merism to Literalism

If, for the rabbis, the Shema was a matter of time and the same words recited at other times constituted something other than the Shema prayer, we must try to understand why. What was it about this prayer that made its timing so critical?

It is not clear how ancient the practice of reciting the Shema as a daily morning and evening prayer is. It is generally assumed that by the time of the Mishnah's redaction (c. 200 C.E.), the Shema was already a standardized ritual, because the Mishnah refers to it as a well-known practice. Indeed, the Mishnah takes for granted that its audience is so familiar with the recitation of the Shema that it does not define it at all; as we have seen, the Mishnah delves immediately into detailed discussions of its timing and exceptions that might arise in everyday life. The precise historical moment when the command to "recite these instructions" in Deut 6:7 and its associated biblical passages (Deut 11:13-21 and Num 15:37-41) were transformed into a ritual, however, and whether the ritual predates the rabbinic period, are uncertain and matters of scholarly debate.[15] In

[15] On the Shema prayer and its historical development and significance, see Stefan Reif's chapter entitled "The Theological Significance of the 'Shema,'" in Stefan C. Reif, *Problems with Prayers: Studies in the Textual History of Early Rabbinic Liturgy* (Berlin and New York: Walter de Gruyter, 2006), 107-125; Reuven Kimelman, "The Shema' Liturgy: From Covenant to Coronation," in *Kenishta: Studies of the Synagogue World* (ed. Joseph Tabory; Ramat Gan: 2001), 9-105; Alexander's treatment of the Shema in her *Gender and Timebound Commandments*; Jackie A. Wyse, "Loving God as an act of obedience: The Shema in context," in *Take this Word to Heart: The Shema in Torah and Gospel* (ed. Perry B. Yoder; Elkhart, Indiana: Institute of Mennonite Studies, 2005), 11-51; Jeremy Penner, *Patterns of Daily Prayer in Second Temple Period Judaism* (Leiden: Brill, 2012), 73-99; Ezra Fleischer, "The Recitation of the Evening Shema as a Custom from the Land of Israel: Between Ancient *Halakhah* and Later Custom" (Heb.), in *Torah LiShma: Research in Jewish Studies in Honor of Professor Shama Yehudah Friedman* (Jerusalem: JTS Press, 2007), 268-302; and Jacob Katz, "Alternations in the Time of the Evening Service ("ma'ariv"): an example of the interrelationship between religious customs and their social background," in *Divine Law in Human Hands* (1998), 88-127. Also relevant is Joseph Tabory's short summary in "Prayers and Berakhot," in *Literature of the Sages II* (Michael Stone and Shmuel Safrai, eds.; Minneapolis: Fortress Press, 2007), 290-294, 296-297. In a forthcoming article ("The Shema in the Second Temple Period, A Reconsideration," *Journal of Ancient Judaism*), I suggest that the sources used as evidence for the practice of the recitation of the Shema in the second temple period are far more ambiguous than usually acknowledged and do not indicate an awareness of such a ritual. Instead, I suggest reading the sources as evidence for diversity of practice in this early period.

this section, I explore the ancient sources that relate to these verses. Through my analysis, I argue that regardless of when we might date the advent of the Shema as a prayer per se, the ancient interpreters of the biblical verses understood them as a call not for constant devotion to God (as appears to be the intent of the Bible) but for devotion to God at specific moments of each day. In other words, from the earliest extant interpretations of the deuteronomic verses, readers concentrated on the precise *times* to which they referred. The Shema—whether it was a religious duty or a prayer—was, for ancient Jews, a matter of time.

In our earliest rabbinic texts, Deut 6:7 was read as a specific commandment to recite three biblical passages (Deut 6:4-9, 11:13-21 and Num 15:37-41) and a series of blessings twice daily (what came to be known simply as "the Shema").[16] The origins of the Shema ritual practice can be traced to a particular interpretation of the phrase "take to heart these instructions with which I charge you today" (Deut 6:6) and "recite them" (Deut 6:6-7). In essence, exegesis of these phrases transformed the biblical injunction to "love the Lord your God with all your heart and with all your soul and with all your might" (Deut 6:5) into a clearly defined ritual of expressing one's love by reciting these very passages. Other sections of the biblical passage were interpreted to refer to different rituals: "impress them upon your children [lit. sons]" became a call to teach Torah to

[16] By the rabbinic period, the Shema prayer began with the declaration, "Hear [*Shema*], O Israel! The Lord is our God, the Lord is one!" (Deut 6:4), and continued with the recitation of three biblical passages – Deut 6:4-9, Deut 11:13-21, and Num 15:37-41 – each of which exhorts the reader to affirm God's unity, to love God, to be fully devoted to God at all times and with all one's means, and to follow (literally: obey) God's commandments. In addition to these three sections of scripture, there were a number of blessings appended before and after the Shema prayer that were recited along with the Shema; while the Shema prayer itself remained constant, the enveloping blessings differed depending on the time of day (there were particular blessings accompanying the morning and evening recitations). The third biblical passage, Num 15, seems to have been added later than the two passages from Deuteronomy. In addition, an emended version of Ps 72:19, a blessing formula discussed in tannaitic and amoraic sources, was inserted by the rabbis between the recitation of Deut 6:4 and 6:5. The first full text of the Shema and its blessings survives in Amram Gaon's ninth-century Order of Prayers and in Geniza fragments.

one's sons; "bind them as a sign on your hand… [and] between your eyes" referred to the practice of phylacteries bound to one's arm and head; and "inscribe them on the doorposts… [and] gates" was practiced by affixing *mezuzot*, parchment with scripture, on one's doorpost as a protective and declaratory amulet.

While the practices of wearing phylacteries and affixing mezuzot are widely attested in the second temple period,[17] pre-rabbinic sources do not point to the existence of a standard prayer ritual composed of biblical verses from Deuteronomy and Numbers known from the Mishnah. In contrast, there was a *diversity* of ways that the directive in Deut 6:5-6 was understood and enacted in this earlier period. As we will see below, the Letter of Aristeas describes an act of meditating on God's initial works of creation and God's continual re-creation of life, the Community Rule prescribes the daily recitation of laws and the constant turning to God, Philo emphasizes the instruction of justice, and Josephus frames the ritual as a commemoration of the deliverance out of Egypt. Only Mishnah Tamid, which lists the Shema and its blessings as part of temple worship, suggests the existence in the second temple period of a prayer resembling what later became the rabbinic Shema (and given the methodological problems associated with retrojecting details from the Mishnah into temple times, this source must be treated

[17] Second temple sources that refer to phylacteries and mezuzah include the *Letter of Aristeas* 159, Philo, *De Spec Leg* 141-142, Josephus' *Antiquities of the Jews* 4:213, and Matthew 23:5 (the practice seems to have formed in the Hellenistic period). Tannaitic sources do not cover these two rituals systematically (i.e. there is no unit of text devoted to detailing laws about them) but the sources mention them in passing numerous times throughout; see for example *m. Shevi'it* 3:8, 11, *m. Berakhot* 3:3, *m. Kelim* 17:16, *m. Avodah Zarah* 2:4, Mekh. Ishm. Bo 17, Sifre Deut 35 (amoraic sources treat these two rituals more fully; see for example *b. Menahot* 37a-43b). For a detailed study of phylacteries in the second temple period and beyond, see Yehudah Cohen, *Tangled Up in Text: Tefillin and the Ancient World* (Society of Biblical Literature, 2008). In addition to the evidence from Qumran, archaeological evidence from Wadi Murabba'at, Nahal Se'elim, and Nahal Hever also attests to the wide use of phylacteries and mezuzot in the post-destruction era. See Hartmut Stegemann and Jürgen Becker, "Zum Text von Fragment 5 aus Wadi Murabba'at," *RevQ* 3.11 (1961): 443-448, and Cohen's discussion, *Tangled*, 103ff.

cautiously).[18] Despite the variety of *practices*, however, the *timing* of the rituals – in fulfillment of the injunction "recite them… *when you lie down and when you get up*" – seems to have been a central and defining factor in the construction of these many practices preserved in most of the second temple sources, regardless of their precise ritual configuration. This central theme of the commandment's timing is drawn upon and developed in the earliest rabbinic texts as well, and rabbinic concern for determining the correct time for the Shema's recitation gestures towards the role of timing in the emergence of the ritualized interpretation of the biblical verse in the first place.

In its biblical context, Deut 6:7's temporal language was intended to stress constancy: one should love God and remember and repeat the commandments always, at all times and under all circumstances. The terms "when you stay home," "when you are away," "when you lie down" and "when you get up" serve as merisms (a type of synecdoche in which totality is expressed by contrasting parts of the whole), the implication being "at all times."[19] Proverbs 6:20-22, for example, retains this exact temporal interpretation of the passage: "My son, keep your father's commandments; do

[18] For two opinions on the dating of tractate Tamid, see Louis Ginzberg, "Tamid: The Oldest Treatise of the Mishnah," *Journal of Jewish Lore and Philosophy* 1 (1919): 33-44, 197-209, 265-295, and Jacob Neusner, "Dating a Mishnah-Tractate: The Case of Tamid," in *History, Religion, and Spiritual Democracy: Essays in Honor of Joseph L. Blau* (ed. Maurice Wholgelernter; New York: Columbia University Press, 1980), 97-112. A single fragmentary papyrus, also dated to the second century B.C.E., preserves the text of the Decalogue (Ex 20:2ff), immediately followed by the text of Deut 6:4 and the first half of 6:5. The Nash Papyrus is an unusual find and has captured scholarly interest because it appears to have been a text used for some kind of ritual purpose. The form of the text, however, suggests that it was more closely related to the use of phylacteries in the temple rather than that it preserves the Shema prayer. Here I follow Reuven Kimelman, "The *Shema* and its Blessings: The Realization of God's Kingship," in *The Synagogue in Late Antiquity* (ed. Lee I. Levine; Philadelphia: The American Schools of Oriental Research, 1987), 74. The papyrus leaves open the possibility, also, that the Decalogue and the Shema were liturgical texts of some kind, even if the Shema takes on a more central role thereafter. This papyrus might indeed illuminate the references to the Shema as part of the temple service in *m. Tamid* 5:1. On the pairing of the Decalogue and the Shema, see Aharon Oppenheimer, "Removing the Decalogue from the 'Shema' and phylacteries: the historical implications," in *The Decalogue in Jewish and Christian Tradition* (ed. Henning Graf Reventlow and Yair Hoffman; New York: Continuum, 2011), 97-105.

[19] Kimelman has also noted this literary feature of the text; see "The Shema' Liturgy," 18 n.35.

not forsake your mother's teaching. Tie them over your heart *always* (תמיד); bind them around your throat. When you walk it will lead you; when you lie down it will watch over you." Apparently interpreting Deut 6, Proverbs makes clear that the requirement applied "always," represented by two symbolic parts of the day "when you wake" and "when you lie down."[20] In the Septuagint, too, the abstract biblical temporal and spatial meanings (always and everywhere) are retained (καὶ λαλήσεις ἐν αὐτοῖς καθήμενος ἐν οἴκῳ καὶ πορευόμενος ἐν ὁδῷ καὶ κοιταζόμενος καὶ διανιστάμενος).

Some non-biblical sources retain the Bible's meristic meaning, while others read the phrase in more concrete terms, as referring to specific times of day: either literally the time when one lies down to sleep and rises from bed or more generally the time of morning and the time of sleep. The earliest non-biblical source that refers to Deut 6 is the second-century B.C.E. Letter of Aristeas. The author of the text alludes to Deut 6 and some of its associated rituals within a longer section devoted to praising the Lawgiver (Moses) and describing his laws:

> He also strictly commands that the sign shall be worn on our hands, clearly indicating that it is our duty to fulfill every activity in righteousness, having in mind our own condition, and above all the fear of God. He also commands that "on going to bed and rising" men should meditate on the works (κατασκευῆς) of God, observing not only in word but in understanding the movement and impression which they have when

[20] The language of Deut 6 is invoked as well in 2 Kings 23:3, which describes King Josiah's renewal of his covenant to God, in which he vows "to walk after the Lord, and to keep His commandments, and His testimonies, and His statues, with all his heart, and all his soul, to confirm the words of this covenant that were written in this book." The temporal dimension is completely missing in this reference. See also Joshua 1:8, "Let not this Book of the Teaching cease from your lips, but recite it day and night, so that you may observe faithfully all that is written in it." Rabbinic sources interpret this verse, too, in literalist terms – Torah must be recited at least once in the morning and once in the evening – counter to the original implications; see *b. Menahot* 99b, "Rabbi Yochanan said in the name of R. Shimon b. Yohai: Even if a person merely reads the Shema morning and evening, he has fulfilled [the commandment of the verse], 'Let not [this Book of the Torah] cease...'"

> they go to sleep, and waking too, how divine and incomprehensible the change from one of these states to the other is.[21]

In the first half of this passage, the Letter of Aristeas refers explicitly to the practice of donning phylacteries. The second half alludes to the commandment to "take to heart these instructions" and "recite them," and describes an act of "meditat[ing] upon the works of God" when one lies down to sleep and rises. The Letter of Aristeas uses identical forms to those in the LXX to refer to the timing of the ritual - καὶ κοιταζομένους καὶ διανισταμένους - but the temporal implications are very different, as the author of the letter implies two specific moments of the day (sleeping and waking) rather than evoking those times in a metaphorical sense. What was the form of the "meditation" mentioned in this text, and why was it to be done at two specific moments of the day? Based on the author's description, there were two components: on the one hand, "in word," which could refer to the recitation of specific biblical passage(s), and, on the other hand, observation and contemplation. The subject of the meditation was most likely God's creation of the world or of man, rather than the specific precepts in Deut 6, because the Letter of Aristeas uses the phrase "works of God" (τὰς τοῦ θεοῦ κατασκευάς), a direct reference to Genesis 1:2 in its Greek form in the Septuagint, ἡ δὲ γῆ ἦν ἀόρατος καὶ

[21] *Letter of Aristeas* 159-160; the translation provided here is based on both J. H. Shutt in James H. Charlesworth, ed., *The Old Testament Pseudepigrapha*, vol. 2, 23, and Robert Henry Charles, *The Apocrypha and Pseudepigrapha of the Old Testament in English, with introductions and critical and explanatory notes to the several books* vol. 2 (Oxford: Clarendon Press, 1913), 109. For a detailed analysis of this passage, especially its use of the LXX, see Jeremy Penner, "Patterns of Daily Prayer in Second Temple Judaism" (PhD diss., McMaster University, 2011), 96-102, and Benjamin Wright, "Three Jewish Ritual Practices in Aristeas §§158–160," on the group of rituals (fringes, mezuzot, and phylacteries) presented by the author of the Letter of Aristeas, the range of meanings of τὰ λόγια, and the way this passage fits with the larger narrative themes of the text. It should be noted, also, that the translation of Deut 6:7 in the Septuagint does not indicate that the verse was necessarily understood by the translator as a prayer ritual either – the translation is quite literal. The Greek phrase λαλήσεις ἐν αὐτοῖς is used, meaning to talk, speak or utter, which is a standard translation for the Hebrew *dbr*. The passage in the LXX is perhaps most easily understood in the context of the first half of the sentence, as it is in the MT: part of teaching one's children is the requirement to speak about these things often, at all times. See, for example, the translation in *A New English Translation of the Septuagint: Deuteronomy* (Oxford: Oxford University Press, 2007), 152, in which the text reads "And you shall teach them to your sons and talk on them…"

ἀκατασκεύαστος (God transforms what is uncreated into creations), about the creation of the world out of nothingness, and in particular the creation of the light, and the distinction between day and night, morning and evening, on the first day of creation.[22] Moreover, focusing on the miracle of sleeping and waking – literally, the change of consciousness from entering the different states of sleeping and waking – is also about marveling at God's ability to rejuvenate a person by giving renewed life at the moment of waking, that is, continual, daily (re-)creation.[23] The text seems to play on the idea that the body's creation and daily recreation at the moment of waking serves as a type of microcosm of the entire world's initial creation and its continual recreation each morning.[24] For the author of the Letter of Aristeas, the morning and evening were thus marked by the contemplation of God's initial creation of day and night, and God's daily re-creation of individuals through sleeping and waking.

Josephus similarly alludes to acts of devotion derived from Deut 6 and 11. In his section summarizing Moses' final words to the people of Israel before his death, Josephus

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[22] An interesting parallel appears in the fourth-century CE letters of pseudo-Ignatius, who writes that the Christians should "no longer observe the Sabbath Jewishly and rejoice in idleness… but let each of you observe the Sabbath spiritually, by *rejoicing in meditation on laws* (μελέτη νόμων χαίρων) and not in the release of the body, *by marveling at the creative work of God* (δημιουργίαν θεοῦ θαυμάζων)…" Text in TLG from F. Diekamp and F.X. Funk, *Patres apostolici*, vol. 2 (3rd ed.; Tübingen: Laupp, 1913), and translation from Shaye J.D. Cohen, "Dancing, Clapping, Meditating: Jewish and Christian Observance of the Sabbath in Pseudo-Ignatius," in *Judaea-Palaestina, Babylon and Rome: Jews in Antiquity* (ed. Benjamin Isaac and Yuval Shahar; Tübingen: Mohr Siebeck, 2012), 31; emphasis added. In this text, there is a command to both meditate on laws and marvel at God's creative work, similar to the daily command found in the Letter of Aristeas (though the terms δημιουργίαν and κατασκευῆς differ, they both refer to God's creations or workmanship, evoking the world's creation).

[23] This could be alluding to Hellenistic ideas about the transformation between waking and sleeping states; see, e.g., Aristotle's "On Sleep" in David Gallop, *On Sleep and Dreams: A Text and Translation with Introduction, Notes, and Glossary* (Warminster, England: Aris and Philips, 1996).

[24] On the (related, but not identical) interplay between God's creation of the world and the procreation of people in ancient Jewish sources, see Gwynn Kessler's fascinating study, "Constant Creation: (Pro)Creation in Palestinian Rabbinic Midrashim," in *Jewish and Christian Cosmogony in Late Antiquity*, 126-138. Similar to the theme that emerges in this passage of the Letter of Aristeas, the later rabbis use the same metaphors to describe the creation of the world and the creation of each embryo; see *Gen. Rab.* 4:7, *Gen. Rab.* 14:5, *Lev. Rab.* 14:4 and 14:9, and *Midrash Tanhumah Pekudei* 3.

lists the instructions Moses left to the people of Israel (e.g. commandments such as the three annual pilgrimages and tithes to the Levites and priests, and prohibitions such as blaspheming God and offering sacrifices out of the hire of a harlot). Josephus describes the reading of the law every seven years, and stresses that everyone, including women, children and slaves, be permitted to hear, because the laws should "be inscribed in their souls… for thus they will not err, being unable to say that they are ignorant of what has been enacted in the laws… so that through all time they will have within themselves their principle."[25] Josephus evokes Deut 6 and 11 as part of this appeal to the internalization of the laws, also mentioning that one ought to teach one's children the laws and commemorate God daily[26]:

> Twice each day, both at the beginning and when the time comes for turning to sleep, bear witness to God of the gifts that He granted them when they were delivered from the land of the Egyptians, since gratitude is proper by nature: it is given in return for those things that have already occurred and as a stimulus for what will be.[27]

[25] Josephus, *Jewish Antiquities*, IV.8.12; translation by Louis H. Feldman in *Flavius Josephus: Translation and Commentary, vol. 3, Judean Antiquities 1-4* (ed. Steve Mason; Leiden: Brill, 2000), 406.

[26] This passage follows Josephus' description of the public assembly in Jerusalem every Sabbatical year, during which sections of scripture were read by the high priests to all members of the community. The description of this ritual in Deut 31:10-13 indeed bears several resemblances to Deut 6, which might explain Josephus' ordering of the commandments in this particular sequence. One of the main purposes of the assemblies in the holy city, according to Josephus, was to allow those assembled, and their children, to absorb the laws into their being and learn to pass them on; Josephus writes: "for it is a good thing that those laws should be engraved in their souls, and preserved in their memories, that so it may not be possible to blot them out… let the children also learn the laws, as the first thing they are taught, which will be the best thing they can be taught, and will be the cause of their future felicity" (Josephus, *Jewish Antiquities* IV.8.12).

[27] Josephus, *Jewish Antiquities* IV.8.13; Mason, *Judean Antiquities*, 406-407. Josephus goes on to describe the practice of hanging a *mezuzah* and wearing phylacteries referenced in Deut 6 and 11, but does not do much other than loosely paraphrase the biblical texts: "They shall also inscribe on their doorways the greatest of the benefits that God has bestowed upon them, and each shall display them on his arms; and so many things as are able to show forth the power of God and His good will toward them let them display on the head and the arm…" For Josephus, all this is done "so that the favor of God with regard to them may be readily visible from all sides…."

God is commemorated at the beginning and end of each day, "when the day begins and when the hour of sleep comes on."[28] Here, Josephus refers to the specific time of morning and the time of sleep (Δίς τε ἑκάστης ἡμέρας ἀρχομένης τε αὐτῆς καὶ ὁπότε πρὸς ὕπνον), as did the author of the Letter of Aristeas, in contrast to the Bible's intended meaning.[29] What is invoked is God's redemption of Israel from Egypt (perhaps because of the references to Egypt in Deut 6:12 and 11:2-5) and, more specifically, the gifts bestowed on the Israelites during their time in the wilderness.[30] Shlomo Naeh and Aharon Shemesh have argued that Josephus here refers to the daily manna and quail given to the Israelites each morning and evening, respectively.[31] Indeed, in Exodus 16:8 Moses reminds the people of Israel that "God gives (בְּתֵת) you flesh to eat in the evening and bread in the morning to the full."[32] God is remembered mornings and evenings because God bestowed specific gifts on the Israelites each morning and evening.[33] While the fullest articulation of the idea of God's daily gifts is only found in rabbinic sources, and should not necessarily be read back into Josephus' text, Josephus does encourage

[28] While the biblical passages (Deut 6:7 and 11:9) mention "when you lie down and when you rise," Josephus reverses the order – "when the day begins and when the hour of sleep comes on." Penner points out that while Aristeas quotes the LXX, Josephus uses his own terminology to describe these times ("Patterns of Daily Prayer," 103-104).
[29] Josephus, *Jewish Antiquities*, IV.8.13.
[30] The two passages are not included within the Shema prayer known from rabbinic sources, but they appear in the biblical contexts and it makes sense for Josephus to conclude that what must be commemorated is God's redemption of Israel from Egypt.
[31] See for example Ex 16:12. Shlomo Naeh and Aharon Shemesh, "The Manna Story and the Time of Morning Prayer [Hebrew]," Tarbiz 64.3 (1995): 335-340. Penner makes a very similar argument, and concludes with the interesting observation that Josephus attempts to connect Moses' prayer of thanks for these divine gifts (which Josephus discusses subsequently) with the custom of daily prayer in Josephus' time ("Patterns of Daily Prayer," 126).
[32] *t. Sotah* 11:8 refers to the manna, as well as the pillar of cloud and the well provided by God in the desert, specifically as "gifts" (מתנות), and *Mekhilta de-Rabbi Shimon bar Yohai* on Ex 16:4, through a parable, explains that God's daily gifting of sustenance to the Israelites through the manna and quail was designed to elicit their daily worship of God, in the morning and evening. Wisdom of Solomon 16:27-28 also connects the gift of manna with prayer, using the same term, εὐχαριστία, as Josephus does in both this passage and in his description of the Song of the Sea, but not the term Josephus uses to mean prayer usually (Penner, "Patterns of Daily Prayer," 106, 108).
[33] See again *Mekhilta de-Rabbi Shimon bar Yohai* on Ex 16:4.

daily commemoration of God and gratitude for past sustenance at specific times of day. These gifts given in the desert are acknowledged not only as a form of thanksgiving but also to request God's continual and continuing sustenance at particular times of day.[34] It has been suggested that Josephus was familiar not only with the Shema but also with the blessings that precede and follow the Shema and duly alludes to them in this text; equally plausibly, in my opinion, is his ignorance of the Shema ritual, either because he simply did not know of it or because it did not yet exist in this form, or at all.[35] Nonetheless, in the way that Josephus interprets the biblical passage, the timing of the ritual is integrally linked to its function of praising God for bestowing gifts at specific times of the day.

The Community Rule (1QS), a sectarian document found among the Dead Sea Scrolls at Qumran, also alludes to Deut 6 in a short passage that states: "As soon as I stretch out my hand or my foot, I will bless his name; as soon as (I) go out or come in, to sit down or rise up, and while I recline on my couch, I will cry out to him."[36] Here, the practice of prayer is described in abstract, poetic terms. The entire section is about praising God and praying to God at all times, at the turning of years, seasons, months, and days, and the text emphasizes that "I shall bless him for (his) great marvels and shall

[34] It is perhaps not coincidental that ancient Jews ate two main meals a day. See George B. Eager, "meals, meal-time" in *The International Standard Bible Encyclopedia* (ed. James Orr; Grand Rapids: Eerdmans, 1939), and David Noy, "The Sixth Hour is the Mealtime for Scholars: Jewish Meals in the Roman world," in *Meals in a Social Context: Aspects of the Communal Meal in the Hellenistic and Roman World* (ed. Hanne Sigismund Nielson and Inge Nielson; Aarhus: Aarhus University Press, 1998), 134-144; Romans, in contrast, usually ate three or four meals, see Dennis Edwin Smith, *From Symposium to Eucharist: The Banquet in the Early Christian World* (Minneapolis: Fortress Press, 2004), 20-22.

[35] Consider, for example, the unambiguous note in Mason's edition of Josephus' *Antiquities*: "The reference is to the recitation of the *Shema*… rather than to the 3 daily prayers that were instituted to replace the daily sacrifices" (406 n.630, see also n.640-641).

[36] 1QS 10:13-14. The Hebrew text reads: בר{.}שית משלח ידי ורגלי אברך שמו בראשית צאת ובוא לשבת וקום ועם משכב יצועי ארננה לו ואברכנו תרומת מוצא שפתי במערכת אנשים. Translations of this text are based on Florentino García Martínez and Eibert Tigchelaar, *The Dead Sea Scrolls Study Edition*, vol. 1 (Leiden and Grand Rapids: Brill/Eerdmans, 1998), 95.

meditate on his power and shall rely on his compassion the whole day."[37] Deuteronomy's overarching model of constant and continual thanksgiving and remembrance is maintained in this passage. Earlier in the text, the narrator proclaims that "with the arrival of day and night, I shall enter the covenant of God, and with the departure of evening and morning, I shall repeat his laws."[38] I hesitate to read into this passage an oblique reference to the Shema prayer (which, again, may not yet have existed), as others have done, even though the general idea - repeating precepts at the start of the day and night - is indeed reminiscent of the rabbinic Shema ritual.[39] The terminology of "entering the covenant of God" (אבואה בברית אל), however, mirrors the terms used in this very same text to describe the act of entering into the covenant of the sect, "and all those who enter the Yahad will pass into a covenant with God" (וכל הבאים בסרך היחד יעבורו בברית אל).[40] Daniel Falk has suggested that members of the Qumran community marked sunrise and sunset by "commemorat[ing] their initial entry into the covenant and their annual renewal"[41] (the practice of reciting God's laws refer to a number of biblical passages, including the Decalogue, or more generally to the recitation

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[37] 1QS 10:16.

[38] 1QS 10:10. The Hebrew reads: עם מבוא יום ולילה אבואה בברית אל ועם מוצא ערב ובוקר אומר חוקיו

[39] See Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls: Their True Meaning for Judaism and Christianity* (Anchor Bible; New York: Doubleday: 1995), 293-295; Daniel K. Falk, *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls* (Leiden: Brill, 1998), 112-116; Moshe Weinfeld, "Prayer and Liturgical Practice in the Qumran Sect," in *The Dead Sea Scrolls: Forty Years of Research* (ed. Devorah Dimant and Uriel Rappaport; Leiden: Brill, 1992), 242-243; and Paul F. Bradshaw, *The Search for the Origins of Christian Worship: Sources and Methods for the Study of Early Liturgy* (Oxford: Oxford University Press, 2002), 40. For an early reading of this passage and the lines around it as indicating the Shema, see Shemaryahu Talmon, "The 'Manual of Benedictions' of the Sect of the Judaean Desert," *RevQ* (1960): 475-500. Hesitation with reading the Shema into this passage is articulated well by Richard S. Sarason, "Communal Prayer at Qumran and Among the Rabbis: Certainties and Uncertainties," in *Liturgical Perspectives: Prayer and Poetry in Light of the Dead Sea Scrolls* (ed. Esther G. Chazon; Leiden: Brill, 2000), 158-159; see also Sarason's review of earlier scholarship on this question in 158 n.6, and his general caution to scholars clearly to label speculation and not allow (necessarily tentative) reading of the sources "to slip into the realm of the demonstrated" (151-152).

[40] 1QS 10:16.

[41] Falk, *Daily, Sabbath, and Festival Prayers*, 114. On the further suggestion that a collection of prayers were used as blessings accompanying the Shema at Qumran, see Falk, 21-75.

of scripture or other texts or prayers as a way of re-entering the covenant with God). This text, then, combines both interpretations of Deut 6:7; on the one hand, the commandment to praise God is presented as a time-less obligation that must be fulfilled constantly, while on the other there seems to be a concrete ritual that marked a member's symbolic re-entering into the community each day and night.

Philo of Alexandria articulates an even more abstract reading of Deut 6 in his discussion of the biblical passage. Not surprisingly, according to the allegorist Philo, the passage does not refer to a ritual but to the daily contemplation of justice in more abstract terms, and appears in a meditation on justice and law. After introducing the theme of justice, courts of justice, and the figure of the judge in his Special Laws Book IV, Philo describes what it means to commit oneself to justice by embodying it: placing the law in one's heart, fastening it on one's head, and wearing it between one's eye (a reference to Deut 6:8ff); acting according to one's ideas of justice; and teaching justice to others once one has internalized it oneself.[42] Philo then writes:

> Indeed he must be forward to teach the principles of justice (προδιδασκέτω δὴ τὰ δίκαια) to kinfolk and friends and all the young people at home and in the street, both when they go to their beds and when they arise, so that in every posture and every motion, in every place both private and public, not only when they are awake but when they are asleep, they may be gladdened by visions of the just. For there is no sweeter delight than that the soul should be charged through and through with justice, exercising itself in her eternal principles and doctrines and leaving no vacant place into which injustice can make its way. He bids them also write and set them forth in front of the door posts of each house and the gates in their walls, so that those who leave or remain at home, citizens and strangers alike, may read the inscriptions engraved on the face of the gates and keep in perpetual memory what they should say and do, careful alike to do and to allow no injustice, and when they enter their houses and again when they go forth men and women and children and

[42] Philo, *De Spec Leg* 136-140. Interestingly, the idea of justice/righteousness appears in the *Letter of Aristeas*' discussion of Deut 6 as well.

> servants alike may act as is due and fitting both for others and for themselves.[43]

In this passage, there is no mention at all of a prayer ritual even though Philo does refer to the laws of mezuzah and phylacteries described in Deut 6:8-9 in the latter part of the excerpt, as well as earlier in the text, making the absence of the Shema that much more striking. Had Philo been familiar with a prayer ritual, he no doubt would have mentioned it here. Rather, Philo invokes the idea, found in Deut 6:7, that love of God must be taught to one's children (Philo replaces the idea of loving God, though, with "the image and conception of justice"). As in the biblical text, what is emphasized is the constancy of such instruction and devotion. One must ensure that justice is taught at *all* moments – when one is sitting at home, walking about, lying down and rising up. The purpose of pursuing justice through every aspect of one's self, according to Philo, is because "there is no delight more exquisite than that which proceeds from the whole soul being entirely filled with justice, while devoted to the study of its everlasting doctrines and meditations, so that it has no vacant place at which injustice can effect an entrance."[44] While Philo's reference to Deut 6 does not betray familiarity with a liturgical ritual resembling the Shema, Philo does mention morning and evening prayers more generally in other

[43] Philo, *De Spec Leg* 141-142; translation by F.H. Colson, *Philo, vol. VIII* (LCL 341; Cambridge: Harvard University Press, 1939; repr. 1999), 96-97. On previous attempts to make sense of Philo's explanation of Deut 6, see Naomi G. Cohen's chapter entitled "Philo's Shema" in *Philo Judaeus: His Universe of Discourse* (Frankfurt am Main: Peter Lang, 1995), 129-177, and Alan Mendelson, "'Did Philo say the Shema?' and Other Reflections of E.P. Sanders' *Judaism: Practice and Believe*," *The Studia Philonica Annual* 6 (1994): 160-170. Mendelson argues, contra Sanders, that nowhere in Philo's many works does Philo mention the Shema, even where it would seem natural to do so (as it would in the discussion of the unity of God at the end of *De Opificio*, or in discussions of prayer): "Prayer for Philo seems to be a spontaneous, spiritual activity of the soul, not the recitation of set texts" (166). Mendelson concludes that Philo does not reveal awareness of the Shema prayer, and that Philo can therefore not be used as a source to draw out a broader "common Judaism" of his time, but he does not question the existence of the Shema itself in this early period. Cohen, in contrast, finds Philo's reference to Deut 6 to align closely with the ways that the later rabbis conceptualize and practice the Shema and extrapolates that he must have been familiar with the practice, a problematic argument despite insightful observations throughout the chapter.

[44] Philo, *De Spec Leg* 141; translation by C. D. Yonge, *The Works of Philo Judaeus: The Contemporary of Josephus*, vol. 3 (Whitefish, Montana: Kessinger Publishing, 2006), 390.

contexts. In a short passage in Philo's *On the Contemplative Life*, Philo describes the morning and evening prayers of the Therapeutae:

> Twice every day they pray, at dawn and at eventide; at sunrise they pray for a fine bright day, fine and bright in the true sense of the heavenly daylight which they pray may fill their minds. At sunset they ask that the soul may be wholly relieved from the press of the senses and the objects of sense and sitting where she is consistory and council chamber to herself pursue the quest of truth. The interval between early morning and evening is spent entirely in spiritual exercise…[45]

These prayers are associated with the rising and setting of the sun and the corresponding presence and absence of light (and the wisdom of philosophy such light represents).

Whether reading Deut 6 itself constituted a prayer or simply dictated prayer and contemplation, these sources from the second temple period reveal that the issue of time alluded to in the biblical merism had quickly come to be understood as a reference to particular temporal moments. No longer a synecdoche, "when you lie down and when you wake up," for second temple Jewish sources, referred to two specific daily times. Biblical references to time attracted significant exegetical and legal attention even before the rabbinic period.

As was discussed above, the Mishnah begins its unit on the Shema with a discussion of the commandment's proper timing (an editorial choice that has puzzled commentators and scholars). This choice is less surprising in light of these earlier interpretations of Deut 6:7, in which the matter of timing became a central feature of the exegesis. The connection between the ritual and its timing had become so intertwined in pre-rabbinic sources that demarcating the proper time-frame for the Shema's recitation was understandably of great importance also for the rabbis.

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[45] Philo, *On the Contemplative Life*, 27; trans. Yonge, 7.

What I wish to highlight here are the ways in which this aspect of timing in the interpretation of Deut 6:7 remained, in a broad sense, fairly consistent between the second temple and rabbinic periods (indicating moments in time rather than constancy), though important differences between second temple and rabbinic sources remain as well, just as other aspects of the verse were interpreted in various ways in each source and not at all uniformly.

While the general impulse for interpreting "when you lie down" and "when you rise" as times of day was already prevalent in the second temple period (and thus we can safely assume that the timing of this ritual in rabbinic sources was a product of previous biblical exegesis), the Mishnah explains explicitly, for the first time, the logic of the exegesis: "Why does it say 'when you lie down and when you rise?' [It means] at the hour that people lie down [at night] and at the hour when people rise [in the mornings]."[46] The fully worked out exegetical basis for the ritual's timing also appears in Sifre Deuteronomy:

> 'When you lie down' could be interpreted to mean even as [the act of] lying down in the middle of the day [rather than reciting the Shema in the evening], therefore scripture adds 'And when you rise.' [This latter phrase, however] could be interpreted even as [the act of] standing in the middle of the night, therefore scripture adds 'and when you stay at home and when you go on your way.' The Torah speaks according to the ways of the world.[47]

This midrash, just like the Mishnah, explains that the words "when you lie down" and "when you rise" do not prescribe proper bodily positions for the recitation of the Shema (lying down and standing), but rather times of day (morning and evening). The Bible's figurative language is explained away as simply a manner of speaking. This

[46] *M. Berakhot* 1:3. See Kahanah's discussion of the phrase בבקר ובערב בם ודברת בם הוי in *Sifre Zuta Devarim* (Jerusalem: Magnes Press, 2005), 149-152.
[47] Sifre Deut 34-35.

interpretation of the verse is not taken for granted in the Mishnah, however. A conflicting opinion, held by the House of Shammai (in contrast to the House of Hillel) argues that in fact the phrases "when you lie down" and "when you rise up" *do* indicate the positions of one's body during the prayer – one should recline in the evenings (when you lie down) and stand in the morning (upon rising).[48] The instinct to read Deut 6:7 as a call to remember God twice each day, rather than constantly, was present already in the second temple period; in the rabbinic sources, however, a more radical hermeneutical approach is taken, in which every phrase of the verse is read in a literalist fashion (a common rabbinic strategy).[49]

To summarize, in the Letter of Aristeas, Josephus, and tannaitic sources, the Bible's meristic language is literalized; Philo and 1QS, in contrast, seem to retain the more abstract meaning of the biblical text.[50] The commandment to love God and recite "these words" *always* is actualized ritually by doing so at the beginning and end of each day. Rather than *constantly*, at all times, the commandment is fulfilled *regularly*. A hermeneutic move allows the regularity of the ritual performance to stand in place of the constancy of such performance.[51] As we have seen, this interpretation became a central

[48] *m. Berakhot* 1:3. See also the story in *Lev. Rab.* 27.6.
[49] Azzan Yadin highlights the shift in meaning that the rabbis give to this passage in "Engaging Rabbinic Literature: Four Texts," in *Why Study Talmud in the Twenty-first Century? The Relevance of the Ancient Jewish Text to Our World* (ed. Paul Socken; Lanham: Rowman & Littlefield, 2009), 210-211. See also Alexander's analysis of the rabbinic Shema in *Gender and Timebound Commandments*, 137-177.
[50] A similar literalization occurs in the case of the phrase "heaven and earth" in the Hebrew Bible, e.g. Gen 1:1 and 2:4. In its original context, the two words are used as a merism to mean "the whole world." In rabbinic sources, however, the phrase is sometimes interpreted to mean, more literally, the heavens and the earth. Thus in *Gen. Rab.* 1:15, the House of Shammai and the House of Hillel debate whether heaven or earth was created first.
[51] A similar tension occurs in the development of Christian prayer as well. Regular prayer at various hours of the day, discussed as early as the Didascalia Apostolorum (f.11a-b) and the Pilgrimage of Egeria (45-90), and developed most fully in the Benedictine Liturgy of the Hours, interprets Ps 119:164, "Seven times a day do I praise you, because of your righteous ordinances," as a command to pray seven times a day – that is, regularly. The Desert Fathers and the Churches of the East, in contrast, advocated continual prayer, in light of Paul's call to "rejoice always, pray continually, give thank in all circumstances" in 1 Thess 5:16-

and defining feature in the very construction of the various practices that emerged out of interpretations of Deut 6:7.[52] The timing itself shaped the rituals. In rabbinic sources, the recitation of the Shema became a time-marker itself, marking the times of morning and evening. It is within this rich exegetical context from the second temple period that one can understand the opening of Mishnah Berakhot, which begins with defining the specific parameters of the Shema's timing.

The Shema's Timing in Rabbinic Sources

That timing was of primary concern for the rabbis' conceptualization of the recitation of the Shema is abundantly clear at the very outset of the Mishnah. The well-known opening discussion of the Shema in Mishnah Berakhot begins by outlining the start- and end-times for the evening and morning recitations:

> From what time may one recite the Shema in the evening? From the hour that the priests enter to eat their elevation offering, until the end of the first watch – the words of Rabbi Eliezer. But sages say, until midnight. Rabban Gamaliel says, until the rise of dawn… From what time do they recite the Shema in the morning? From the hour when one can distinguish between [the colors] blue and white. Rabbi Eliezer says, Between blue and green. And one must complete it before sunrise. Rabbi Joshua says, Before the third hour, for it is the practice of royalty to rise [at] the third hour…[53]

According to the text, the evening Shema may be recited any time starting from when the priests would have returned in the evening to eat the *terumah* offering (after their daily

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18 (it is interesting to note that the Didascalia also presents its command to pray regularly seven times each day as Paul's instructions – the section is even titled "From the Apostle Paul about the Times of Prayer"). Aphrahat declares "let us be constant in prayer" at the beginning of Demonstrations 6. On the development of the timing of the Benedictine liturgy, see Gerhard Dohrn-van Rossum, *History of the Hour: Clocks and Modern Temporal Orders* (Chicago: University of Chicago Press, 1996), 29-43, and Zerubavel, *Hidden Rhythms*, 31-69. Though the Didascalia is often regarded as a Jewish-Christian text (see Charlotte E. Fonrobert, "The Didascalia Apostolorum: A Mishnah for the Disciples of Jesus," *Journal of Early Christian Studies* 9:4 (2001): 483-511), on the matter of prayer times the text follows the trajectory of Christian practice. There is much more to be said about the interaction between Jewish and Christian prayer times and the ways in which they are conceptualized.

[52] See also Penner, "Patterns of Daily Prayer," 92-127.

[53] *m. Berakhot* 1:1-2; translation based on Zahavy and Avery-Peck in Neusner, 3.

purification), until either the end of the first nightly watch, midnight, or dawn, and the morning Shema may be recited when there is enough light to distinguish between two colors (though there is debate about which colors, blue and white, or blue and green) until sunrise or the third hour of the day. Tosefta Berakhot also begins by delineating the proper times for the Shema:

> From what time may one recite the Shema in the evenings? From the time when people enter to eat their bread on Sabbath eves, these are the words of Rabbi Meir. Sages say, from the hour when the priests are able to eat their *terumah*. A sign for this is the appearance of stars in the sky… From whence does one recite the Shema in the mornings? Others say [enough light] for someone to recognize his friend from a distance of four *amot*. It is obligated with the rising of the sun, so that it is adjacent to [the time of] prayer, and prayer occurs in the daytime…[54]

According to this text, which provides additional opinions to those found in the Mishnah, the evening Shema is recited around the time when either people return home to eat their evening meal or when priests are allowed to eat their terumah offering (these times appear to be different, however, as they are presented as two opposing time-markers in the text, the former attributed to Rabbi Meir and the latter to the Sages). In the mornings, there must be enough light for someone to recognize another's face from a particular distance.

A third source, *Sifre Zuta on Deuteronomy*, asks the question of the Shema's timing with slightly different wording: "From when does [that is, how early can] a person read the recitation of the Shema and fulfill his obligation?"[55] The midrash then provides

[54] *t. Berakhot* 1:1-2; translation my own.
[55] Menahem I. Kahanah, *Sifre Zuta on Deuteronomy: Citations from a new Tannaitic Midrash* (Jerusalem: Magnes, 2002), 160, with discussion 161-163. See also the midrash on page 149, which interprets "and recite them – in the morning and evening," presumably based on the exegesis of the biblical verse found elsewhere. Kahanah mentions that this second interpretation could either refer to the recitation of the Shema, based on the midrash that follows it, or refer to the obligation to study of Torah, which precedes it,

two opinions: according to the House of Shammai, a person recites the Shema from the time when the priests are purified to eat their *terumah* offering (this answer differs slightly, in phrasing if not necessarily timing, from the Mishnah's response, which is the time when the priests return home to eat the offering), while the House of Hillel holds by the opinion that one may only recite the Shema when it gets dark (presumably later than the time of the priests' purification, the opinion the House of Hillel seems to oppose).[56] The text then continues to ask about the last time for the evening recitation. Several of the proposed answers are identical or similar to those provided in the Mishnah, though they are attributed to different rabbinic figures: according to Rabbi Elazer ben Azariah in the midrash and Rabbi Eliezer in the Mishnah, the evening Shema can be recited until the end of the first watch, and according to Rabbi Elazar in the midrash and the Sages in the Mishnah, the evening Shema can be recited until midnight. In the Mishnah, Rabban Gamaliel extends the last time for the evening Shema's recitation until dawn, and in the midrash Rabi Tarfon says that one may recite the Shema until the time of the crowing of the cock, which is effectively dawn as well, though the time-marker itself differs. For the earliest times for the morning Shema, the first opinion – when there is enough light to distinguish between white and blue – is unattributed in both the midrash and the

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but I am inclined to assume that it refers to the recitation of the Shema (see the discussion in Kahanah, *Sifre Zuta*, 151-152).

[56] These authorities in the midrash are the most ancient attributed figures recorded in debates about the Shema's timing even among the tannaitic sources. The debate between the Houses of Shammai and Hillel are not mentioned in the Mishnah or Tosefta. The House of Shammai's answer, about the time of the purification of the priests, seems to be a different version of the answer proposed by the Mishnah (the priests are able to go home to eat their offering once they are purified), perhaps based on Lev 22:7. The two versions (Mishnah and Sifre Zuta) are then combined in Rabbi Joshua's statement about the Shema's timing in *b. Ber* 2a ("from the hour when the priests are purified in order to eat the *terumah*"), and are similar to Rabbi Meir's answer in a *baraita* in the Bavli and the opinion of the Sages in the Tosefta. The Mishnah thus seems to rule according to the House of Shammai, rather than the House of Hillel, whose opinion ("when it gets dark [in the evening]") is not replicated in other sources (though the time of the priests entering to eat the *terumah* is considered to be the same as the time for the appearance of stars in the night sky according to the Yerushalmi). Kahanah, *Sifre Zuta*, 161-162.

Mishnah. The second opinion (enough light to distinguish between blue and green) is attributed to Rabbi Elazar in the midrash and Rabbi Eliezer in the Mishnah (the names are so similar that it is possible that one is a scribal error). The latest time for the recitation of the morning Shema in the midrash is sunrise, נץ החמה, (when the sun has risen over the horizon), in contrast to the Mishnah's opinion – the third hour of the morning – which is considerably later. As in the Mishnah, the answers in the midrash are arranged in an order that begins with the most limited time frame and progresses towards the most flexible for the evening recitation, while the times for the start of the morning recitation begin with the most lenient opinions and end with the most stringent.[57]

In all three tannaitic sources, the rabbis employ a variety of time-markers in this first discussion of the Shema: the division of time into abstract units (e.g. hours, watches), and the marking of time based on natural processes (the amount of sunlight, the darkening of the evening) and human activities (the time when certain people return home from the field or the temple). Some of the time-markers relate to the temple, others rely on celestial changes, and they are all external.[58]

Because of the centrality of the issue of timing in the recitation of the Shema, the rabbinic discussions in tractate Berakhot also extend beyond the specific timing of the ritual and address time and temporal units more generally as well. In the Tosefta, for example, the discussion of the evening and morning times for the Shema is interrupted by a debate between Rabbi and Rabbi Nathan about the proper division of time: "The night is divided into four watches… Rabbi Nathan says that the night is divided into three

[57] Kahanah, *Sifre Zuta*, 162.
[58] On the relationship between the timing of the Shema's recitation and the temple sacrifices, see Carl M. Perkins, "The Evening *Shema*: A Study in Rabbinic Consolation," *Judaism* 43.1 (1994): 27-28.

watches…" Within this discussion about how many nighttime watches there are, the text details an entire set of time-units and their relative value: an *'onah* is 1/24th of a *sha'ah*, an *'et* is 1/24th of an *'onah*, a *reg'a* is 1/24th of an *'et*.[59] The rules about the timing of the Shema in the Tosefta provokes this broader explanation about time and its division.[60]

Men's Time: The Shema and Time-Boundedness

In no source from the second temple period is there mention that women did not participate in the fulfillment of the commandment in Deut 6 to "recite [these instructions]." In fact, Josephus seems to suggest the opposite, namely, that women were explicitly included within this ritual remembering. In the passage from *Antiquities* in which Josephus describes the daily act of remembrance, Josephus first notes the act of remembrance on the sabbatical year in the temple in Jerusalem. There, he explains that *all* members of the community participated in the rituals ("let him [the priest] read the laws to all the people"). He explicates further: "and let neither the women nor the children be hindered from hearing, no, nor the servants neither; for it is a good thing that those laws should be engraved in their souls."[61] Josephus explicitly highlights that women partook in the rituals he describes, and he makes no distinction between the participants. He continues in this same passage to write that "everyone" was to engage in commemoration on a daily basis as well, implying, it would seem, that, like the "everyone" of the sabbatical remembrance, the "everyone" of the daily ritual also

[59] *t. Berakhot* 1:1.
[60] Perhaps this explanation is placed here in the context of the Shema's timing also because this tractate is the first in the Mishnah, and laying out essential information such as the value of time-units makes most sense in introductory sections.
[61] Josephus, *Jewish Antiquities*, IV.8.12.

included women. Other sources, including the Letter of Aristeas, make no mention of gendered distinctions in the context of Deut 6 as well.

The Mishnah, in contrast, explicitly states that "women, slaves, and minors are exempt from the recitation of the Shema…"[62] The exclusion of women from this ritual was a new element introduced by the rabbis. While the Mishnah presents the exemption without a stated reason, Sifre Zuta provides an exegetical basis that is then applied to the exclusion. The midrash addresses the exclusion of women from being taught Torah (the commandment presented in the first half of Deut 6:7), which is extended to the exclusion of women from the obligation to recite the Shema. Sifre Zuta interprets the biblical phrase "impress them upon your children (לבניך)," which presumably included all children, to mean only *sons*, excluding daughters, because of the plural male construction. Sifre Zuta states: "'Impress them on your children [lit. sons]' – Rabbi Judah says, to your sons and your sons' sons, but not to your daughters."[63] This limiting exegetical move interprets the biblical language in literalist terms, in a way that is similar to the rabbinic reading of "when you lie down and when you rise" that was described

[62] *m. Berakhot* 3:3. I understand the idea of "exemption" (פטורין) to effectively be a form of exclusion. See the discussion of the term "exemption" in Alexander, *Gender and Timebound Commandments*, 237-239, as well as Jacob Neusner, *Oral Tradition in Judaism: The Case of the Mishnah* (New York: Garland Publishing, 1987), 71-73, whose interpretation of the term "exempt" fits with this reading, and Hauptman, *Rereading the Rabbis*, 233-234, who emphasizes the potential for voluntary performance in the formulation of the rule's language. This term is used here of women's exemption from the obligation to recite the Shema, and, as we shall see below, also of women's exemption from the entire set of positive time-bound commandments.

[63] *Sifre Zuta* 6:6-7; Kahanah, 149. Kahanah points out that this interpretation is unique to *Sifre Zuta*, and is perhaps based on its reading of Deut 4:9, "make them known to your children and your children's children" (והודעתם לבניך ולבני בניך), which uses the very same language. See also *b. Qiddushin* 30a, which connects these two verses and derives exclusion of women from them; Sifre Deut on Deut 11:19 (ed. Finkelstein, 104), which limits the verse to male sons according to the opinion of Rabbi Yosi ben Akiva and commands a father to speak Hebrew and teach his sons Torah; *y. Berakhot* 3:3, 6b. Sifre Deut provides an entirely different interpretation of Deut 6:7, however; it states that the verse's specific wording indicates that those you teach are called "sons," and therefore students are like children (Kahanah, *Sifre Zuta*, 150).

above. The Mishnah's exclusion of women likely has this part of the verse, and its midrashic interpretation, in mind.[64]

In addition to an exemption of this particular ritual, rabbinic sources exclude women from the recitation of the Shema on categorical grounds. The Shema prayer belongs to the larger category of laws that the tannaitic rabbis labeled "positive time-bound commandments." Tractate Qiddushin of the Mishnah (and a parallel passage in Tosefta Qiddushin) introduces two sets of categories to define commandments: positive vs. negative and time-bound vs. non-time-bound.[65] That is, according to the Mishnah's formulation, all commandments are either positive (requiring action, e.g., reciting a blessing) or negative (requiring the abstention from action, e.g. refraining from murder), and either time-bound (pertaining to a particular time of day, week or year, e.g., laws pertaining to Sabbath observance) or non-time-bound (applicable all of the time, or when a particular circumstance presents itself, e.g. honoring one's parents). The requirement to recite the morning and evening Shema – which, as we have seen, was intimately linked to the time of its performance – is considered by the Mishnah to be a positive time-bound commandment.[66]

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[64] The connection might be implied in *Mekhilta de-Rabbi Ishmael* Pisha 17 on Exod 13:9 (ed. Horovitz-Rabin, 68 and Jacob Z. Lauterbach, *Mekhilta de-Rabbi Ishmael*, vol. 1 [Philadelphia: The Jewish Publication Society, 2004], 104. In this midrash, the exclusion of women from studying Torah forms the basis for the exclusion of women from phylacteries.

[65] *m. Qiddushin* 1:7; *t. Qiddushin* 1:10. A number of halakhic midrashim as well as the Yerushalmi and Bavli discuss this category and its exegetical basis as well; see *Mekhilta de-Rabbi Ishmael* Pisha 17 on Exod 13:9 (ed. Horovitz-Rabin, 68), *Mekhilta de-Rabbi Shimon bar Yohai* to Exod 13:9 (ed. Epstein-Melammed, 41), *y. Qiddushin* 1:7, 61c, *y. Berakhot* 2:3, 4c, *b. Qiddushin* 33b-35a, and *b. Sukkah* 28a-b. On the Bavli's discussions of this category and the Bavli's attempt to anchor it in scripture, see Jay Rovner, "Rhetorical Strategy and Dialectical Necessity in the Babylonian Talmud: The Case of Kiddushin 34a-35a," *Hebrew Union College Annual* 65 (1994): 177-231; David Kraemer, *Reading the Rabbis: The Talmud as Literature* (Oxford: Oxford University Press, 1996), 86-108; and Moshe Benovitz, "Time-Triggered Positive Commandments as Conversation Pieces," *Hebrew Union College Annual* 78 (2007): 71-79.

[66] The Mishnah offers a near-absolute categorization but does not provide particular examples of each category. The Tosefta, on the other hand, does provide examples of the category of positive time-bound

The Mishnah does not set forth this peculiar categorization aimlessly. One of the purposes of creating such a category of positive time-bound commandments was to legitimize the exclusion of women from the obligation to fulfill these commandments, most of which are ritual and liturgical practices. These are rituals that mark sacredness in time, just as the recitation of the Shema transforms the moments of waking and sleeping, morning and evenings, into sacred times to affirm belief in and devotion to God. The text presents the categories as follows:

> For every positive commandment dependent upon time, men are liable and women are exempt. And for every positive commandment not dependent upon time, men and women are equally liable. For every negative commandment, whether dependent upon time or not dependent upon time, men and women are equally liable, except for *not marring the corners of the bread, not rounding the corners of the head* (Lev 19:27), *and not becoming unclean because of the dead* (Lev 21:1).[67]

I follow Hauptman, who argues that "the Talmud mentions the phrase 'positive time-bound' or 'non-time-bound' mitzvoth *only* in connection with women."[68] Hauptman

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and non-time bound commandments, but the Shema is not included in the list of examples even though it does fit into the category and is considered to be part of it elsewhere. The rituals from which tannaitic and amoraic sources exempt women because the rituals are considered positive and time-bound include phylacteries (*m. Berakhot* 3:3, *t. Qiddushin* 1:10, *y. Qiddushin* 1:7, 61c, *b. Qiddushin* 33b-34a), tzitzit (*b. Qiddushin* 33b), shofar, (*t. Rosh HaShanah* 2:4, *y. Qiddushin* 1:7, 61c, *b. Qiddushin* 33b) lulav (*t. Qiddushin* 1:10, *y. Qiddushin* 1:7, 61c, *b. Qiddushin* 33b), sukkah (*t. Qiddushin* 1:10, *y. Qiddushin* 1:7, 61c, *b. Qiddushin* 33b-34b), Shema (*m. Berakhot* 3:3), and some sources also include the paschal sacrifice (e.g. *t. Pesahim* 2:22, 8:10, *y. Pesahim* 8:1, 35d, *b. Pesahim* 91b); see Benovitz, "Time-Triggered Positive Commandments," 49-50, 67. There are many other rituals that fit the criteria of positive and time-bound that are not mentioned explicitly in the sources as well. It is important to note that the category's exclusion of women is not absolute. There are exceptions - that is, there are certain rituals that technically fit into the category of "positive time-bound commandments" that, according to some tannaitic and amoraic sources, women are still obligated to perform (these include eating matzah, hearing the Torah reading during *hakhel*, bringing a *simha* offering during the pilgrimage festivals, hearing *Kiddush* on the Sabbath, lighting Hanukkah candles, fasting on Yom Kippur, and hearing the *megillah*). See the discussion of these exceptions in Lehman, "The Gendered Rhetoric of Sukkah Observance," 314-315.

[67] *m. Qiddushin* 1:7. I use the translation in Jacob Neusner, *The Mishnah: A New Translation* (New Haven and London: Yale University Press, 1988), 488-489. The Tosefta also assumes that women are not obligated in this category: "Rabbi Shimon exempts the women from [the ritual of tzitzit] because it is a positive commandment that is time-bound" (1:10). In both texts, the verb פטר is used to describe women's exemption (חיב is used to describe men's obligation in the Mishnah, and the Tosefta simply takes for granted men's obligation and does not use the term explicitly).

[68] Hauptman, *Rereading the Rabbis*, 226.

explains that "this distinction was created solely for the purpose of distinguishing between a woman's ritual obligations and her exemptions. It was not a category that had any other use. For men, who are obligated to perform all positive mitzvoth, there is no significance to this distinction."[69] The Mishnah, it seems, invents (or utilizes) a categorization of commandments based on time specifically to draw distinctions between men's and women's practices.[70]

The principle of excluding women from time-bound commandments, it seems to me, was not simply a description of religio-sociological reality in prescriptive terms; this was a radical (and radically new) position. As we have seen, there is evidence to suggest that women in earlier historical periods had participated in these very time-related rituals from which the Mishnah now excluded them.[71] The rabbis, according to some scholars, proposed this rule in order to define – independent of the social reality – women as (partially) "other" by excluding them from the most public and important rituals in a post-temple age.[72] Others have speculated that women's inferior social and religious status[73] might stand behind the rabbinic interest in exempting them from this particular

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[69] Ibid.

[70] The *Mekhilta de-Rabbi Shimon bar Yohai* derives women's exemption from the entire category from their exemption specifically of phylacteries: "Just as women are exempt [from the commandment to wear] phylacteries, [which is] a particular positive, time-bound commandment, likewise are women exempt from all positive, time-bound commandments" (*Mekhilta de-Rabbi Shimon bar Yohai* on Exod 13:9, translation in W. David Nelson, *Mekhilta de-Rabbi Shimon bar Yohai* [Philadelphia: The Jewish Publication Society, 2006], 73); see also *b. Qiddushin* 35 for a variation of this same idea. Women's exemption from phylacteries is based on their exemption from Torah study in *Mekhilta de-Rabbi Ishmael* on the same verse and phrase in Exod 13:9.

[71] See more generally Tal Ilan, *Jewish Women in Greco-Roman Palestine* (Tübingen: Mohr Siebeck, 2006).

[72] See for example Shaye J.D. Cohen, *Why Aren't Jewish Women Circumcised?: Gender and Covenant in Judaism* (Berkeley: University of California Press, 2005), 115-120.

[73] Hauptman, *Rereading the Rabbis*, 222-233; Noam J. Zohar, "Women, Men and Religious Status: Deciphering a Chapter in Mishnah," *Approaches to Ancient Judaism* 5 (1993), 33-51; Natan Margalit, "Priestly Men and Invisible Women: Male Appropriation of the Feminine and the Exemption of Women from Positive Time-Bound Commandments," *AJS Review* 28.2 (2004): 297-316; Judith Baskin, "The Separation of Women in Rabbinic Judaism," in *Women, Religion, and Social Change* (ed. Yvonne Yazbeck Haddad and Ellison Banks Findly; Albany: SUNY Press, 1985), 3-18, esp. 5-6. Zohar writes: "The

set of commandments, while yet others have located the origins of the category and the exclusion of women with more neutral exegetical developments[74] or the unfeasability for women to devote their time to Torah study.[75] Regardless of the initial intention of the rabbis who formulated the rule (though I am inclined to follow those who see it as a deliberate prescriptive move with gendered motivations rather than a simple matter of detached exegesis), the effect was that women were excluded from positive time-bound commandments, which entailed social, ritual, and temporal consequences, both intended and unintended.

A single passage from the Babylonian Talmud sheds light on the sustained conceptual impact of the exclusion of women from this group of time-bound commandments beyond the tannaitic period. In a series of attempts to define the identity of the *'am ha-aretz* – a category employed in rabbinic sources to refer to the uneducated masses, whom the rabbis scorn for their lack of piety and knowledge – the Talmud states: "Our Rabbis taught: Who is an *'am ha-aretz*? Anyone who does not recite the Shema

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distinction between men and women regarding their obligations reflects a difference in status. A clear sign of this is the identical distinction between Jewish males and Canaanite slaves. Indeed, the Sifre (Num. 115, p. 124) quotes R. Shimon as formulating the rule of our clause 7 in relation to women and slaves together: 'Any positive commandment determined by time applies to men and not to women, to the legitimate and not to the illegitimate.' The 'commandments determined by time' are a realm of enhanced holiness, the special privilege of free males" (41).

[74] Alexander argues that the category derived from exegetical considerations unrelated to matters of gender in *Gender and Timebound Commandments*, 1-63. See also Elizabeth Shanks Alexander, "From Whence the Phrase 'Timebound, Positive Commandments'?" *Jewish Quarterly Review* 97.3 (2007): 317-346.

[75] Benovitz proposes that the category of rituals served primarily as an entry point for Torah study, and because women are not obligated in that practice, they are also exempt altogether from the category of positive time-bound commandments ("Time-Triggered Positive Commandments," 67-82). Though Benovitz's reconstruction of the exclusion as it developed in rabbinic sources seems possible, I find Benovitz's claim that the exclusion of women is a "reasonable reading of the biblical text in light of social realities" (70) – by which he means that the rabbis, given the world in which they lived, were simply reading "the plain meaning of Scripture" (71) – rather than reading the exclusion of women *into* the biblical text, to be missing a critical point, which is that this kind of exegesis is not inevitable or unattached but prescriptive and intentional. There is nothing particularly obvious about extending the exclusion of women from Torah study (already an interpretation that seems somewhat forced in Sifre Deut on Deut 11:19, Sifre Zuta on Deut 6:7, *y. Berakhot* 3:3, 4c, and *b. Qiddushin* 30a) to an entire set of others, whatever the given reasons, social or exegetical or both.

evening and morning."[76] To be sure, the list of what might define such a person according to various opinions in the Talmud is long, and includes the neglect of non-time-bound ritual practices that are incumbent upon women as well (e.g. an *'am ha-aretz* is defined, by other rabbis, as someone who does not tithe). Nonetheless, according to one rabbinic opinion, the ritual that defines a righteous from a non-righteous individual is a ritual that, by its very category in rabbinic law, excludes women's participation. All women, so the logic (of this Babylonian Talmudic passage) goes, must thus be identified as '*amei ha-aretz*.[77]

The topic of time-bound commandments has attracted the attention of scholars who are most interested in the creation of a category of commandments designed to exclude women from them. What I wish to highlight here is the way in which time and ritual are linked explicitly in terms of gender differences. In the absence of time-bound commandments, women, who are excluded from observing such rituals because of their gender, are not bound by this type of ritual time as defined by this category of observances. While men mark time, in essence, through rituals that are bound by time, women seemingly do not. What happens in rabbinic sources is that rituals explicitly associated with the demarcation of time become gendered: men's time is defined by the "positive time-bound commandments" associated with the daily recitation of the Shema, phylacteries, and the festival-related rituals such as *lulav* and *sukkah*. Women's time, in contrast, is not defined by these same rituals.

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[76] *b. Berakhot* 47b.

[77] On the association of gender, and specifically femininity, with the category of the *am ha-aretz*, see Martin S. Jaffee, "Gender and Otherness in Rabbinic Oral Culture: On Gentiles, Undisciplined Jews, and Their Women," in *Performing the Gospel: Orality, Memory, and Mark* (ed. Richard A. Horsley, Jonathan A. Draper, John Miles Foley, and Werner H. Kelber; Minneapolis: Fortress Press, 2006), 31-43.

In the next chapter, I will propose that while the set of positive time-bound commandments shaped men's time in contrast to women's time, one alternate way in which women's time was defined was through the bodily rituals of purity and impurity.[78] While men were obligated by rabbinic law to recite the Shema each morning and evening and observe other daily and monthly rituals, women were likewise obligated to perform a set of rituals that marked their mornings, evenings, and other times throughout their months.

[78] There are two other rituals (lighting the Sabbath candles, and removing part of the dough when preparing bread for the Sabbath) that women are obligated to fulfill in addition to the menstrual purity laws according to *m. Shabbat* 2:6-7. It is so important that women observe these three rituals, according to the rabbis, that the Mishnah declares that women die in childbirth as a result of neglecting to fulfill them.

'HER TIME':

GENDERED TEMPORALITY AND THE LAWS OF MENSTRUAL PURITY

> *I believe that some pollutions are used as analogies for expressing a general view of the social order… I suggest that many ideas about sexual dangers are better interpreted as symbols of the relation between parts of society, as mirroring designs of hierarchy or symmetry which apply in the larger social system. What goes for sex pollution also goes for bodily pollution. The two sexes can serve as a model for the collaboration and distinctiveness of social units.*
>
> -Mary Douglas, *Purity and Danger*[1]

The mishnaic tractate Niddah elaborates numerous rabbinic restrictions and rituals associated with menstruation and marking the time of a woman's states of purity and impurity, in particular determining *when* a woman becomes impure and *for how long* she remains impure. From the moment a woman is deemed impure, her relationship with her surroundings changes, for fear that she might transfer her impurity to other people and objects. Many of the debates about timing appear at the very beginning of the tractate, highlighting the importance of timing to the fulfillment of this set of laws, and reinforcing that these laws of purity and impurity functioned as a way of marking time. For women, one aspect of their temporal experience was the observance of these laws, the constant entering and exiting of states of impurity, and the alternation between times of purity and impurity that these laws engendered. Indeed, the period of a woman's impurity is referred to in the sources simply as "*sha'atah*," her *time*. Subsequent rabbinic texts – the Tosefta, tannaitic midrashim, and the Palestinian and Babylonian Talmuds – also devote exegetical and legal attention to matters of time in these laws, giving rise to a complex ritual system centered on the inner rhythms of a woman's body and imposing on it a structure of time laden with cultural meaning.

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[1] Mary Douglas, *Purity and Danger: An Analysis of Concept of Pollution and Taboo* (London and New York: Routledge Classics, 2002, 1966), 4.

I argue in this chapter that these laws of purity and impurity created a particular experience of time, and, second, that careful analysis can uncover some of the social implications of this temporal dimension. While I consider how the set of laws pertaining generally to bodily impurity constructed time for both men and women, the main focus of this chapter is on how the specific laws of menstrual purity functioned to construct a woman's time.[2] As I will demonstrate, rabbinic texts treat women's menstrual impurity and the temporality of this condition in unique ways (distinct, in many cases, from men's bodily impurity); it is not surprising, given increased rabbinic attention, that menstrual purity laws continued to be legislated and observed long after male purity laws fell out of practice. After examining the intricacies of the rabbinic rules concerning the timing of menstrual purity and impurity in tannaitic and amoraic sources, I turn to two examples that illuminate how these laws not only shaped women's time but also constructed communal identity vis-à-vis Christian and Zoroastrian practices. At the end the chapter, I reflect more specifically on the ways in which the rituals discussed here and in the previous chapter structured and oriented men's and women's times, and their relationships to others, in different ways.

[2] By the rabbinic construction of women's time I mean just that: how the rabbis, through their laws, constructed a system of time for women. This is not to say, though, that women experienced time in the way devised by the system, even if they followed the rabbinic rulings to the letter. After all, as Jacob Milgrom notes, women in antiquity rarely menstruated because they were usually pregnant or nursing during their menstruating years. Thus, it is important to recognize that my discussion here addresses rabbinic texts and discourse, not necessarily the lives of real women. See Jacob Milgrom, *Leviticus 16: A New Translation with Introduction and Commentary* vol. 3 (New York: Doubleday, 1991), 953 for the statics of onset and cessation of menses, as well as duration of nursing, in antiquity. Tirzah Meacham, "An Abbreviated History of the Development of the Jewish Menstrual Laws," in *Women and Water: Menstruation in Jewish Life and Law* (ed. Rahel R. Wasserfall; Hanover: Brandeis University Press, 1999), 23-39 writes on this topic, "Although there is some question regarding the frequency of menstruation in antiquity, because of pregnancies, prolonged nursing, and in some years borderline nutrition, the extensive discussions and regulations demonstrate not only that the sages were excellent observers of this phenomenon but also that at least some women, perhaps many, menstruated regularly" (30).

By examining the laws concerning times associated with ritual purity, I flesh out a temporal binary that emerges from these laws – the division of time into periods of purity and impurity, and in particular the alternation of women's time between these two states. Scholars usually focus on the categories of sacred and profane time in relation to the calendar and festivals, and on the temporal binaries of cyclical and linear or abstract and concrete time, with regard to historical consciousness, cosmogony, and eschatology. Here, I hope to shed new light on this additional temporal register – pure and impure – that operated in ancient Jewish communities. These various conceptions of time are by no means mutually exclusive, but are rather overlapping ones that together created a richly textured timescape for ancient Jews.

Focus on the laws of purity also affords us a window into the private and bodily sphere of ancient life. Calendars and daily rituals such as the recitation of the Shema gesture towards shared communal time – that is, time that the collective community shared and in which everyone remained on the same time-frame. In contrast, there was also a personal system of time that was determined by the rhythms of one's individual body. The times associated with menstrual purity are personal, bodily, and individual in orientation; each woman enters and exits the times of purity and impurity on her own schedule, and thus this type of time is *not* shared. A degree of communality exists on the level of ritual, because women collectively mark their bodies' time through the same generic schedules and ritual practices, but the precise *times* are not shared.

In addition, the rabbinic laws of menstrual purity present an intriguing case of the mapping of social and cultural structures of time onto biological rhythms of time.[3] What I hope to demonstrate is the overlapping of the biological and the sociological; the biological rhythms of women's bodies are given meaning, and thus also ritual significance, by the sociological rhythms to which they become attached. This chapter thus blurs and challenges the dichotomy of natural/inevitable vs. constructed/arbitrary social conventions.

The Time of Purity and Impurity in Biblical and Second Temple Sources

Leviticus 11-15 and Numbers 19 contain series of instructions concerning ritual impurity associated with food, childbirth, skin eruptions, eruptions in houses and fabrics, genital discharges, and contact with corpses.[4] Throughout these passages, one important subject of discussion is the duration of impurity. That is, various forms of impurity last different periods of time. Biblical law generally employs the period of seven days (or sets of

[3] Zerubavel draws the distinction between these different times quite starkly in *Hidden Rhythms*, xii, when he differentiates between three types of "temporal orders": sociotemporal, physiotemporal, and biotemporal. The starkest distinction Zerubavel draws between these types of time is that "whereas the physiotemporal and biotemporal orders… are natural, and, thus, inevitable, the sociotemporal order is essentially a socially constructed artifact which rests upon rather arbitrary social conventions." A fascinating study of time in the scientific discourse on menstruation draws out the various ways the "menstrual cycle" has been divided into periods or stages of time and how the process has tried to standardize an inherently unstandardized bodily phenomenon for cultural and scientific purposes. See Johanna Foster, "Menstrual Time: The Sociocognitive Mapping of 'The Menstrual Cycle,'" *Sociological Forum* 11.3 (1996): 523-547. On biological rhythms in men and women, as well as the cultural gendering of cyclical bodily rhythms, see Janice Delaney, *The Curse: A Cultural History of Menstruation* (New York: Dutton, 1976), 267-273.

[4] A helpful summary of these categories is found in Himmelfarb, "Impurity and Sin," 9-37, and a detailed analysis of the biblical sources as well as comparative material in Milgrom, *Leviticus 16*, 641-1008, esp. 902-1008 on male and female genital discharges, and for an overview of menstrual purity laws, see Meacham, "An Abbreviated History," 23-39. On the categories of purity and impurity in ancient near eastern cultures, see E. Jan Wilson, *"Holiness" and "Purity" in Mesopotamia* (Kevelaer: Butzon & Bercker, 1994). On the related concept of so-called "miasma" (pollution) in Greek religious culture, see the foundational work of Robert Parker, *Miasma: Pollution and Purification in Early Greek Religion* (Oxford: Oxford University Press, 1996). I am hesitant to conflate the Israelite concept of impurity and the Greek concept of pollution because they seem to function quite differently within their respective societies, and it is especially interesting to note that the Greeks did not consider menstrual blood (or menstruating women) impure.

seven days) as the period of time that a person or object is impure: if someone is afflicted with a skin eruption, a priest declares that person impure for sets of seven days (the number of sets depends on the progression and type of eruption); someone found to have leprosy also stays outside his or her tent for seven days.[5] A house plagued with eruptions is shut up for seven days. In the laws governing impurity following childbirth, a woman who gives birth to a boy is impure for seven days and then continues "in the blood of purification" for 33 days; if a woman gives birth to a girl, she is impure for double the amount of time, two weeks, and continues "in the blood of purification" for 66 days.[6] Leviticus 15 lays out the laws for determining men's and women's states of impurity resulting from regular and irregular genital flows, including menstruation. A man with a normal flow (the emission of semen during sexual intercourse or nocturnal emission) is impure until evening, and one with an abnormal genital flow (other forms of discharge) remains impure for an additional seven days after the cessation of the flow; a woman with a normal flow (menstruation) is impure for seven days, and with an irregular flow (blood outside her time of menstruation) waits another seven days after the flow ends. Objects and people who come into contact with men or women in a state of impurity are themselves impure until evening. Someone who comes into contact with a dead body is also impure for seven days.[7] In certain cases, simply waiting the prescribed amount of time is sufficient for ridding oneself of impurity; in most cases, some ritual is needed to mark the transition from impurity to purity, including immersion in water, laundering clothing, or bringing a sacrifice.

[5] e.g. Lev 13:4-6, 21, 26, 31-34.
[6] Lev 12:2-4, 12:5.
[7] Num 19.

In addition to the timeframes outlined in the biblical texts, temporal language is used to describe states of impurity. Consider the verse that summarizes the two chapters dedicated to the laws of eruptions: "Such is the law (Heb: *torah*) for every eruptive affection – for scalls, for an eruption on a cloth or a house, for swellings, for rashes, for discolorations – to determine when they are impure and when they are pure (lit. the day of impurity and the day of purity, בְּיוֹם הַטָּמֵא וּבְיוֹם הַטָּהֹר). Such is the law (*torah*) concerning eruptions."[8] The times of a woman's impurity and purity after childbirth are referred to as "her days of impurity" (כִּימֵי נִדַּת דְּוֹתָהּ) and "her days of purity" (יְמֵי טָהֳרָהּ). In the most general sense, these laws describe the framework in which one enters and exits periods of purity and impurity based on the state of one's body or contact with one's surroundings. Perhaps most explicit is the way in which a menstruating woman's state of impurity is described: "she will be in her impurity seven days" (שִׁבְעַת יָמִים תִּהְיֶה בְנִדָּתָהּ).[9]

The Bible uses parallel terminology in its discussion of male and female impurity, setting out nearly identical rules for men and women. There is a difference, though, in the language the text uses to describe the time of impurity for men and women. For men, impurity arises because of an emission, regardless of the *time* of the emission. The particular type of emission determines the length of time of impurity, but the type of emission is defined by non-temporal qualities (e.g. a normal emission occurs because of sexual activity, an abnormal flow occurs because of a disease). For women, on the other hand, the type of emission, and whether it is considered a normal or abnormal flow, is defined by the flow's timing. The biblical text labels the time during which it is 'natural' to experience menstrual flows as a woman's 'time of impurity,' and designates a flow

[8] Lev 14:54-57.
[9] Lev 15:19.

that occurs when it is 'unnatural' to experience a flow as occurring 'not in the time of impurity' (בלא עת נדתה).[10] In the biblical text, the 'time of impurity' is not an externally defined period of time, but an occurrence relative to the woman's menstrual cycle (when a woman menstruates, she is considered to have a normal flow, when she bleeds at a time other than during her menstruation, she is considered to have an abnormal flow). In these biblical purity laws, men's impurity is a result of an act regardless of time whereas women's impurity is largely defined by the time at which the act occurred. Women's impurity in the Bible is temporally determined, hence the exceptional language of "the *time* of impurity" (עֶת נִדָּתָהּ).[11] The time of menstrual impurity is, even semantically in this case, represented as a different kind of time, a period that is distinct from the periods in which a woman is not in a state of menstrual impurity.

As we will examine in greater detail below, rabbinic texts accept this distinction between male and female impurity—that only women's impurity is time-dependent—but they institute a key change. Whereas in the Bible a woman's own body determines when to expect her menstrual flow, the rabbis fix this period across all women. That is, time is divided for women into a period of time (7 days) when a woman, were she to bleed, would be considered a *niddah*, and a second period of time (11 days) when a woman,

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[10] Meacham explains similarly: "The difference between the *niddah* and the *zava* is the time factor. Normal menstruation is considered to end within seven days, which may reflect either the choice of a significant number (as found in other rituals) or the fact that nearly all women complete their periods within seven days. Abnormal uterine bleeding is that which comes at a time other than the menstrual period or exceeds the seven days allotted to menstruation by several days" ("An Abbreviated History," 26).

[11] Lev 15: 25. David Tabb Stewart argues more broadly that Lev 11-15, in which the purity laws are laid out, ought to be read as a women's text, dealing as the chapters do with domestic issues, such as cooking, childbirth, scale disease on the body and house, menstruation and hypermenorrhea; the topics of concern to men, such as seminal emissions, discharges, and baldness, might be understood as placed in the same section "by attraction." See David Tabb Stewart, "Does the Priestly Purity Code Domesticate Women?" in *Perspectives on Purity and Purification in the Bible* (ed. Naphtali S. Meshel, Jeffrey Stackert, David P. Wright; New York: Continuum, 2008), 65-83, who writes: "This is not to say that the Purity Code is fully an example of écriture feminine, but rather that here there are matters from women's experience – pregnancy, mothering, health, menses, domestic work, and marriage" (65).

were she to bleed, would be considered a *zavah*.[12] In addition, a woman is in a presumptive state of purity at certain times of the month, and in a presumptive state of impurity at others.[13] According to this rabbinic innovation, עֶת נִדָּתָהּ becomes a fixed standard period, and this new conceptualization gives rise to a whole set of additional practices geared towards women's detection of their flows to determine their status of purity. "Her time," for the rabbis, is thus determined by the rabbis' exegesis and legislation, not by women's own personal bodily experiences.

During the second temple period, the Bible's ritual purity laws for both men and women were maintained, and in some cases increased in stringency. The impulse to extend the time of impurity as a way of stressing the increased piety of a community already appears in literature from the Dead Sea Scrolls.[14] In the Temple Scroll, a man with a normal flow remains impure for three days, rather than one. This extension is justified by likening this form of impurity to that of a woman's normal menstrual flows, calling it "their *niddah*-like uncleanness (נדת טמאתמה)."[15] Perhaps because of its new association with female impurity, the period of impurity is lengthened to align more

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[12] 11 days seems to have been the minimum time that the rabbis assumed could pass between two menstrual flows (Meacham, "An Abbreviated History," 30). In order for a woman to become a *zava*, she would need to bleed for three consecutive days within the 11 non-menstruating days.

[13] Consider, for example, the language of the Mishnah here: "All the eleven days a woman is in the assumption of being pure, she sat down and did not examine herself – accidentally, under constraint, [or if] willfully she did not examine herself, she is pure. [Once] the time of her period has come (הגיע שעת וסתה) and she has not examined herself, this one is deemed impure… But during the [seven] days [that must be counted by the] man or woman that has a flux, or [the one day of cleanness to be counted] by her that awaits day against day – [during that time] these are in the assumption of being impure" (*m. Niddah* 4:7, Neusner translation).

[14] An overview of the laws of impurity in the Temple Scroll and their relationship to the biblical text and Jubilees is found in Martha Himmelfarb, "Sexual Relations and Purity in the Temple Scroll and the Book of Jubilees," *Dead Sea Discoveries* 6.1 (1999): 11-36. On purity at Qumran in relation to rabbinic sources, see Furstenberg, "Eating in a State of Purity in the Tannaitic Period," chapters 3-4.

[15] 11Q19 45:7-10; Himmelfarb, "Sexual Relations," 18; the translation of the phrase from the Temple Scroll is from Yigael Yadin, *The Temple Scroll* (Jerusalem: Israel Exploration Society, 1983), 2.192, cited by Himmelfarb. A similar extension is imposed on men who have had a seminal emission as a result of intercourse (45:11-12).

closely to the time a woman waits.[16] The laws of purity were made more stringent at Qumran in many other regards as well – the command to leave the camp or the city of the sanctuary being, perhaps, the more illustrative – and stricter rituals of purification are outlined throughout their texts. This example demonstrates that in the Qumran community male impurity seems to have been characterized more similarly to female impurity than in the biblical texts on which these laws are based. Men with normal flows were commanded to wait a longer period of time, similar to the duration of a woman's menstruation (several days, instead of until evening of the first day).

Men and Women's Bodily Impurities in Rabbinic Sources

In contrast to the more severe rules concerning male impurity at Qumran, rabbinic texts develop the laws of male and female purity largely in an opposite direction, downplaying male impurity while ruling increasingly stringently on matters of menstrual impurity.[17] As Judith Hauptman argues in her study of menstrual purity, rabbinic law transformed the seemingly gender-equal laws of ritual purity and impurity found in biblical sources into laws that primarily focused on the impurity of women. She writes:

> …differences between impure men and women developed over time. First, the rules of immersion for the *niddah*, and the ban on sex with her, remained in force throughout the rabbinic period, whereas the rules for the *zav, zavah,* and ejaculant disappeared over time. Second, both Talmuds have Gemara on M Niddah (although the Yerushalmi's Gemara ends at the end of chapter 3), but neither has Gemara on Zavim, or any other tractate in the Order of Purities. An even more marked difference between

[16] The prolonged time of impurity might also evoke Exod 19:10-11 and 19:15, which implore the Israelites to stay pure and be ready for the "third day" (Himmelfarb, "Sexual Relations," 19).

[17] Meacham observes that already according to biblical laws of purity women spent more time impure than men: "Although the resulting differences between male and female seed impurity limited women's cultic contact, it seems that both sets of rules were motivated by the same concern for seed pollution rather than by a motive to restrict female sexuality or to exclude women from society. However, if we add to a woman's menstrual impurity of seven days the impurity that she contracts from male seed pollution during sexual conduct… the woman's ritually pure time is greatly limited" (26).

> the two tractates is that Niddah, in the Mishnah, Tosefta, Bavli, and Yerushalmi, is filled with halakhic anecdotes, whereas Mishnah and Tosefta Zavim contain none at all. The asymmetry of material again leads to the conclusion that Niddah was a set of rules that many people lived by in the rabbinic period, whereas Zavim, and most other topics of Seder Tohorot, after the destruction of the Second Temple, were no longer relevant to their lives.[18]

Hauptman proposes two possible reasons for the maintenance of the menstrual purity laws while other forms of bodily purity fell out of practice: first, the ban on sexual relations with a menstruant and the characterization of such an act as sinful independent of its purity-defiling nature made the laws relevant even after the need for other forms of ritual impurity became largely obsolete following the temple's destruction,[19] and, second, the cultural context of the ancient Near East in which menstrual blood was feared and reviled, in contrast to other forms of bodily purity, which were not.[20]

Joseph Baumgarten and Yair Furstenberg have shown how the rabbis practically annul male abnormal impurity by constructing so many caveats and exemptions to their laws that no man would actually fit into the category, while these same rabbis extend the restrictions regarding abnormal bleeding to all women, even those with normal menstrual flows.[21] In Mishnah Zavim, Rabbi Akiva explicitly acknowledges the deliberate erasure of the category of male abnormal flows: "Rabbi Akiva says, 'Even if he ate food of any source, good or bad, or drank any drink (he is not a *zav*).' They said to him, '(If so,)

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[18] Hauptman, *Rereading the Rabbis*, 149-150.

[19] Lev 15:24 only characterizes sexual relations with a menstruant as defiling (as it is in the case of sexual relations with men during their period of impurity). Other passages, such as Lev 18:19 and 20:18, however, characterize sexual intercourse with a woman a sin, for which the punishment is *karet*, a severe form of divine retribution often understood as premature death or the like.

[20] Hauptman, *Rereading the Rabbis*, 150.

[21] Yair Furstenberg, "Genital Discharge: Judaism," in *Encyclopedia of the Bible and Its Reception* (ed. Dale C. Allison Jr.; Berlin: de Gruyter, forthcoming); see, e.g., *m. Zavim* 1:1, 2.2, 2.3, Sif Deut 256, *b. Niddah* 86a. Furstenberg writes: "Taken together, the two rabbinic innovations transformed the biblical *zab* into a theoretical male defined in feminine terms while only women were the actual imparters of this severe impurity." On the elision of male *zav* impurity in rabbinic sources, see Joseph M. Baumgarten, "Zab Impurity in Qumran and Rabbinic Law," *Journal of Jewish Studies* 45 (1994): 273-277.

there are no longer any *zavim*!' He (Akiva) responded, 'It is not your responsibility (to worry that there be) *zavim*!'"[22] The effect of the downplaying of male impurity and amplifying women's impurity is that women's time alternated between periods of purity and impurity while men's time was far more consistently anchored in periods of purity. Determining the reasons for the persistence of the menstrual purity laws in contradistinction to those with which they are paralleled in Lev 15 is not the subject of this chapter; the gendering of the laws of purity, however, is an important background for the following analysis of the menstrual purity laws in rabbinic sources. While an entire set of biblical laws also governs male purity, it was largely the menstrual purity laws that continued to be practiced and that came to define Jewish purity in the rabbinic period and later.

Mary Douglas, whose contributions to our understanding of purity and impurity in society cannot be overstated (even as they have needed revision and updating), emphasizes the importance of recognizing and tracing shifts in conceptions of purity in a religious tradition as another avenue for understanding the symbolic significance of purity to the social order. She writes:

> No one knows how old are the ideas of purity and impurity in any non-literate culture: to members they must seem timeless and unchanging. But there is every reason to believe that they are sensitive to change. The same impulse to impose order which brings them into existence can be supposed to be continually modifying or enriching them.[23]

The sections that follow address some of the fundamental shifts in the laws of menstrual purity in the rabbinic period. Though the rabbis inherited biblical law, they did not

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[22] This text is discussed in Baumgarten, "Zab Impurity," 274. Baumgarten adds: "Those Tannaim who did not go as far as R. Akiba in practically abolishing *zab* impurity nonetheless mitigated its effect on religious performance…" (ibid).
[23] Douglas, *Purity and Danger*, 5.

simply extend it, of course; they expanded and modified it as well. It is precisely in the changes that they make that we are able to learn about rabbinic interests, values, and priorities. That the rabbis expanded the opportunities for female impurity while limiting the possibility of male impurity tells us something important about the rabbis' perceptions of purity and gender. As a result of this gender disparity in rabbinic concern with purity, women's time as the rabbis constructed it was highly regulated by matters of purity and impurity while for rabbinic men, such concerns were marginal, except insofar as they related to their wives. Below, I outline the debates surrounding the time of the onset of impurity, the evolving length of menstrual impurity's duration, and the development of daily practices to determine changes in one's status of impurity, as they appear in rabbinic sources.

Rabbinic Debates about Determining the Onset of Impurity

Because determining the timing of the onset of impurity is so central to the observance of the menstrual purity laws, Mishnah Niddah begins with a rabbinic debate about timing. The biblical commandment concerning menstrual purity states: "When a woman has a discharge, her discharge being blood from her body, she shall remain in her impurity seven days; whoever touches her shall be impure until evening…"[24] An unasked question lies behind the tractate's opening passage in the Mishnah: from when (that is, from what point in time) does a woman consider herself to be in a state of impurity? The Bible assumes that the process of determining the onset of impurity is self-evident to its audience, but to the rabbinic interpreters it is no longer so. Three possibilities are

[24] Lev 15:19; the Hebrew reads as follows: וְאִשָּׁה כִּי תִהְיֶה זָבָה, דָּם יִהְיֶה זֹבָהּ בִּבְשָׂרָהּ שִׁבְעַת יָמִים תִּהְיֶה בְנִדָּתָהּ, וְכָל הַנֹּגֵעַ בָּהּ יִטְמָא עַד הָעָרֶב.

proposed to the Mishnah's implied question. Shammai, the first and most lenient opinion, suggests that women are impure from the time at which they discover a flow of blood (this determination of impurity is termed דייה שעתה: it is enough for a woman to consider herself impure when she sees blood, even if the bleeding may have started before her discovery of it). Hillel, in contrast, offers a far more stringent ruling: women are deemed impure retroactively, from the last time they performed an internal examination to determine their state of purity. According to Hillel, it is not sufficient for a woman to consider herself impure from the moment she sees that she is bleeding, for no doubt she did not begin bleeding right then; instead, Hillel rules that a woman must assume that she could have become impure at any point in time *after* she last examined herself and found that she was still in a state of purity, even if this means retroactively determining that she has been impure for "many days."[25] The Sages, as a collective, offer a compromise: a woman is impure retroactively, either by a unit of 24-hours before the discovery of blood, or from the last time she examined herself – whichever one is less time. According to this third opinion, a woman is deemed retroactively impure by at most one day, but even less time if she examined herself and found herself in a state of purity more recently. The Tosefta produces yet a fourth opinion about when a woman ought to deem herself impure: in contrast to the Mishnah's position of compromise in which the default is the shorter amount of retroactive time, the Tosefta explains with a series of concrete examples that the *longer* period of elapsed time is counted as part of a

[25] For a discussion about retroactivity in tractate Niddah and its elaboration in the Babylonian Talmud, see Fonrobert, *Menstrual Purity*, 68-102. On the role of retroactivity and so-called "conjunctive" time in other contexts in rabbinic literature, see Lynn Kaye, "Mingling Moments: Conjunctive Time and Rabbinic Modes of Temporality in the Babylonian Talmud" (AJS paper, 2011), and idem., "Law and Temporality in Bavli *Mo'ed*," 231-297. A line in the Babylonian Talmud states explicitly that retroactive impurity is a rabbinic enactment (*b. Niddah* 9a).

woman's time of impurity.[26] Even if a woman has checked herself, she still must consider herself impure for a full 24-hour period, and if her last self-examination occurred more than 24-hours earlier, she is impure from her last examination. To clarify the positions, the Mishnah's compromise advocates that a woman can be retroactively impure for *at most* 24 hours, while the Tosefta explains that she must be retroactively impure for *at least* 24 hours.

This discussion about the onset of women's menstrual cycles applies to the generic category of women. There are additional individualized factors in the determination of the onset of impurity. If a woman has a fixed menstrual cycle (that is, she can accurately predict when she will become impure because of the regularity of her periods or the predictive nature of the preceding symptoms), she is deemed impure from the discovery of a flow of blood (again, דייה שעתה) and not retroactively as with other women, according the Mishnah.[27] The Mishnah outlines the symptoms used for prediction: yawns, sneezes, pain in her stomach or bowels, discharges, shuddering, and "similar phenomena."[28] A woman who can accurately identify a specific symptom as a sign of her oncoming menstruation three times can consider the symptom to be a reliable predictor of when she will begin menstruating in the future as well, and thus does not need to take the precaution of deeming herself impure prior to the sight of blood.[29] The

[26] *t. Niddah* 1:1.
[27] *m. Niddah* 1:1, a *veset.*
[28] *m. Niddah* 9:8. See also *m. Niddah* 9:9-10, and the discussion in *b. Niddah* 11a.
[29] The Mishnah specifies further: "[If] she habitually saw blood at the beginning of [symptoms of] periods, all things requiring purity which she prepared while the [symptoms of] periods are in progress are impure. [If she usually saw blood] at the end of [symptoms of] periods, all things requiring purity which she prepared while [the symptoms of] the period lasted are deemed pure. R. Yose says, 'Settled periods [are also determined by] even the days and hours. If she habitually saw blood with the sunrise, she is prohibited only at sunrise.' R. Judah says, 'The entire day belongs to her.' [If] she habitually saw blood on the fifteenth day of the month and changes her pattern and saw blood on the twentieth day, [sexual relations

Mishnah and Tosefta both agree that virgins, pregnant women, nursing mothers, and post-menopausal women fit into the category of women with regular cycles, all of whom are deemed impure from the moment of discovery and not prior (it is not that these women *have* regular cycles, but that they do not typically menstruate at all).[30] The Mishnah thus distinguishes between two classes of women, those who have regular (predictable) menstrual cycles, and those whose menstrual cycles are erratic, and then legislates different strategies for determining the onset of impurity for each of these categories. The Tosefta adds a debate about the case of an *androgynous* and a *tumtum* (of ambiguous gender identities): one rabbi suggests that these categories of people consider themselves impure only from the moment of discovery and not retroactively, while another rabbi declares that the rules are identical to those of women.[31]

The Yerushalmi largely clarifies the rulings found in the Mishnah and Tosefta, filling out opinions with examples or more detailed explanations. For instance, the Yerushalmi explains how a period of twenty-four hours limits the time between examinations with a concrete example of a woman who examined herself on a Monday and began bleeding on Thursday (she is only retroactively impure for 24 hours, starting on Wednesday, rather than since her last examination on Monday).[32] It also details to what kinds of objects a woman imparts impurity when she is deemed impure

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on] this day and that day are prohibited. [If] she twice changed to the twentieth day, this day and that day are prohibited…" (*m. Niddah* 9:9-10, Neusner translation).

[30] *m. Niddah* 1:3-5, with additional clarifications in 1:6.

[31] *t. Niddah* 1:2 and *y. Niddah* 1.1, 7d. The Yerushalmi explains that impurity need not be imposed retroactively because it would go against a Talmudic principle that states that one cannot legislate based on two matters of doubt – in this case the sex of the subject and the potential for retroactive impurity. Therefore, impurity is assumed only from the sight of blood and not beforehand, which is usually done *in case* there was prior impurity.

[32] *y. Niddah* 1.1, 3c. On the relationship between *t.* and *y. Niddah*, see Tirzah Meacham, "Tosefta as Template: Yerushalmi Niddah," in *Introducing Tosefta: Textual, Intratextual, and Intertextual Studied* (ed. Harry Fox and Tirzah Meacham; Hoboken, N.J.: Ktav, 1999), 181-220.

retroactively and what activities are not impacted. The concept of a woman having a "fixed time" of menstruation, already introduced in tannaitic sources, is elaborated upon in the Yerushalmi.

In its elaboration on the Mishnah's discussion concerning the onset of impurity, the Babylonian Talmud seeks to explain why Shammai and Hillel have opposite opinions about retroactive impurity, the former completely rejecting the idea and the latter endorsing it to its most extreme. Shammai, it is written, assumes that a woman's default status is one of purity, and therefore she can assume that she is in a state of purity until she discovers that she is not. Hillel, on the other hand, cannot accept this position because a woman's impurity stems from her body (that is, it is internal) and thus, according to Hillel, a woman cannot rely on the accuracy of her usual status. The text continues, after an elaborate discussion in which it seeks to clarify the two opinions, by engaging in a philosophical debate about Shammai and Hillel's positions on retroactive impurity. The discussion transforms the debate in the earlier sources from an impersonal legal ruling to one that hints at the consideration of possible social implications of these two different approaches.[33] Shammai explains that his reason for rejecting retroactive impurity is "the avoidance of the neglect of marital life" – that is, Shammai limits the amount of time a woman must consider herself impure, and by implication maximizes the time when she is pure and available to her husband. The anonymous layer of the Babylonian Talmud then challenges this justification of Shammai's opinion by suggesting that "the reason is to avoid the neglect of propagation." In this answer,

[33] Here I do not suppose that the historical Hillel or Shammai had this debate, or even that the redactors of the Mishnah had these opinions in mind when they put together the opinions, but rather that those behind this passage in the Babylonian Talmud chose to highlight the impact of different attitudes to menstrual time in this way.

Shammai's ruling is interpreted as taking into consideration the possibility that the more time a woman is impure, the less likely it is for her to become pregnant (and hence it is desirable to minimize the time of a woman's impurity for reproductive reasons). In both explanations, Shammai is concerned about the practical implications of these laws of menstrual impurity, which deem a woman off-limits to her husband. Hillel counters Shammai's ruling and insists that Shammai ought to "make a fence" around the ruling, as is done for all other laws ("for why should this law be different from all the Torah for which a fence is made?"). Shammai responds: "If so, you would cause the daughters of Israel to neglect marital life!" While in principle Shammai agrees with Hillel about the importance of building fences to protect laws of the Torah, in this case his concern for marital relations trumps the larger rule. Hillel counters: "Do I speak of marital life? I only speak of levitical purity!" Hillel admits that in his ruling he takes into account an extreme concern for maintaining purity, even if the ruling makes more sense on a theoretical level than a practical one. Or, understood somewhat differently, Hillel explains that he is choosing one value (levitical purity) over another (marital relations). The debate is complex and continues, but I highlight this part of the exchange to show how the Babylonian redactors imagined their predecessors to relate to women's time and to point to the debate these questions sparked over the necessity to take women's experience into account in the determination of rabbinic law.

The Duration of Impurity

After the initial discussions about the onset of impurity in the Mishnah, the tractate covers other aspects of the menstrual purity laws and then circles back at the end to clarify remaining time-related rules, such as determining the end of the period of

impurity. The topic of timing, which reappears at the end of the tractate, thus book-ends the tractate as a whole. In the tannaitic sources, the duration of impurity is presented as a fairly straightforward issue, presumably because Lev 15:19 so clearly delineates these rules – a woman is impure for the duration of a normal (that is, menstrual) flow, and a woman is impure for an additional seven days when she experiences an abnormal flow.[34]

In the later amoraic sources, however, the duration of impurity changes significantly.[35] In the Babylonian Talmud, the period of impurity is lengthened – seven additional so-called "clean days" are added to the conclusion of menstruation. The time of impurity for the *niddah* and *zava* are combined, such that a menstruant must wait an additional seven days after the cessation of her flow.[36] In effect, every menstruant is treated as a woman with an abnormal discharge. A statement in the Babylonian Talmud proclaims: "Now the rabbis have made all *niddot* into doubtful *zavot*…"[37]

The time of impurity is extended even further in the early medieval Baraita de-Niddah.[38] According to the new laws recorded in this text a woman remains impure for a

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[34] For a woman with an abnormal flow, she remains impure for the duration of her flow and an additional seven days thereafter (Lev 15:25, 28).

[35] See the discussion in Meacham, "An Abbreviated History," 29-33, and Hauptman, *Rereading the Rabbis*, 156-160.

[36] See *b. Niddah* 57b, 69a.

[37] *b. Niddah* 67b, cited in Hauptman, *Rereading the Rabbis*, 159. Hauptman writes: "R. Pappa refers here to a significant change in the rules of *niddah*: The rabbis consider all menstruants to be doubtful *zavot*, which means that they must sit for seven clean days when the flow of blood stops… R. Pappa is saying that the rabbis eliminated the distinctions between a *niddah*, who sees blood for about seven days in a row, and a *zavah*, who sees blood for three days in a row not at the time of her menstrual period. This change is remarkable and far-reaching: both *niddot* and *zavot*, according to these rabbis, will have to sit seven clean days after the blood stops. We thus see that it was men and *not* women who extended significantly the monthly menstrual separation period, in many instances doubling it from seven to fourteen days!" Hauptman concludes that "the trend seems to be that as time passes, the rules of *niddah* become more strict" (160).

[38] Evyatar Marienberg, *La Baraita de-Niddah: Un texte juif pseudo-talmudique sur les lois religieuses relatives à la menstruation* (La Bibliothèque de l'Ecole des Hautes Etudes, Sciences religieuses 157; Brepols: Turnhout, 2012). This text's attitude to all of the menstrual purity laws is more extreme than those found even in the Babylonian Talmud, and regards menstruating women as both impure and dangerous; Shaye J.D. Cohen, "Purity and Piety: The Separation of Menstruants from the Sancta,"

total of 14 days from the onset of menstruation (rather than the Talmudic 10-12, and twice as long as the period of impurity listed in the Bible), and must consider herself impure two days prior (rather than one). Whether and to what extent these laws were observed are matters of debate; the text, according to many scholars, captures a more radical worldview than that which was mainstream at the time.[39] The shifting time-frames in both the amoraic and early medieval sources, though, reflects new stringencies on women's menstrual impurity and presents the prolonging of periods of impurity as an expression of piety (whether imposed on women or developed and advocated by them).

Daily Examinations

A new ritual related to menstrual purity, never mentioned in earlier texts, is introduced at the end of the first chapter of tractate Niddah in the Mishnah: all women, even those women for whom a discovery of blood determines the onset of impurity without retroactivity, must perform internal physical examinations each morning and evening to make sure that impurity is discovered within a relatively brief time-frame (this practice was designed to limit the amount of time between the start of the flow and its detection).[40] Women were also required to examine themselves in preparation for sexual intercourse, and those from priestly castes were expected to examine themselves before eating the heave offering as well, to avoid eating the offering in a state of impurity, which was forbidden. The institution of morning and evening internal bodily examinations transformed the menstrual purity rituals not only into monthly but also into daily

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Daughters of the King: Women and the Synagogue (ed. Susan Grossman and Rivka Haut; Philadelphia: Jewish Publication Society, 1992), 108-109.

[39] Milgrom, *Leviticus 1-16*, 948.

[40] *m. Niddah* 1:7. For an overview of this practice and its underlying logic, see Hauptman, *Rereading the Rabbis*, 150-153.

markings of time.[41] Such examinations were required of both women whose menstruation was predictable as well as those with unpredictable flows. The only women exempted are those who are menstruating or those who are bleeding after childbirth, because in these two cases, there is no presumption that the woman is *not* bleeding.

In amoraic sources, daily examinations are maintained, with some added leniencies as well as some new stringencies. Women are no longer obligated, as they were in the Mishnah, to examine themselves before sexual intercourse (the rabbis deem this practice too prohibitive, and declare women to be in a state of presumptive purity for their husbands), but they are still required to perform examinations each morning and evening.[42] On the other hand, women's examinations are characterized in the Babylonian Talmud as ordinances from the Torah (even though they clearly originate with the tannaitic rabbis!), and therefore absolutely necessary.[43] Frequent checking is also valorized, and is characterized as a practice performed by "modest women."[44] A story is recounted about a servant who worked in the household of Rabban Gamliel, who

[41] According to the Mishnah, women used "test rags" (עידים) in their examinations and, if a drop of blood was discovered on this piece of cloth, they would be deemed unclean (*m. Niddah* 2:2). The term עידים seems to be based on a passage from Isaiah 64:5, ונהי כטמא כלנו וכבגד עדים כל צדקתינו ("and we all become as one that is impure, and all our righteousness are as a defiled[?] garment"). It is not clear, based on the context in Isaiah, what the term actually means – a defiled garment? Perhaps this is the garment that a woman wore during menstruation, to contain the blood when she was bleeding. If this is the case, then the metaphor of female impurity is extended in the passage from Isaiah to all of Israel – all are impure (in this case not because of menstruation but because of sin), and even every righteousness has been bloodied (made impure) by this impurity. Etymologically, the term could stem from the root (עוד), which means both "time" or "anniversary" as well as "witness" or "testimony."[41] Could the literal meaning be something like "the cloth of her time" (that is, the time of her menstruation/impurity), or "the cloth that serves as witness" (to her menstruation/impurity)? In the Mishnah, the term is used to refer to a "cloth for checking," a test rag. Again, the very term evokes the temporal dimension of a woman's impurity. The test rag that is used to determine the status of impurity is one that actually determines the *time* of a woman's impurity and serves as a witness to her impurity.
[42] *b. Niddah* 11b-12a; Hauptman, *Rereading the Rabbis*, 151-152.
[43] *b. Niddah* 9a, in a dialogue between an old man and R. Johanan.
[44] *y. Niddah* 2.1, 49d. See also the parallel in *b. Niddah* 6a.

examined herself constantly throughout the day, after lifting each jug of wine.[45] The text presents her frequent checking as seemingly absurd, but as the story unfolds it is clear that her actions are pious and save all of Rabban Gamliel's wine from becoming impure. This story is about continual checking, rather than about morning and evening examinations, but it highlights the sense of piety associated with such vigilant checking in amoraic sources. For women in the rabbinic system, attention to purity structured the day in a way that came to be regarded as uniquely feminine. Mornings and evenings in particular were, for women, times to assess their status of purity.

In general, such regular self-examination was indeed reserved for women; the Mishnah deliberately declares that "every hand that performs multiple examinations – in women it is praised, and in men it should be severed."[46] There is one exception: men with continual abnormal genital discharges (*zavim*) were obligated to examine themselves in the same ways and at the same times as women.[47] Even though, in this case, some men perform the same ritual as women, the Mishnah characterizes these men in feminized terms. The Mishnah thus reinforces the notion that such examination practices defined women's time in contrast to men's time. As Mira Balberg has argued in her work on purity in the Mishnah, men with abnormal flows in many cases become associated with women as a category.[48] As in Greek medical literature, according to

[45] Ibid.
[46] *m. Niddah* 2.1, *m. Niddah* 2:1.
[47] *t. Niddah* 2:6 and *m. Niddah* 10:3. The Yerushalmi extends praise to those men who examine themselves for abnormal flows, *y. Niddah* 2.1, 49d.
[48] Balberg, "Recomposed Corporealities," 230-234. She writes: several rabbinic sources suggest that the *zab* is not just a man comparable to women, but in certain ways a man who has *turned into a woman*. The rabbis make clear that men with genital discharge must adopt life habits that are normally prescribed only for women (both pure and impure): that is, they must constantly scrutinize and examine their bodies in the same way that women do… the man with genital discharge is not only physically comparable to a woman, but also performs the same actions as a woman, as if taking on a feminine way of life." (230-231).

rabbinic texts the continual flow of seed stripped away a key component of masculinity and feminized the subject; because their masculinity was in question and their flows resembled the uncontrollable and ongoing flows associated with women, men with such flows were treated in the same way as women for matters of bodily impurity and women's laws of purity were applied to them as well.[49] That is, checking one's body at regular daily intervals, in this case each morning and evening, was considered a woman's activity even though the practice was performed by some men – or, more precisely, these men adopted women's practices because their bodies were acting like women's bodies. Put more starkly, such constant attention to bodily impurity was seen, or categorized, as women's work.

Structurally and experientially the mandate to check oneself twice daily, at the beginning and end of each day, meant that while the men were praying and reciting the Shema at home or in town (and, at an earlier time, offering sacrifices in the temple), the women were checking their bodies. In its discussion of the times of day when a woman performs her examinations, a comment in the name of R. Yose b. R. Bun states: "These two examinations are the counterpart to the two times that the day changes."[50] The

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Furstenberg, too, explains how male *zav* impurity in rabbinic sources was modeled according to female *zava* impurity (Furstenberg, "Genital Discharges").

[49] See Balberg, "Recomposed Corporealities," 232-233, who discusses *t. Zavim* 2.4's characterizations of abnormal discharges coming from "dead flesh" and seminal emissions coming from "living flesh" in light of a passage from the first century Greek physician Aretaeus of Cappadocia's *De causis et signis diuturnorum morborum* (book II, ch. 5) about the "living seed" of men defining their masculinity, as well as Rebecca Flemming, *Medicine and the Making of Roman Women: Gender, Nature, and Authority from Celsus to Galen* (Oxford: Oxford University Press, 2000), 212-213, and Lesley Dean-Jones, *Women's Bodies in Classical Greek Science* (Oxford: Clarendon Press, 1996). Balberg writes: "the Mishnah does not suggest that men with genital discharge are *actually* transformed into women, but merely asserts that their natural analogue in terms of impurity is women" (233-234). See also the discussion in *b. Niddah* 13a. The association between menstruation and other bodily flow with men is taken further in medieval Christian sources, in which attributing menstrual flows to (Jewish) men was a polemical strategy to emasculate and 'other' them; see Sharon Faye Koren, "The Menstruant as 'Other' in Medieval Judaism and Christianity," *Nashim: A Journal of Jewish Women's Studies and Gender Issues* 17 (2009): 45-47.

[50] *y. Niddah* 1.7, 49c; translation in Neusner, *The Talmud of the Land of Israel*, vol. 34, 170.

Mishnah legislates that the examinations should be performed in the mornings (שחרית) and at twilight (בין השמשות), while in the Babylonian Talmud the times mentioned are mornings and nights (שחרית וערבית), the very same terminology used for the timing of the Shema: "R. Judah said in the name of Shmuel: the Sages decreed that the daughters of Israel should check themselves in the mornings and evenings (שחרית וערבית), in the morning to determine their status of purity during the night, and in the evening to determine their status of purity during the day."[51] There are, of course, pragmatic considerations for the practice of daily bodily examinations – marital relations at night and the potential of coming into contact with impurity throughout the day – but the exemption and thus exclusion of women from time-bound obligations seems to be undermined in these time-constructed and time-constructing requirements that were focused on their bodies and their status of impurity. Ironically, then, through the insistence that women examine themselves each morning and evening, the rabbis construct women's time on the model of men's time.

The practice of daily examinations also requires us to rethink the categories of "private" and "communal." If everyone (or in this case, all women) is doing the same private activity at the same time, in a certain sense this activity might be regarded as communal. While the practice of examining one's body for signs of impurity was not publicly visible, it was nonetheless communal in the sense that the requirement imposed a uniform practice onto everyone even in their home, doing private things, at very private times, between sleep and wakefulness. While women's menstrual cycles are not in sync and therefore their periods of purity and impurity differ one from another (and each

[51] *b. Niddah* 4b.

woman is thus on her own schedule), when women began engaging in daily examinations, *all* women who performed these exams did so at roughly the same times of day, just as men recited the Shema at about the same times of day as well.

Christian and Zoroastrian Perspectives on the Rabbinic Menstrual Purity Laws

In the analysis of rabbinic sources about menstrual purity above, I demonstrate numerous ways in which the laws of menstrual purity constructed women's time around periods of bodily purity and impurity. I now turn briefly to two examples of the ways in which the rabbinic laws of menstrual purity were regarded by others – those outside the rabbinic community – as matters of time as well. These examples provide us with a glimpse into a social dimension of these time-frames, highlighting how the structures of time created by the system of menstrual purity laws became entwined in debates about communal and religious identity. Both in a Christian polemical text critiquing menstrual purity laws, and in a Zoroastrian source detailing the specific schedule of a woman's menstrual impurity, at stake are competing conceptions of time and their social and theological ramifications. In these two cases, encounters with the time of others helped define the contours of rabbinic time, even when the encounter itself was polemical.

In the *Didascalia Apostolorum*, a polemic against the practice of menstrual purity is framed as a dispute over the essence of time and the body's relationship to time. The anonymously-authored third-century text from Syria outlines rules for proper Christian (or Jewish-Christian) communal practice and institutional structuring.[52] At the end of the

[52] The identity of those behind the *Didascalia* is complicated. See Fonrobert, "The Didascalia Apostolorum," 483-511. On the *Didascalia* in the context of rabbinic and other Jewish sources, see Fonrobert, *Menstrual Purity*, 160-209; Shaye Cohen, "Menstruants and the Sacred in Judaism and Christianity," in *Women's History and Ancient History* (ed. Sarah B. Pomeroy; Chapel Hill: University of North Carolina Press, 1991), 289-290; and Evyatar Marienberg, "*Qui coierit cum muliere in fluxo*

text, the author launches an aggressive attack against those who continue to adhere to the Jewish law and who thus "affirm the curse against our Savior and condemn themselves."[53] Among the text's target audiences are those who, despite having joined the community, have continued to observe the Jewish laws of purity and impurity.[54] The author makes an impassioned argument that the separation of time into distinct periods is incoherent: "And again, let them tell us, in what days and in what hours they keep themselves from prayer and from receiving the Eucharist, or from reading the Scriptures – let them tell us whether they are void of the Holy Spirit."[55] It seems, from this passage, that certain members of the community abstained from prayers and other activities during periods of impurity, a practice disdained by the author of the *Didascalia*.[56] Could it be, the author asks, that there are times during which these people lack the Holy Spirit? This is impossible, he argues, "for through baptism they receive the Holy Spirit, who is ever with those that work righteousness, and does not depart from them by reason of natural

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menstruo… interficientur ambo (Lev. 20:18): The Biblical Prohibition of Sexual Relations with a Menstruant in the Eyes of Some Medieval Christian Theologians," in *Shoshannat Yaakov: Jewish and Iranian Studies in Honor of Yaakov Elman* (ed. Shai Secunda and Steven Fine; Leiden: Brill, 2012), 273-275.

[53] Translation from R. Hugh Connolly, *Didascalia Apostolorum: The Syriac Version Translated and Accompanied by the Verona Latin Fragments, with an introduction and notes* (Oxford: Clarendon Press, 1929). Syriac text in Arthur Vööbus, ed., *The Didascalia Apostolorum in Syriac* (CSCO 401-402, 407-408, Syr. 175-176, 179-180; Louvain: Secrétariat du CorpusSCO, 1979).

[54] Whether they observed rabbinic laws of menstrual purity or adhered to the biblical laws in unclear, and for our purposes here not of great relevance.

[55] Connolly, *Didascalia Apostolorum*, 242 (ln. 11-15). Does the emphasis on the Holy Spirit in these passages indicate entanglement in the Messalian controversy (implying, perhaps, that some elements of the passages are later additions, or perhaps simply pointing to the Syriac milieu of the original controversial ideas)? On the Messalian controversy, see Columba Stewart, *Working the Earth of the Heart: The Messalian Controversy in History, Texts, and Language to A.D. 431* (Oxford: Clarendon Press, 1991).

[56] There is no indication that Jewish women refrained from attending the synagogue during this period, though in later centuries the separation of men and women in synagogue seating might have developed from more stringent attitudes towards ritual purity; Lee I. Levin, *The Ancient Synagogue: The First Thousand Years* (2nd ed.; New Haven: Yale University Press, 2005), 517, Zeev Safrai, "Dukhan, Aron and Teva: How was the Ancient Synagogue Furnished?" in *Ancient Synagogues in Israel* (ed. Rachel Hachlili; Oxford: B.A.R., 1989), 78-79, Cohen, "Menstruants and the Sacred in Judaism and Christianity," 273-299, and Cohen, "Purity and Piety," 103-116. During the period when the Temple stood, however, all forms of impurity were to be kept away from sacred spaces for fear of defilement, and in fact the main purpose of maintaining purity was to keep the sanctuary pure and holy; Cohen, "Purity and Piety," 105-106.

issues and the intercourse of marriage, but is ever and always with those who possess Him, and keeps them."[57] Baptism has purified these people once and for all, and bodily flows cannot annul the previous bestowal of the Holy Spirit through baptism.

Though the attack is addressed initially to *all* those who observe the laws of impurity, without explicit regard to gender, the text is soon readdressed more specifically to women who observe menstrual purity laws:

> For if you think, O woman, that in the seven days of your flux you are void of the Holy Spirit, if you die in those days, you will depart empty and without hope. But if the Holy Spirit is always in you, without (just) impediment do you keep yourself from prayer and from the Scriptures and from the Eucharist… For the Holy Spirit continues ever with those who possess Him; but from whom He departs, to him an unclean spirit joins himself.[58]

The strongest argument that the author puts forth is drawing out the logical implication of purity laws, namely that if a woman dies during her period of impurity, she dies as one devoid of the Holy Spirit. This, for the author, is a logical impossibility and a dreaded proposition for someone who has already been baptized.

God's instructions to Moses and Aaron in Lev 15:31 might lie behind this idea as it is presented in the *Didascalia*. In that biblical passage, which sums up the preceding laws of bodily impurities outlined in the chapter, the people of Israel are commanded to "separate from their impurity, lest they die in their impurity by defiling My Tabernacle that is in their midst." Picking up on the idea that one ought to separate from impurity for fear of dying during a period of impurity, the *Didascalia* departs from the biblical passage's intended original meaning and inverts the scenario: rather than reading the passage as a warning against defiling the Tabernacle, for which the heavenly punishment

[57] Connolly, *Didascalia Apostolorum*, 242 (ln. 15-19).
[58] Connolly, *Didascalia Apostolorum*, 244 (ln. 3-8, 29-30).

seems to be death, the author meditates on what happens to one who dies during her period of impurity. "Lest they die in their impurity" – and be void of the Holy Spirit, the *Didascalia* suggests, ironically and critically. By rereading and inverting a biblical injunction, this author deems the laws of menstrual purity as inherently flawed precisely because of the faulty temporal framework that creates stark contrasts between the different periods of time.

This text is very obviously a polemic. It reflects the negative views that its author had about the observance of Jewish purity practices, and makes a case for why those within the author's community ought not to follow such arcane rituals. As a polemic, the text reveals what the author thought about these laws, not how those who actually observed them regarded them (they presumably would have found the *Didascalia*'s negative description inaccurate and offensive). Nonetheless, that an outsider depicts adherence to purity laws in terms that emphasize the division of time into two distinct periods aligns well with the way in which many of the laws are framed also in biblical and rabbinic sources – as laws about properly dividing a woman's time based on the states of her bodily cycles. While the rabbis do not categorically elevate the status of the time of purity over the time of impurity, as the *Didascalia*'s author does, they do present the laws of purity as being about the division of time into two distinct states.

A second text that reveals contact on the subject of purity between the rabbinic community and those outside of it appears within the Babylonian Talmud in an apparent reference to the menstrual purity practices of Zoroastrian women. As discussed above, the Babylonian Talmud records a peculiar popular practice that arose among women to wait an additional seven days after the conclusion of menstruation before immersing in a

ritual bath and entering into a state of purity.[59] Rather than waiting a total of seven days from the onset of her menstruation (the practice recorded in Leviticus and elaborated upon in Palestinian rabbinic sources), this new custom nearly doubled the time during which a woman was considered impure by conflating the categories of *niddah* and *zavah*. Scholar Yaakov Elman has suggested that this custom of waiting an additional seven so-called "clean days" developed as Jewish women in Babylonia competed with their Zoroastrian counterparts over the piety of their menstrual practices.[60] That is, when women who adhered to rabbinic practices noticed that Zoroastrian women waited an extra day after their menstruation before emerging from their state of impurity, these Jewish women took upon themselves an even more stringent practice of waiting *several* days – in fact a full week – to make sure, beyond a doubt, that they were no longer in a state of impurity. Elman's analysis hinges on a peculiar turn of phrase in the Talmud's discussion of this custom: "the daughters of Israel were stringent on themselves that even if they see a drop of blood as [small as] a mustard seed they sit seven clean [days before purification]."[61] The Babylonian Talmud's choice of language, the notion that "the

[59] *b. Berakhot* 31a, *b. Niddah* 67b. As discussed above, the Babylonian Talmud considers all *niddot* to be *zavot* and therefore required to sit seven additional "clean" days after the cessation of bleeding.

[60] Yaakov Elman, "Middle Persian Culture and Babylonian Sages: Accommodation and Resistance in the Shaping of Rabbinic Legal Tradition," in *The Cambridge Companion to the Talmud*, 165-197, and on the Zoroastrian context for the increasingly stringent rabbinic attitude toward menstrual purity, see idem., "'He in His Cloak and She in Her Cloak': Conflicting Images of Sexuality in Sasanian Mesopotamia," in *Discussing Cultural Differences: Text, Context, and Non-Text in Rabbinic Judaism* (ed. Rivka Ulmer; Lanham, MD: University Press of America, 2007), 129-163. A different perspective on the development of this stringency, in which the conflation of the categories of *niddah* and *zavah* and thus women's requirement to add seven "clean" days to the time of their menstrual impurity is attributed to rabbinic (and thus male) innovation, rather than popular female practice, is found in Hauptman, *Rereading the Rabbis*, 156-160. Hauptman leaves open the possibility that the tendency toward stringency in later amoraic sources is related to Zoroastrian practice, 174 n.42.

[61] *b. Berakhot* 31a. The phrase "the daughters of Israel" appears several times in tractate Niddah (as well as throughout rabbinic sources), both in the context of justifying certain legal options, as in a debate between Hillel and Shammai about retroactive menstrual impurity (*b. Niddah* 3b), and in the context of new practices introduced as part of the menstrual purity laws that do not have a basis in the biblical passages, such as daily examinations (*b. Niddah* 4b, 5a), as well as in other contexts (e.g. *b. Niddah* 10b). In several

daughters of Israel were stringent on themselves," rather than a more typical Talmudic appeal to legal precedent or an attribution to a rabbinic figure, along with the reference to the measurement of a "mustard seed" (not a standard rabbinic measurement), suggest for Elman a popular origin for this practice of adding extra days to the end of a woman's time of menstrual impurity. The line could be understood as women themselves taking on this extra practice, or the trope could be an apologetic way of framing an imposition of rabbinic stringency on women.[62] While exegetical and legal considerations also figured into the development of this rabbinic tradition (as has been demonstrated by Shai Secunda in his study of this practice), Elman's innovative and provocative conclusion remains compelling.[63] The Zoroastrian practice of prolonging impurity beyond the time of menstruation played a role in influencing Jewish women (or rabbis!) to adopt a similar, and even more stringent, practice. In the Zoroastrian *Vidēvdād*, which devotes the beginning of its sixteenth chapter to the laws of menstrual purity, one of the features discussed is the practice of sitting in a menstrual hut (the *daštānistān*) after the conclusion of menstruation. The Young Avestan text reads: "If a woman sees blood when three nights have passed for her she should sit in a quiet place until four nights have passed her. If a woman sees blood when four nights have passed for her she should sit in

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cases, the reference to this group of women does seem to indicate some kind of popular practice, regardless of whether it originated as a rabbinic law and was practiced widely or began as a practice among women themselves; in *m. Niddah* 2:1, "the daughters of Israel" use two test rags, and "the pious" use three – one for the man, one for the woman, and one for the house. The phrase "daughters of Israel" and the ways in which such a group is invoked in passages that aim to add or justify seemingly stringent or arbitrary rules is an intriguing topic.

[62] A similar line about women adhering more stringently to the menstrual purity laws than even the rabbis mandated is recorded in *b. Niddah* 12b. Rabbi Kahana asks a group of women associated with R. Papa and R. Huna the son of R. Joshua if the rabbis require them to perform examinations after returning from the schoolhouse, and they answer that the rabbis do not. The anonymous layer of the text then asks why R. Kahana asked the women, rather than the rabbis, about the appropriate rules, and the text answers "because it is possible that they imposed additional restrictions upon themselves."

[63] Secunda, "Dashtana – 'ki derekh nashim li,'" 153-218.

a quiet place until five nights have passed for her," and so on, through a total of nine nights.[64] Secunda concludes, based on this source, that "since ancient times, Zoroastrian law does not permit women to purify themselves immediately upon the cessation of menstruation, but requires an extra day spent in the *daštānistān*."[65] The reasoning behind this extra day tacked to the end of the period of impurity in the Zoroastrian texts is the same as in the rabbinic sources: to ensure that a woman is truly in a state of purification and no longer bleeding. While many elements of these two practices differ, the principle of prolonging the time of impurity for the sake of establishing a woman's purity with more certainty underpins both systems.[66] If Elman's instinct is right, that rabbinic women altered their practices based on what they observed their Zoroastrian counterparts to be doing, then here is a fascinating example in which women's piety is represented by their willingness to reconfigure their times of purity and impurity by extending the duration of their impurity.

In the *Didascalia*, the polemic against the observance of the menstrual purity laws is characterized as a fundamental disagreement about the essence of time and the Holy Spirit's ability to transcend time. Women ought not divide their time into periods of purity and impurity because this division of time does not map onto their spiritual states. In the case of the Zoroastrian menstrual purity laws, the idea of extending the time of impurity in order to create a safety buffer as a transition back to purity might have triggered a competitive practice among Jewish women in Sasanian Babylonia, leading eventually to the addition of seven "clean days" after the end of menstruation. These

[64] V 16:8-10.
[65] Secunda, "Dashtana – 'ki derekh nashim li,'" 210.
[66] Like Hauptman, Secunda suggests that seven days are added in the rabbinic texts, rather than just one, as in the Zoroastrian texts, because the rabbis applied the biblical rules of the *zavah* to the *niddah*.

polemical exchanges and competition over piety between communities were in part about defining the essence of a woman's time, and by extension her identity.

Between Men's and Women's Times

One of the features of the menstrual purity laws highlighted by rabbinic sources is the linkage of a woman's body to her experience of temporality. A woman's time was, on one level at least, dictated by the laws of purity and impurity that marked her body's cycles and affected her relationship with others. As I have argued, female impurity's dependence on and shaping of a temporal framework distinguishes it from male impurity already in Lev 15, in which only women's impurity is defined, semantically and practically, by the cyclical time of her body (for men, impurity was occasional and unpredictable, and hence characterized as normal or abnormal based on the reason for emission, rather than the timing of a flow). Rabbinic texts recognize and also radically extend this temporal difference, if only implicitly, in the complex system of laws created to determine the onset and duration of menstrual impurity, and in the reconfiguration of women's times of impurity. These rules, even as they evolved through the rabbinic period, heightened the temporal aspects of this set of ritual practices for women, not only introducing retroactivity at its start and extending the duration at its end, but also instituting daily rituals of examination that transformed female impurity into a habitual task. At the same time, rabbinic texts, especially those from the amoraic period, downplay the temporal aspects of male impurity. While the laws of purity and impurity are presented in almost complete parallel in the biblical text and thus might have affected men and women's experience of the alternation of times in similar ways, bodily purity became much more of a woman's practice in the rabbinic period, especially as female

menstrual practices became more stringent and male practices were regarded more leniently and eventually fell out of use altogether. I have thus suggested that in the rabbinic period, it was specifically women's temporality that was characterized by the alternation between periods of purity and impurity.

Women who observed rabbinic law, then, turned inward, into their bodies, to mark time. Their bodies' rhythms and the structures imposed on them determined their times of purity and impurity, and by extension the way they conducted themselves at different times of the month, and the rituals they performed daily and monthly. This inward orientation is very different from what we discovered in the previous chapter, centered on the recitation of the Shema and, in turn, the larger category of time-bound commandments, in which men turn toward the celestial bodies (the sun, moon, and stars), and other external signs, to mark the appropriate times for rituals and prayers.[67] These

[67] Understanding women's exemption from positive time-bound commandments in light of women's biological rhythms and observance of menstrual purity has precedence in apologetic literature on women's roles in Judaism. What I will argue below, however, is not that women's exemption from positive time-bound commandments was a deliberate move made by the rabbis *because* women's biology already connected them to temporal rhythms that were ritualized through the laws of niddah and therefore they did not need the additional set of positive time-bound commandments in which men were obligated; I do not see evidence in the sources that the rabbis viewed these sets of rituals as parallel or causal. Rather, the *effect* of these gendered sets of commandments was the bifurcation of time for men and women, the workings and implications of which I have explored above. See Emanuel Rackman, "Arrogance or Humility in Prayer," *Tradition* 1.1 (1958): 16-17, and Norman Lamm, *A Hedge of Roses* (New York: Feldheim, 1966; repr. 1987), 68-78. Lamm writes: "Man urgently needs these time-oriented commandments so that he thereby be made aware of the sanctity of time… However, this holds true only for males. Women are excused from observing these commandments for the simple reason that they *do not need them*. A woman does not *need* the time-conditioned commandments, because she is already aware of the sanctification of time in a manner far more profound, far more intimate and personal, and far more convincing than that which a man can attain by means of the extraneous observances which he is commanded. For a woman, unlike a man, has a build-in biological clock. The periodicity of her menses implies an inner biological rhythm that forms part and parcel of her life. If this inner rhythm is not sanctified, she never attains the sanctity of time. But if she observes the laws of Family Purity, then she has, by virtue of observing this one *mitzvah*, geared her inner clock, her essential periodicity, to an act of holiness" (76-77). He concludes: "The laws of Family Purity are, therefore, a divine gift to woman, allowing her to attain the highest of all forms of sanctity. Her responsiveness to history… is internal, not external" (78). If Lamm's understanding of the motivation for exempting women were correct, one wonders why non-menstruating women (whether pregnant, nursing, or post-menopausal) are not required to fulfill positive, time-bound commandments. Like Lamm, Rackman writes: "From the point of view of

practices marked sacredness in time and created a temporality that shifted between sacred and profane moments.

This distinction of times is not neutral, however: not only was men's time divided into sacred and non-sacred moments while women's time alternated between periods of purity and impurity. Rituals that marked men's time usually oriented the subject towards God, for the purpose of establishing a relationship with the divine (e.g. the Shema prayer), while rituals that marked women's time functioned to turn the subject's attention inward, towards the body, for the purpose of establishing or refraining from a relationship with other people and objects. While earlier sources present both these sets of rituals as constitutive of men's *and* women's experiences and observances (there is no exclusion, it seems, of women from most festival-related rituals, and as we have seen, men were prone to impurity as were women in pre-rabbinic times), rabbinic Judaism creates a stark division of labor in which men are most strongly associated with one form of temporality (described in positive terms: marking sacredness) while women become associated with another form of temporality (described mostly in negative terms: marking impurity and the transition out of impurity), resulting in gender-differentiated time(s).

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rituals, women were not obligated to perform many commandments. They were permitted to perform them, if they so chose. But whenever the commandment (and there were exceptions here too) involved a limitation in time, they were exempt… A careful examination of Talmudic sources reveals that the Law's difference between men and women was based on nature and natural function, and not on social or economic considerations. Now, nature has not endowed males with any 'built-in' apparatus for measuring time. In order that man learn to sanctify time, the Law ordains for him many commandments which are governed by a calendar and a clock. Women, on the other hand, by the very nature of their physical constitution and the requirement of the Law with regard to their menstrual periods, needed little more to make them aware of the sanctity of time. Their natural periodicity has been geared to holiness by the Halakhah… For woman 'the pattern is in time with the seasons of the earth.' In her own body she reproduces 'the pattern of the evolving earth.' Perhaps it was some such insight that the tradition had captured in the Law" (17).

PREGNANT WITH MEANING: WOMEN'S BODIES AS SITES OF TIME

The previous chapter demonstrated the ways in which rabbinic menstrual purity laws created an alternative temporal framework that both was dictated by and defined women's bodies. As we will see in this chapter, women's bodies were rhetorically employed in other discussions about time beyond matters of purity in rabbinic and non-rabbinic sources as well. While my analysis of the laws of menstrual purity highlighted the ways in which temporal cycles marked actual women's bodies, metaphorical invocations of women's bodies were yet another interrelated way of marking time. Because the concept of time is so abstract, metaphors often provide helpful channels through which to articulate ideas about time that might otherwise not find expression. In several ancient Jewish sources, inscribing women's bodies onto temporal processes proved to be a particularly evocative – and effective – rhetorical strategy for expressing ideas about time.

Such metaphors are not merely rhetorical, however. In George Lakoff and Mark Johnson's discussion of the metaphor "time is money," they demonstrate how the metaphor illuminates Western culture's view of time as a commodity and a limited resource and the interconnectedness between time and money.[1] They write:

> Corresponding to the fact that we *act* as if time is a valuable commodity – a limited resource, even money – we *conceive* of time that way. Thus we understand and experience time as the kind of thing that can be spent, wasted, budgeted, invested wisely or poorly, saved, or squandered… This isn't a necessary way for human beings to conceptualize time; it is tied to our culture. There are cultures where time is none of these things.[2]

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[1] George Lakoff and Mark Johnson, *Metaphors We Live By* (Chicago: University of Chicago Press, 1980), 7-9.

[2] Lakoff and Johnson, *Metaphors We Live By*, 8-9. The example of the metaphor "time is money" is one of several the authors discuss to further their argument that metaphors have real-world implications. They

In ancient Jewish culture, one of the dominant metaphors used for time is that of a woman's body and its cycles (menstruation, pregnancy, labor and birth, fertility). If we follow Lakoff and Johnson's metaphor theory, such metaphors function as a way of ordering how ancient Jewish culture thought about time, and in turn how ancient Jews regarded their relationship with time. So while it is possible to see the use of women's bodies in metaphors of time as yet another case of women being "good to think with," as Claude Lévi-Strauss famously put it, applying Lakoff and Johnson's work here compels us to grant that metaphors do more than simply reflect an independent concept.[3] When the processes of women's bodies are used in temporal metaphors, the dynamics of these processes inform the way in which people understand the various concepts involved – time, gender, the female body. Women's bodies were not only "good to think with," but they changed people's fundamental conceptions of time by being used as central metaphorical systems.

Ancient Jewish texts often invoke metaphors of pregnancy, labor, and birth in relation to the anticipation of a nearing eschatological time: themes linking the suffering of labor to the chaos of exile and judgment are already found in the Hebrew Bible (including 2 Kings 19, Isaiah 26, 42, and 66, Jeremiah 6, 13 and 49, Hosea 13, Micah 4-5

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write in their introduction: "The concepts that govern our thought are not just matters of the intellect. They also govern our everyday functioning, down to the most mundane details. Our concepts structure what we perceive, how we get around in the world, and how we relate to other people. Our conceptual system thus plays a central role in defining our everyday realities. If we are right in suggesting that our conceptual system is largely metaphorical, then the way we think, what we experience, and what we do every day is very much a matter of metaphor" (3). In some cases, metaphors "structure the actions we perform" (4).

[3] On the idea of using women "to think with" and a discussion of Lévi-Strauss, see Peter Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York: Columbia University Press, 1988), 153-159; Elizabeth Clark, "Women, Gender, and the Study of Christian History," *Church History* 70.3 (2001): 422-242; idem., "Thinking with Women: The Uses of the Appeal to 'Woman' in Pre-Nicene Christian Propaganda Literature," in *The Spread of Christianity in the First Four Centuries: Essays in Explanation* (ed. William Vernon Harris; Leiden: Brill, 2005), 43-51, esp. 43; Shelly Matthews, "Thinking of Thecla: Issues in Feminist Historiography," *Journal of Feminist Studies in Religion* 17 (2001): 39-55.

and Psalms 48), and are further developed with regard to the approaching end of time and the anticipation of a new age in passages in 4 Ezra 4, Mark 13, Romans 8, and tractate Sanhedrin of the Babylonian Talmud.[4] Metaphors of women's bodies are also used when discussing calendrical time, including the observation of the moon and the sanctification of new months, especially in early rabbinic texts. In all of these sources, the temporality of women's bodies becomes a particularly apt metaphor for capturing the abstract and often fleeting idea of time.[5] What is particularly fascinating is the application of such physical metaphors concerning women's *bodies* to describe inherently *intangible* ideas about time, such as waiting, anticipating, delaying, accelerating and eventually fulfilling.

The pregnant and birthing mother image was used in ancient Jewish sources in two primary ways that I will study here. First, the anticipation of the coming child and the agony of the delivery was related by biblical, second temple, and New Testament authors to exile, redemption, and eschatology. For the rabbis, who (as Schiffman and others have argued)[6] were much less focused on redemption and messianic expectations than the authors of earlier sources, the metaphor was applied not only to the end of time but more prominently to the calculation and regularization of daily and monthly time, that is, to the cycle of the moon and the lunar-solar calendar. In this chapter, I explore both the use and development of metaphors of female bodies to describe these various temporal processes and the multiple ways in which these processes gained metaphorical

[4] I use the term "eschatological" loosely here, as the concept of the "end-times" evolved significantly during antiquity. See e.g. John J. Collins, "The Beginning of the End of the World in the Hebrew Bible," in *Thus Says the Lord: Essays on the Former and Latter Prophets in Honor of Robert R. Wilson* (ed. John J. Ahn and Stephen L. Cook; New York: T&T Clark, 2009), 137-155.

[5] In *More Than Cool Reason: A Field Guide to Poetic Metaphor* (Chicago: University of Chicago Press, 1989), George Lakoff and Mark Turner discuss the use of grounded metaphors, which are often derived from physical experiences, to "conceptualize the nonphysical" (59); discussed with regard to biblical metaphors in David H. Aaron, *Biblical Ambiguities: Metaphor, Semantics, and Divine Imagery* (Boston: Brill Academic, 2002), 104.

[6] Schiffman, "Messianism and Apocalypticism in Rabbinic Literature," 1053-1072.

significance in descriptions of the eschatological end-times and in discussions of calendars and calendrical time.

Ironically, the particular instances in which women's bodies are invoked – eschatological and calendrical time – are ones in which actual women usually did not participate. As I explore in the conclusion, this figurative invocation of women's bodies as a way of marking time involves the elision of actual women from the social, political, and religious events being metaphorically described. According to rabbinic theology and law, for example, women typically do not play an active role in hastening the redemption, nor are they permitted to serve as witnesses for observing the moon. The use of such metaphors of the female body, I will argue, might even contribute to the exclusion of real women from partaking in the processes described.

Ultimately, this chapter argues that to gain a more complete understanding of ancient Jewish conceptions of time, we must pay careful attention to the language used to describe and define time. The male authors of ancient Jewish texts, I argue, frequently looked toward women (or their imagination and legislation of women's bodies) in developing their temporal lexicon. The chapter thus concludes with reflections on the implications of this argument for our understanding not only of ancient Jewish conceptions of time or ancient Jewish conceptions of women, but also the relationship between the two. Our ancient Jewish authors could hardly imagine time without appealing to their understanding of women, and they regularly imagined women in temporal terms.

Eschatological Time

Mourning the destruction of the Second Temple, the first-century C.E. historical apocalypse 4 Ezra attempts to come to terms with matters of theodicy and the author's hope for redemption through a series of dialogues and revelatory visions between Ezra and the angel Uriel. Set in Babylon in 557 B.C.E., shortly after the destruction of the first temple, the text describes Ezra's fear that "on account of us the time of threshing [redemption] is delayed for the righteous – on account of the sins of those who dwell on earth."[7] Ezra worries that God has postponed the end of days from its original timing because of the people's improper behavior, and that as a result redemption will not occur at its preordained time. The archangel answers Ezra: "Go and ask a woman who is with child if, when her nine months have been completed, her womb can keep the child within her any longer."[8] Here, the angel evokes the metaphor of pregnancy and birth to capture the inevitability of redemption at the end of days – at the proper time.[9] When Ezra

[7] 4 Ezra 4:39; translation by B. M. Metzger in *The Old Testament Pseudepigrapha*, vol. 1, 531. On feminine imagery and the metaphor of Mother Earth in 4 Ezra, see Karina Martin Hogan, "Mother Earth as a Conceptual Metaphor in 4 Ezra," *Catholic Biblical Quarterly* 73.1 (2011): 72-91. The use of feminine bodily imagery to describe eschatological time seems to stem from a more overarching and basic metaphor of the earth as a mother that pervades 4 Ezra, as Martin Hogan demonstrates in her article, and might lie behind the use of this metaphor in other texts as well given that the theme of the earth as mother is already found in biblical sources. On imagery of the womb in 4 Ezra, see Eduard Iricinschi, "Interroga matricem mulieris: The Secret Life of the Womb in *4 Ezra* and Sethian Cosmology," in *Envisioning Judaism: Studies in Honor of Peter Schäfer on the Occasion of his Seventieth Birthday*, II.751-770, esp. 757-760 on the womb and its relationship to ideas about time.

[8] 4 Ezra 4:40.

[9] To be sure, metaphors of childbirth were used to other ends in antiquity as well. Denise Kimber Buell discusses the use of metaphorical procreation to describe the process of thinking in Plato's *Theaetetus* (210c), in which Socrates serves as the midwife who assists the learner (Theaetetus) and teacher (Theodoros) through pregnancy and labor, in *Making Christians: Clement of Alexandria and the Rhetoric of Legitimacy* (Princeton: Princeton University Press, 1999), 54ff. Buell explains that "when Theaetetus expresses distress over such questions as 'What is knowledge?' Sokrates reassures him that 'those are the pains of labor, dear Theaetetus. It is because you are not barren but pregnant' (148e)" (55). Ephrem's meditations on paradise also include vivid imagery of wombs, childbirth, and nursing in erotic and maternal contexts, which also often allude to the end of days; Kathleen E. McVey, "Images of Joy in Ephrem's Hymns on Paradise: Returning to the Womb and the Breast," *Canadian Society for Syriac Studies* 3 (2003): 59-77, and idem., "Ephrem the Syrian's Use of Female Metaphors to Describe the Deity," *Zeitschrift für Antikes Christentum* 5 (2001): 261-288. See also Sebastian Brock, *The Luminous Eye: The Spiritual World*

answers that a woman cannot delay birth, the angel continues: "In Hades the chambers of the souls are like the womb. For just as a woman who is in travail makes haste to escape the pangs of birth, so also do these places hasten to give back those things that were committed to them from the beginning."[10] Considering himself as living during the "labor pains" of the end-times, and dealing with the anxiety that the promised messianic end might *not* come, the author of 4 Ezra tries to assure his skeptical reader, through the angel's words, that salvation will occur at the appropriate time; in fact, it will transpire fact as soon as possible, just as a woman tries her best to birth her baby in haste to avoid a prolonged, and increasingly painful, labor.[11] In his study of womb imagery in 4 Ezra, Iricinschi observes that the author of the text "starkly emphasizes the value of womb metaphors for a proper understanding of the *timing* of divine decisions, which – while wholly natural – remain fundamentally mysterious."[12] The metaphor that links

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Vision of Saint Ephrem the Syrian (Kalamazoo, Mich.: Cistercian Publications, 1992), 25, 91-92, 171; idem., "The Holy Spirit as Feminine in Early Syriac Literature," in *After Eve: Women, Theology, and the Christian Tradition* (ed. Janet Martin Soskice; London: 1990), 73-88; and Tanios Bou Mansour, *La Pensée symbolique de Saint Ephrem le Syrien* (Kaslik: Bibliothèque de l'Université Saint-Esprit, 1988), 81-83.

[10] 4 Ezra 4:42. Martin Hogan ("Mother Earth," 79) points out that the analogy between the underworld and the womb is a common trope in biblical texts, including Gen 3:19, Ps 139:13-15, and Ben Sira 40:1; on this theme, see Nicholas Tromp, *Primitive Conceptions of Death and the Netherworld in the Old Testament* (Rome: Pontifical Biblical Institute, 1969), 122-124. On the earth as a womb for the living, see 4 Ezra 5:46-49, "Even so have I given the womb of the earth to those who from time to time are sown in it…" discussed in Martin Hogan, "Mother Earth," 80.

[11] The birthing metaphor works in conjunction with the idea of reaping the harvest of what is previously sown, explained by the angel in 4 Ezra 4:26-32: "If you are alive, you will see, and if you live long, you will often marvel, because the age is hastening swiftly to its end. For it will not be able to bring the things that have been promised to the righteous in their appointed times, because this age is full of sadness and infirmities. For the evil about which you ask me has been sown, but the harvest of it has not yet come. If therefore that which has been sown is not reaped, and if the place where the evil has been sown does not pass away, the field where the good has been sown will not come. For a grain of evil seed was sown in Adam's heart from the beginning, and how much ungodliness it has produced until now, and will produce until the time of threshing comes!" Martin Hogan emphasizes that the use of birth and agricultural metaphors are invoked here to stress that, like these natural processes, the end-times are pre-determined by divine providence: "The assumption underlying these analogies seems to be that just as the natural order is fixed by divine providence, so are the events of the end-time; and though the divine plan for the end-time is beyond the reach of human knowledge, it is possible to infer something about divine providence by observing and reasoning from the natural order" (Hogan, "Mother Earth," 78).

[12] Iricinschi, "Interroga matricem mulieris," 758, emphasis added.

eschatological time with birth thus captures a number of aspects: first, the specific time (the day and hour) of a child's birth is, like redemption, unknown and unexpected, but birth, like redemption, is inevitable; second, the time of birth cannot be hastened or postponed; third, the labor that precedes birth is painful, and thus would not be drawn out unnecessarily, but it also signals the imminence of the better days of redemption that will soon – and surely – follow.

The pains of labor and the birthing process also served as an apt metaphor for tapping into the fear associated with an anticipated time of judgment and redemption because childbirth in antiquity was a terrifying event. With high maternal and infant mortality rates, childbirth was a time not only of pain and new life, but also often of death and uncertainty.[13] When ancient texts draw on this metaphor, then, they do so in part to

[13] Death of mothers in childbirth is discussed in rabbinic sources, e.g. *m. Shabbat* 2:6 and *t. Shabbat* 2:10, on which see Judith Hauptman, "A Synchronic and Diachronic Reading of Mishnah Shabbat 2:6: On the Topic of Why Women Die in Childbirth," in *Envisioning Judaism: Studies in Honor of Peter Schäfer on the Occasion of his Seventieth Birthday*, I:475-486. On rates of death during childbirth (estimated at 5-10%), see Aline Rousselle, "La politique des corps: entre procreation et continence à Rome," in *Histoire des femmes en Occident* (ed. Georges Duby and Michelle Perrot; Paris: Plon, 1991), 1:321-323, cited in Iricinschi, "Interroga matricem mulieris," 767. Such fears were addressed in part through magical practices aimed at protecting women's wombs. *Sefer haRazim*, for example, instructs that four silver lamellae be hung on the four walls of the room in which a woman gives birth, each with incantations to ward off Lilith, the female demon who was believes to cause mothers and newborns to die during childbirth; discussed in Margaretha L. Folmer, "A Jewish Childbirth Amulet from the Bibliotheca Rosenthaliana," in *Tradition and Innovation in Biblical Interpretation* (Leiden: Brill, 2011), 224, esp. n.7-8, and Philip S. Alexander, "Incantations and Books of Magic," in *The History of the Jewish People in the Age of Jesus Christ, 175 B.C. – A.D. 135* vol. 3.1 (ed. Emil Schürer, rev. and ed. Geza Vermes, Fergus Millar, and Martin Goodman; Edinburgh: T & T Clark, 1986), 349. Childbirth amulets protecting mothers and born and unborn children have been published in James Alan Montgomery, *Aramaic Incantation Texts from Nippur* (Cambridge: Cambridge University Press, 2011), 259-260; Lawrence H. Schiffman and Michael D. Swartz, *Hebrew and Aramaic Incantation Texts from the Cairo Geniza: Selected Texts from Taylor Schechter Box K1* (Sheffield: JSOT Press, 1992), 32, 41, 46-47, 56, 60, 77 (about TS K1.18 and TS K1.18/30); Isbell, *Corpus of Aramaic Incantation Bowls*, 56-57, 152; Dan Levene, *A Corpus of Magic Bowls: Incantation Texts in Jewish Aramaic from Later Antiquity* (London: Routledge, 2003), 40-43 (M101) and 93-98 (M142); Campbell Bonner, *Studies in Magical Amulets Chiefly Graeco-Egyptian* (Ann Arbor: University of Michigan Press, 1950), 92-93; and *PGM* VII.260-271. See also the studies by Jean-Jacques Aubert, "Threatened Wombs: Aspects of Ancient Uterine Magic," *Greek, Roman, and Byzantine Studies* 30 (1989): 421-449; Alphonse A. Barb, "*Diva Matrix:* A Faked Gnostic Intaglio in the Possession of P.P. Rubens and the Iconology of a Symbol," *Journal of the Warburg and Courtauld Institutes* 16 (1953): 193-238; B. Thierry de Crussol des Epesse, "Le sang et les intailles magiques gynécologiques gréco-égyptiennes: Un

recall that moments of crisis, including exile and the eschaton, would inevitably bring with them great loss along with redemption. It is not only the seemingly unbearable pain that is relieved with the birth of a child, but also the potential (and often actual) loss of life itself upon which the metaphor draws. While the sources regard pregnancy as a natural event and its timing as typically inevitable, they also recognize that pregnancy is prone to disruption – miscarriage, still birth, premature birth, maternal mortality.[14] These events are regarded as simultaneously natural and inevitable parts of the process, and yet also as disruptions of the natural order of the world.

The association of disaster, and especially war, with laboring and birthing metaphors appears as early as the Hebrew Bible and is developed further in literature composed after the destruction of the Second Temple. The idiom "the birth pangs of the Messiah," used for the first time in the rabbinic sources to refer to the catastrophes anticipated before the appearance of the messiah, is thus anchored in a long metaphorical tradition.[15]

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example d'une greffe antique de la magic sur la science," in *Charmes et sortileges: Magie et magiciens* (ed. R. Gyselen; Bures-sur-Yvette: Groupe pour l'étude de la civilisation du Moyen-Orient, 2002), 275-281.

[14] These events were discussed in ancient medical literature as well. The Hippocratic Corpus, which still circulated in late antiquity, includes extensive discussions of gynechological matters (one treatise is dedicated to matters relating to "the barren woman"), as did Soranus' *Gynecology* and Galen's *On the Natural Faculties*; see Ann Ellis Hanson, "Continuity and Change: Three Case Studies in Hippocratic Gynecological Therapy and Theory," in *Women's History and Ancient History* (ed. Sarah B. Pomeroy; Chapel Hill: University of North Carolina Press, 1991), 73-110. A second century B.C.E. Greek embryological calendar outlines the schedules of babies born in the seventh, eighth, ninth, and tenth month of gestation, discussed in Holt N. Parker, "Greek Embryological Calendars and a Fragment from the Lost Work of Damaste, on the Care of Pregnant Women and of Infants," *Classical Quarterly* 49.2 (1999): 515-534. See also Ann Ellis Hanson, "The Eight Months' Child and the Etiquette of Birth: 'Obsit Omen!'" *Bulletin of the History of Medicine* 61 (1987): 589-602, and Marie-Hélène Marganne, *Inventaire analytique des papyrus grecs de médicine* (Geneva: Librairie Droz, 1981), 124-125.

[15] חבלו של משיח in *Mekhilta de-Rabbi Ishmael* Vayassa' VI (ed. Lauterbach, 245), *b. Sanhedrin* 98b, *b. Shabbat* 118a, and *b. Pesahim* 118a; חבלי משיח in *b. Ketubbot* 111a.

In some biblical texts, the emphasis of the pregnancy-birth metaphor is not on inevitability and other temporal aspects of redemption but on crisis and suffering.[16] Two passages from Jeremiah about the impending exile and the judgment of Damascus exemplify this trend: in chapter 13, a rhetorical question is posed, "Shall not pangs seize you like a woman in childbirth?" (הלוא חבלים יאחזוך כמו אשת לדה) and in chapter 49, Damascus is described as weak and trembling, "pain and anguish have taken hold of her, like a woman in childbirth" (צרה וחבלים אחזתה כיולדה).[17] The two passages use the same verb, אחז, but there is a grammatical reversal: in the latter, the labor pains grab the woman, in the latter, the opposite occurs, the woman grasps the pain.[18] Isaiah 13:6-9 also evokes the pain of labor to describe the agony preceding the "day of the Lord":

> Howl! For the day of the Lord is near; it shall come like havoc from Shaddai. Therefore all hands shall grow limp, and all men's hearts shall sink; and, overcome by terror, they shall be seized by pangs and throes, writhe like a woman in childbirth (צירים וחבלים יאחזוך כיולדה יחילון)… The day of the Lord is coming with pitiless fury and wrath.[19]

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[16] See Claudia D. Bergmann's study of these biblical texts as well as the more limited use of such birth metaphors in texts from the Ancient Near East in *Childbirth as a Metaphor for Crisis: Evidence from the Ancient Near East, the Hebrew Bible, and 1QH XI, 1-18* (Berlin: Walter de Gruyter, 2008). See also Sarah Dille, *Mixing Metaphors: God as Father and Mother in Deutero-Isaiah* (London: T & T Clark, 2004), esp. 41-73, and Amy Kalmanofsky, "Israel's Baby: The Horror of Childbirth in the Biblical Prophets," *Biblical Interpretation: A Journal of Contemporary Approaches* 16 (2008): 60-82.

[17] Jer 13:21 and 49:24. The metaphor is most prevalent in the prophetic literature. See e.g. Jer 6:24, in which again the imagery of labor represents general and extreme suffering, "anguish has taken hold of us, pain as of a woman in labor" (NRSV) and Isa 21:3, which emphasizes the same theme, "therefore my loins are filled with anguish, pangs have seized me like the pangs of a woman in labor" (NRSV), as do Jer 4:31 ("For I heard a cry as of a woman in labor, anguish as of one bringing forth her first child, the cry of daughter Zion gasping for breath, stretching out her hands, 'Woe is me! I am fainting before killers!'"), 22:23 ("O inhabitant of Lebanon, nested among the cedars, how you will groan when pangs come upon you, pain as of a woman in labor!"), 30:6-7 ("As now, and see, can a man bear a child? Why then do I see every man with his hands on his loins like a woman in labor? Why has every face turned pale? Alas! That day is so great there is none like it, it is a time of distress for Jacob, yet he shall be rescued from it"), and 50:43 ("…anguish seized him, pain like that of a woman in labor"). More comprehensive lists and analyses of the sources are found in Bergmann, *Childbirth as a Metaphor for Crisis*, 60-163, and Dille, *Mixing Metaphors*, 52-72.

[18] There is also an ironic, and painful, reversal in Jeremiah 30:6, "Why then do I see every man with his hands on his loins like a woman in labor?"

[19] See also Isa 26:17 (כמו הרה תקריב ללדת תחיל תזעק בחבליה). Here and elsewhere, the association of birth with pain might evoke Gen 3:16, in which labor pains are presented as a punishment for Eve's sin.

In these sources, the imagery of a laboring woman serves to highlight the *pain* of humankind in a variety of contexts (exile, destruction, judgment), not the relief that will surely follow.[20]

Laboring and birthing imagery is also invoked in Isaiah and elsewhere to describe the additional *temporal* dimensions of redemption, a theme that texts composed after the destruction of the Second Temple in 70 C.E. (such as the 4 Ezra metaphor mentioned above) expand upon in greater detail as the concept of an end-times continued to develop. In a passage from Isaiah 42, the text speaks in God's voice: "I have been quiet for an eternity. I have been still and restrained myself, I will wail like a woman giving birth (כיולדה אפעה); I will blow and gasp…"[21] This is the only instance in the entire Hebrew Bible in which God is described as a woman in labor. The eternity of silence will be broken by God's uncontrollable crying in the throes of childbirth. Sarah Dille writes of the temporal aspect of this passage: "The fruition of YHWH's period of apparent silence is as *inevitable* as labor. What has been germinating and gestating will come to birth… Birth comes after a time at the right time, and comes inevitably."[22] These are all ideas

[20] Bergmann writes: "If ancient texts want to describe the dire experiences of males (and of humanity), they often use part of the female experience as a metaphor. Male (and human) behavior in times of terrible crisis mirrors female behavior, at least in the eyes of the people who wrote the texts in question. And thus, when a crisis is so all encompassing, so painful, and so threatening that the person experiencing it stands at the threshold between life and death, when the future of a man in crisis becomes uncertain, the Birth Metaphor becomes the metaphorical lens through which this type of crisis is seen. Thus, 'giving birth' becomes one of the metaphors that helped interpret human history by analogy with the history of a female human being" (218). Iricinschi offers a somewhat different reading of such imagery in 4 Ezra: "The process of healing may have started with a repeated injunction to open a line of communication to the feminine element at work in God's creation. The first two visions of *4 Ezra* include iterative exhortations to understand the divine stance on Jerusalem's destruction by inquiring into the procreative roles of the female reproductive system. Ezra is repeatedly advised by the angel to shift his object of interrogation from the Lord's authority to the wombs of women (5:46) or to women pregnant or in labor (4:40; 5:51)…" (761) and "in the end, the evil heart stands corrected by the wise womb" (770).

[21] Isaiah 42:14. On this passage and the juxtaposition of God as warrior and laboring woman, see also Katheryn Pfisterer Darr, "Like Warrior, Like Woman: Destruction and Deliverance in Isaiah 42:10-17," *Catholic Biblical Quarterly* 49 (1987): 560-571; on the textual difficulties of the passage, pp. 562-564.

[22] Dille, *Mixing Metaphors*, 70.

that the text tries to capture in its image of God as a laboring woman. The passage then evokes the idea that, at the necessary time, even God, who has withdrawn himself, will emerge from silence and cry out. Of course, the intensity, pain, and visceral auditory response of God is an essential part of the experience: God's wailing, blowing, and gasping are all simultaneously emphasized.[23] Three elements are thus combined in this passage to communicate the intensity of the moment: the anguish of labor, the power needed to sustain such suffering, and its occurrence at a very specific time. The pregnancy and birth metaphor thus functions both to highlight the intensity of the experience, as well as its inevitable timing.

Dille further juxtaposes the inevitability of God's breaking his silence with a passage from Hos 13:13 about God's dissatisfaction with Israel and his subsequent judgment of the people. The verse describes what happens when the natural process of birth is disrupted (and time, as a result, becomes unreliable): "the pangs of childbirth (חבלי יולדה) come for him, but he is an unwise son; for at the proper time he does not present himself at the mouth of the womb (כי עת לא יעמד במשבר בנים)."[24] In this passage, the son fails to emerge at the proper time in the laboring process. The unnatural aspect of halting labor is also used in other biblical contexts. In 2 Kings 19:3, too, the natural order of birth is not followed, but this time the emphasis is not on the failure of the child to

[23] Pfisterer Darr argues that the main reason for the simile of God laboring, especially in conjunction with the simile of God as warrior, is to convey God's power through the paired associations of warrior and laboring woman ("Like Warrior, Like Woman," 560-571).

[24] NRSV. An opposite evocation of unnatural timing in birth as an indication of approaching end-times appears in 4 Ezra 6:21, "Infants a year old shall speak with their voices, and women with child shall give birth to premature children at three or four months, and these shall live and dance" (Martin Hogan, "Mother Earth," 81). Here, even those born *not in their proper time* will flourish; the passage is not strictly a metaphor, but rather a description of the miraculous – and nature-defying – features of the end of the age. See also 2 Baruch 73:7, about the cessation of pain during childbirth as a feature of redemption.

emerge but on the mother's lack of strength to birth her offspring.[25] In the midst of a frightening confrontation with the king of Assyria, King Hezekiah of Judea sends a message to the prophet Isaiah: "this day is a day of distress, of chastisement, and of disgrace. The babes have reached the birthstool, but the strength to give birth is lacking (כי באו בנים עד משבר וכח אין ללדה)."[26] Here, King Hezekiah articulates the feeling of impasse through the metaphor of the birthing process arrested before it is complete, a parallel to his frustrated relations with the king of Assyria. The two metaphors of childbirth in these passages represent a time that is expected and assumed to be inevitable, and yet for a variety of reasons it does not materialize. If the baby fails to arrive or its emergence from the womb is interrupted at the anticipated time, nature has been undone.

In addition to sources that describe prolonged or stalled processes of birth, still other biblical texts employ these metaphors for the opposite effect, to refer to a rapid conclusion of a process that was expected to be much longer. Consider, for example, the ways in which Isa 66:7-12 utilizes the theme of time in its description of a metaphorical birth:

> Before she labored, she delivered (בְּטֶרֶם תָּחִיל, יָלָדָה);
> Before her pang came, she bore a son (בְּטֶרֶם יָבוֹא חֶבֶל לָהּ, וְהִמְלִיטָה זָכָר).
> Who ever heard the like?
> Who ever witnessed such events?
> Can a land pass through travail in a single day (היוחל ארץ ביום אחד)?[27]
> Or is a nation born all at once?
> Yet Zion travailed (כי חלה)
> And at once bore her children!

[25] Grammatically, the lack of strength could be either the child's or the mother's, but in context it seems more likely that the passage refers to the mother's shortcoming.
[26] See the parallel in Isa 37:3, in which precisely the same language is used:
כי באו בנים עד משבר וכח אין ללדה.
[27] The term used in this passage for "travail" is one reserved for childbirth contexts. The root חיל is used three times in these first two verses, and is the verbal form of the noun for labor pains.

Shall I who bring on labor not bring about birth? Says the Lord.
Shall I who cause birth shut the womb? Said your God.
Rejoice with Jerusalem and be glad for her,
All you who love her!
Join in Jubilation,
All who mourn over her –
That you may suck from her breast
Consolation to the full,
That you may draw from her bosom
Glory to the full.[28]

This passage both evokes the metaphor of labor pangs and uses the inverted sequence – birth before labor – to emphasize Zion's swift and relatively painless delivery, the discomfort miraculously short (or non-existent). The redemption of Zion is regarded as miraculous because it abbreviates a process that is, in the natural order, much longer and more painful. Here, in other words, the birth metaphor is used not to highlight pain but to emphasize the absence of pain, and the possibility that a process that is expected to be lengthy can, if God so wills it, be remarkably brief.

Thus far, some texts use the metaphor of pregnancy and birth to emphasize pain while others do so to refer to the passage of a temporal process with an anticipated, if not always precisely known, end. Micah 4-5 draws together these two senses of the metaphor. At first, the pains of women are evoked to describe the experience of Israel's torturous exile and subsequent salvation from their enemies: "Writhe and labor to bring forth, O daughter Zion, like a woman in travail (חוּלִי וָגְחִי בַּת צִיּוֹן, כַּיּוֹלֵדָה)! For now you must leave the city and dwell in the country, and you will reach Babylon. There you shall be rescued, there the Lord will redeem you from the hands of your enemies."[29] The labor terminology parallels similar language in Job 38:8, in which the text describes the

[28] NJPSV trans., 998.
[29] Micah 4:10; NRSV translation with some modification. The NJPSV translation reads "like a woman in travail," emphasizing the idea of crisis and despair but dispensing with the birth metaphor (pg. 1346).

creation of the world: "Who closed the sea behind doors when it gushed forth out of the womb (בגיחו מרחם יצא)?"[30] In the Job passage, the sea is created at the beginning of time by slithering out from a womb, while in the passage from Micah the daughter of Zion is likened to a woman in labor at the beginning of a redemptive moment. God contains the sea behind a barrier, preventing it from overwhelming the world, whereas the daughter of Zion's writhing in pain ends with God's redeeming and setting her free. Then, the *timing* of the labor and birth process becomes central in the passage from Micah: "from you shall come forth for me one who is to rule in Israel, whose origin is from of old, from ancient days. Therefore he shall give them up until the time when she who is in labor has brought forth (עַד עֵת יוֹלֵדָה יָלָדָה)."[31] Here, quite literally the "time" (עֵת) is what is important: only once the woman has birthed – that is, she (and by implication the people of Israel) has withstood the torments of labor – will the messiah figure begin paying attention to the people.[32]

1QH, from the Hodayot at Qumran, picks up on these biblical themes and uses an extended birthing metaphor about two mothers and two children, one of whom is born successfully and the other not, to describe the approaching eschaton. The metaphor begins: "I am in distress like a woman giving birth to her first-born (אשת לדה מבכריה)."[33]

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[30] A following verse, 38:10, also includes reference to breakers and other terms related to the birth metaphor ("When I made breakers My limit for it, and set up its bars and doors ואשבר עליו חקי ואשים בריח ודלתים"), and the passage seems to reference Job's opening lament in 3:10-11 with its similar use of words and images ("Because it did not block my mother's womb [כי לא סגר דלתי בטני], and hide trouble from my eyes. Why did I die at birth, expire as I came forth from the womb [מבטן יצאתי ואגוע]?"). See also Job 1:21, "Naked came I out of my mother's womb, and naked shall I return there…" though the terminology employed differs here (NJPSV trans.).

[31] Micah 5:2-3 NRSV.

[32] Consider Hosea 13:13 as well: "Pangs of childbirth assail him [Ephraim], and the babe is not wise – for this is no time (עת) to survive at the birthstool of babes."

[33] 1QH XI 7. The text and translation is found in Bergmann, *Childbirth as a Metaphor for Crisis*, 172-173, and García Martínez and Eibert Tigchelaar, *The Dead Sea Scrolls Study Edition* vol. 1, 164-165. See also

The first-person narrator channels the pain and emotional turmoil of this sui generis experience to shed light on personal anguish. While the first mother's labor pains ("deathly breakers")[34] give way to the delivery of a male son, the text details how the second mother progresses deeper into pain with a number of additional metaphors: "the foundations of the wall shake like a ship on the surface of the sea," "the clouds roar with roaring sound," "like ones going down to the sea being terrified by the roaring of the waters," and even, evoking the agonistic elements of creation, sailors entering "the roaring of the seas when the Tehomot boil over the springs of the water."[35] What begins as personal suffering seems to translate into, or precipitate, a universal eschatological catastrophe, as Bergmann argues in her study of this enigmatic passage.[36] In this sophisticated adaptation of the birth metaphor, however, the imagery of the process of labor does not serve to illuminate a temporal dimension, as it often does in the biblical texts on which it is based. Quite to the contrary, the discomfort of labor stands in for indescribable *pain* during a crisis. Though we might read a temporal element into this passage – the horrific pain of this childbirth seems endless and timeless until it finally ceases – this aspect of the comparison is not even implicitly referenced in the text. This passage, then, serves as a good example of the way in which not *all* birthing metaphors, even in eschatological contexts, are necessarily employed to develop ideas about the temporal aspects of the end-times.

André Dupont-Sommer, "La Mère du Messie et la mere de l'aspic dans un hymne de Qoumrân," *RHR* 147 (1955): 174-188.

[34] This phrase is a pun on משברי מוות, because the word משבר denotes both a birthstool as well as a breaker. See also Jonah 2:4.

[35] Bergmann, *Childbirth as a Metaphor for Crisis*, 172-173.

[36] Bergmann, *Childbirth as a Metaphor for Crisis*, 164-217.

Many ancient sources do employ this metaphor to express notions of time. In 1 Thessalonians 5:1-3, the metaphor of labor pangs is conjured specifically in a discussion of time to emphasize the temporal *unpredictability* of the moment. The passage begins with the words "now concerning the times and seasons… (Περὶ δὲ τῶν χρόνων καὶ τῶν καιρῶν)." The day of the Lord and its destruction, Paul writes, will be unexpected; that is, it will occur at a surprising time, just as "labor pains come upon a pregnant woman (ὥσπερ ἡ ὠδὶν τῇ ἐν γαστρὶ ἐχούσῃ)…" – it will "surprise you like a thief." Labor pains indicate the impending end-times, but the onset of labor itself is unpredictable and could occur at any time.

In his epistle to the Romans, Paul again evokes the process of birth. Paul juxtaposes the suffering of the present with "the glory about to be revealed to us"[37]; the creation has been forced to wait, Paul insists, but is eager to be set free through the glory of God's children. The metaphor with which Paul describes the creation's anxious, tortured wait is through birthing imagery: "We know that the whole creation has been groaning in labor pains (συστενάζει καὶ συνωδίνει) until now; and not only the creation, but we ourselves, who have the first fruits of the Spirit, groan inwardly while we wait for adoption, the redemption of our bodies."[38] Here, Paul evokes the *bodily* pains of labor (applied to the creation) to describe the state of being of those who seek redemption *from* their bodies. The physical metaphor here serves two purposes, both to articulate the idea of a belabored wait similar to that of labor, and to highlight the physical state from which one is awaiting redemption.[39]

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[37] Romans 8:18.
[38] Romans 8:22-23.
[39] For a short study of this passage from Romans 8, see Luzia Sutter Rehmann, "To turn the Groaning into Labor: Romans 8:22-23," in *A Feminist Companion to Paul: Authentic Pauline Writings* (London and New

Strikingly, in later sources composed after the Second Temple's destruction in 70 C.E., the metaphors of labor and birth become even more entwined specifically with matters of time and, especially, with eschatological time. In addition to the passage from 4 Ezra discussed at length above, another passage in 4 Ezra develops a metaphor related to a woman's fertility and child-bearing over the course of her lifespan to illustrate the *longue durée* of historical time and the passing, and inevitable decline, of generations as the eschatological times are anticipated. The passage reads:

> I [Ezra] said, "Yet behold, O Lord, you have charge of those who are alive at the end, but what will those do who were before us, or we, or those who come after us?" He [Uriel] said to me, "I shall liken my judgment to a circle; just as for those who are last there is no slowness, so for those who are first there is no haste."[40]

This first part of the passage makes the case that those who live earlier with respect to the eschaton are in no haste to bring about the end of days, while those living later do not slow down as the eschaton approaches. It then stresses that not everyone can exist at the same time, and thus there are generations of people who populate the world at different times in history, just as a woman cannot carry all of her children in her womb simultaneously:

> Then I [Ezra] answered and said, "Could you not have created at one time those who have been and those who are and those who will be, that you might show your judgment the sooner?" He replied to me and said, "The creation cannot make more haste than the Creator, neither can the world hold at one time those who have been created in it." And I said, "How have you said to your servant that you will certainly give life at one time

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York: Continuum, 2004), 74-84, and Rehmann's earlier work on the subject in *Geh, Frage die Gebärerin: Feministisch-befreiungstheologische Untersuchungen zum Gebärmotiv in der Apokalyptik* (Gütersloh: Chr. Kaiser, 1995). See also Galatians 4:19, which contains another reference to labor pains – in this case, Paul describes *himself* to be suffering from such distress! "My little children, for whom I am again in the pain of childbirth (ὠδίνω) until Christ is formed in you, I wish I were present in you now and could change my tone, for I am perplexed about you…" Here is an example of the use of this metaphor in much more casual speech, applying the theological idea to a more social-historical moment.

[40] 4 Ezra 5:41-42.

> to your creation? If therefore all creatures will live at one time and the creation will sustain them, it might even now be able to support all of them present at one time." He said to me, "Ask a woman's womb, and say to it, If you bear ten children, why one after another? Request it therefore to produce ten at one time." I said, "Of course it cannot, but only each in its own time."[41]

The passage then points out that a woman's fertility does not last indefinitely, and, moreover, observes that with each generation there seems to be a decline (in size and in quality) just as a mother's fertility ebbs as she ages:

> He [Uriel] said to me, "Even so have I given the womb of the earth to those who from time to time are sown in it. For as an infant does not bring forth, and a woman who has become old does not bring forth any longer, so have I organized the world which I created." Then I [Ezra] inquired and said, "Since you have now given me the opportunity, let me speak before you. Is our mother, of whom you have told me, still young? Or is she now approaching old age?" He replied to me: "Ask a woman who bears children, and she will tell you. Say to her, 'Why are those whom you have borne recently not like those whom you bore before, but smaller in stature?' And she herself will answer you, 'Those born in the strength of youth are different from those born during the time of old age, when the womb is failing.' Therefore you also should consider that you and your contemporaries are smaller in stature than those who were before you. And those who come after you will be smaller than you, as born of a creation which already is aging and passing the strength of youth."[42]

Again, several aspects of time are articulated through metaphors related to bearing children: First, each child has its own time to be born (a woman cannot bear ten children in her womb at the same time) as each generation succeeds the previous one. Second, when a woman approaches old age her progeny decline just as each generation is less impressive than the one that succeeded it. Third, eventually a woman is no longer fertile and cannot bear more children just as eventually there is no renewal of life on earth and the end of days begins. This is the way the world has been created, we are told. In this

[41] 4 Ezra 5:43-47.

[42] 4 Ezra 5:48-55. The temporality of a woman's body is also referenced in *m. Niddah* 5:7, in which a metaphor of a fig is used to describe aging: an unripe fig is like a baby girl, a ripening fig refers to the days of her girlhood, a fully ripe fig is a grown woman.

metaphor, it is not the process of birth but rather the arc of fertility of a woman's body during her own life cycle that is utilized to illuminate the natural order of the world and the passage of time and generations within it. On the one hand, a woman can bear only a single child at once, just as the world can contain only a limited population at any given time, and thus the world contains many generations of people; on the other hand, a woman is more fertile and begets larger and stronger children when she is young, bears smaller and weaker children as she ages and her fertility diminishes, and ultimately is unable to produce additional children when her fertility expires. Again, the tangible metaphors of a woman's reproductive capabilities in general and that of an aging woman's body in particular are used to describe the less tangible passing of time through generations, and the decline and deterioration of generations.

In a short passage in 2 Baruch, another first-century apocalypse that struggles, as does 4 Ezra, with unmet expectations for redemption after the Temple's destruction, a childbirth metaphor is used to teach that it takes time for the world to be ready to herald the end of days, just as a baby requires a period of gestation before birth. After Baruch prays to God to bring about the final judgment and facilitate the end of times, God replies to Baruch to assure him, on the one hand, that God will fulfill His promise, but on the other hand to stress that enough time is needed before the end can come. God demonstrates the need for patience and for history to run its course with a series of analogies:

> Baruch, Baruch, why are you disturbed? Who starts on a journey and does not complete it? Or who will be comforted making a sea voyage unless he can reach a harbor? Or he who promises to give a present to somebody – is it not a theft, unless it is fulfilled? Or he who sows the earth – does he not lose everything unless he reaps its harvest in its own time? Or he who plants a vineyard – does the planter expect to receive fruit from it, unless it

> grows until its appointed time? *Or a woman who has conceived – does she not surely kill the child when she bears untimely?*[43]

The duration of pregnancy appears here as one example of many that illustrates the necessity for a process to run its course before its purpose can be realized. Were the redemption to arrive prematurely, it would not be effective.

Imagery of labor and birth is also evoked in the Gospel of Mark (13:7-8), in which the onset of the eschatological era is described in terms of labor pains.[44] In this passage, the metaphor serves to warn of the suffering that will precede redemption. After Jesus foretells of the temple's destruction, he sits together with Peter, James, John and Andrew at the Mount of Olives to disclose privately details of his prediction. They ask him: "Tell us, when will this be, and what will be the sign that all these things are about to be accomplished?"[45] Jesus warns his disciples not to allow others to lead them astray, and then says:

> When you hear of wars and rumors of wars, do not be alarmed. Such things must happen, but the end is still to come. Nation will rise against nation, and kingdom against kingdom. There will be earthquakes in various places, and famines. These are but the beginning of birth pains (ἀρχὴ ὠδίνων ταῦτα).[46]

While in 4 Ezra 4 the metaphor of birth was used to emphasize the inevitability of the end and the attempt to hasten its coming, and the biblical sources evoked labor primarily to stress the anguish associated with the approaching eschatological period, here the gospel uses the birthing metaphor to somewhat different effect. Just as labor, which is painful,

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[43] 2 Baruch 22:1-8, translation by A. F. J. Klijn, "2 (Syriac Apocalypse of) Baruch," in Charlesworth, *The Old Testament Pseudepigrapha* vol. 1, 629. On the idea of the consummation of time and God as the master over time in 2 Baruch, see Matthias Henze, *Jewish Apocalypticism in Late First Century Israel: Reading* Second Baruch *in Context* (Tübingen: Mohr Siebeck, 2011), 278-293.
[44] Parallel in Matt 24:3-8.
[45] Mark 13:4.
[46] Mark 13:7-8.

must precede the glory of birth, and in fact is a sign that the infant's arrival is imminent, the wars and destruction foretold in this prophecy signal the beginning not only of cataclysm but also, eventually, of redemption. That is, the metaphor of labor pains is evoked to highlight the pain of war, but also to argue that such disaster should be seen positively, as a sign of a redemptive future, like a birth. Jesus adds words of encouragement: "the one who endures to the end will be saved."[47] Jesus concludes by emphasizing that the precise time of redemption is still unknown: "But about that day or hour no one knows, neither the angels in heaven, nor the Son, but only the Father. Beware, keep alert; for you do not know when the time will come…"[48] As with 4 Ezra and 2 Baruch, this text was written in a post-destruction context, in which its author was also coming to terms with the absence of the Temple. Reimagining the destruction as the beginning of the new age that Jesus had predicted all along brough a measure of comfort and optimism. The destruction, while traumatic, thus also became a symbol of the coming salvation, just as labor pains signal an impending birth.

A different image of a laboring woman is developed in chapter 12 of the Revelation of John, another text written in the context of war and destruction. A celestial image ("a great portent") appears in heaven, rather than on earth, and is described as "a woman clothed with the sun, with the moon under her feet, and on her head a crown of twelve stars. She was pregnant and was crying out in birth pangs, in the agony of giving birth (καὶ ἐν γαστρὶ ἔχουσα καὶ κράζει ὠδίνουσα καὶ βασανιζομένη τεκεῖν)."[49] A second

[47] Mark 13:13.
[48] Mark 13:32-33.
[49] Rev 12:1-2. The image of a pregnant woman seems to be inspired by Isa 26:17-27:1, in which Israel is described as calling out to God, remarking that they have sought God "like a woman with child, who writhes and cries out in her pangs when she is near her time," but ends up with "no victories on earth, and no one is born to inhabit the world…" Early Christian commentators reinterpreted the woman in Rev 12 to

portent appears, of a dragon waiting to devour the woman's child, but the dragon's plans are foiled when the child is taken up to the heavens to be with God. Once the child has been born, the dragon pursues the woman, who has been given wings to fly into the wilderness "to her place where she is nourished for a time, and times, and half a time."[50] The intricacies of this complex story are not of direct relevance here, but it should be unsurprising at this point that it is the character of a laboring mother (of a savior figure in heaven besides God) that is used in a discussion about a chaotic salvation at the end of times, and that the metaphor of labor is intertwined with a reflection about an anticipated time to come.

The Gospel of John makes use of the metaphor of a laboring woman in a different redemptive context, again to articulate an idea about time – current suffering in contrast with ultimate joy. When Jesus explains to his disciples that he is "going to him who sent me" before his arrest, he enigmatically declares that in "a little while… you will no longer see me, and then after a little while you will see me."[51] His disciples are puzzled by what he means. Jesus thus explains:

> Very truly, I tell you, you will weep and mourn, but the world will rejoice; you will have pain, but your pain will turn into joy. When a woman is in labor, she has pain, because her hour has come. But when her child is

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represent Mary, the mother of the messiah, even though the Isaiah text does not associate the woman with the messiah in any way. The author of Revelation might also be recalling other biblical references that do use the metaphor of the laboring woman specifically with regard to redemption and a redemptive figure, e.g. Micah 4-5. See Elaine Pagels, *Revelations: Visions, Prophecy, and Politics in the Book of Revelation* (New York: Viking, 2012), 5, 29-30, 181n.15. On this chapter and its imagery, see Adela Yarbro Collins, *The Combat Myth in the Book of Revelation* (Eugene, Oreg.: Wipf & Stock Publishers, 2001), 57-155, esp. 67-69 and 104-107; further discussion of the feminine imagery in this chapter can be found in Paul B. Duff, "Wolves in Sheep's Clothing: Literary Opposition and Social Tension in the Revelation of John," in *Reading the Book of Revelation: A Resource for Students* (ed. David L. Barr; Society of Biblical Literature, 2003), 65-79, and Israël Lévi, "Le ravissement du Messie à sa naissance," *REJ* 74 (1922): 113-126, reprinted in idem., *Le ravissement du Messie à sa naissance et autres essais* (ed. Evelyne Patlagean; Paris-Louvain: Éditions Peeters, 1994), 228-241.

[50] Rev 12:14 NRSV.

[51] John 16:5, 16.

> born, she no longer remembers the anguish because of the joy of having brought a human being into the world. So you have pain now, but I will see you again, and your hearts will rejoice, and no one will take your joy from you. On that day you will ask nothing of me…[52]

All of the persecution that Jesus' disciples will surely face (and that John's readers currently do) is likened to a woman's temporary labor pains, which will not only end, but will turn into pure rejoicing when Jesus will be reunited with his disciples in a redemptive moment (either at the resurrection or Jesus' second coming), one in which there is a metaphorical (re)birth. Though this passage does not use the childbirth metaphor to reflect on the temporal aspects of cosmic catastrophes associated with the dawn of an eschatological age, as do the other post-destruction examples discussed above, it invokes the metaphor to speak about the timing of sorrow and redemption on a communal level.[53] When the woman is in labor, her time has come, the text explains.[54]

Several rabbinic sources, drawing on the same themes present in the Hebrew Bible and further developed in the New Testament, characterize the catastrophes that will precede the messianic era specifically as "the birth pangs of the Messiah (חבלו של משיח and חבלי משיח)." The earliest source, the Mekhilta de-Rabbi Ishmael, commenting on Moses' instructions that the Israelites collect Manna each day and collect two portions on Friday in anticipation of the Sabbath, explains that one of the rewards for observing the Sabbath is protection from three catastrophic events including the "travails of the

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[52] John 16:20-23. On this passage, see Kathleen Rushton, "The Woman in Childbirth of John 16:21: A Feminist Reading in (Pro)creative Boundary Crossing," in *Wholly Woman, Holy Blood: A Feminist Critique of Purity and Impurity* (ed. Kristin De Troyer, Judith A. Herbert, Judith Ann Johnson, and Anne-Marie Korte; T & T Clark, 2003), 77-96; idem., "The (Pro)creative Parables of Labour and Childbirth (John 3:1-10 and 16:21-22)," in *The Lost Coin: Parables of Women, Work and Wisdom* (ed. M. A. Beavis; Sheffield: Sheffield Academic Press, 2002), 206-229, and idem., "The Parable of Jn 16:21: A Feminist Socio-Rhetorical Reading of a (Pro)creative Metaphor for the Death-Glory of Jesus" (Ph.D. diss., Griffith University, 2000). On the types of pain associated with birth imagery throughout the New Testament, see Conrad Gempf, "The Imagery of Birth Pangs in the New Testament," *Tyndale Bulletin* 45 (1994): 119-135.
[53] The NRSV commentary makes a similar observation on pg. 1845.
[54] The idea that the birth process is a woman's time is also a feature of Micah 5:3, discussed above.

messiah."[55] That is, those who are vigilant in their Sabbath observance will be spared the catastrophes expected in the time before the messiah's arrival. This midrash is likely alluding to another midrash in the Mekhilta that characterizes the Sabbath as a "taste of the world to come."[56] If one keeps the earthly Sabbath of this world, the logic goes, one will be safe during the messianic transition to the redeemed world that is to come.

The phrase is used more frequently in the Babylonian Talmud. The most developed use appears in tractate Sanhedrin, in a pericope devoted to contemplating redemption and the end of days.[57] Citing Micah 5:3, "therefore he shall give them up until the time when she who is in labor has brought forth," Rav proclaims that the messiah, son of David, will not arrive until the Romans hold Israel for nine months – that is, the precise duration of pregnancy, at the end of which labor begins. Ulla and Rabba both respond that while they wish for the messiah to come, they do not want to see the messiah themselves or to be present during these precarious times. Abaye then asks Rabba if the reason he wants to avoid the messiah's arrival is that he fears the birth pangs associated with the messianic redemption. Attempting to calm Rabba, Abaye explains that in order to be spared from suffering during that period, all he must do is engage in study and benevolence. There is syntactic ambiguity in the phrase חבלי משיח, the "birthpangs of the messiah." It probably refers to the pangs felt by a woman who gives birth (that is, to the pangs suffered by those in the world that is giving birth to the

[55] *Mekhilta de-Rabbi Ishmael* Vayassa' VI on Ex 16:25.
[56] *Mekhilta de-Rabbi Ishmael* Shabta 1. This same tradition appears also in *b. Berakhot* 57b.
[57] *b. Sanhedrin* 98b. See also *b. Pesahim* 118a, in which *Hallel* is said to contain mention of five important historical occurrences, ending with the "travails of the messiah"; *b. Shabbat* 118a, in which a person who eats three meals on the Sabbath is spared the "travails of the messiah," which is likely based on the passage in the *Mekhilta* discussed above; and *b. Ketubbot* 111a, in which Babel is said not to suffer the "travails of the messiah." *m. Sotah* 9:15 (the section is a later addition to *m. Sotah*) mentions the "footsteps of the Messiah" (referring back to Ps 89:51), and *b. Sanhedrin* 97a mentions the chaos of the generation when the Messiah is supposed to come, but there is no reference to birth pangs in these two passages.

messiah, the pangs that signal his arrival), but syntactically it could also refer to the pangs felt *by* the messiah, who oversees the birth of a new age. The term חבלי משיח became ubiquitous in medieval and modern Jewish contexts, but the Bavli is the first rabbinic source to employ this specific phrase ("the birth pangs *of the messiah*") to refer to the messianic era (as opposed to the more general "birth pangs" in biblical sources).[58]

These various post-destruction texts use metaphors associated with women's bodies to articulate ideas about eschatological time, and especially the element of anticipating an expected eschaton or messianic redemption that will bring along with it not only eventual peace but also, beforehand, temporary devastation and chaos. The inevitability of an approaching time, the inability to hasten or delay that time, the chaos and pain that precedes this time – all of these ideas find expression through the evocation of the stages of women's pregnancies, labors, and births.

Building on these traditions, later rabbinic sources associate times of suffering with metaphors of childbirth even when those metaphors do not appear in the biblical base texts being explicated. Two early medieval midrashim, Deuteronomy Rabbah (c. 900 C.E.) and Midrash Psalms (c. 1000 C.E.), both read the metaphors of labor and birth into a biblical text that makes no mention of this metaphor but rather uses the generic phrase "*time of trouble* [lit. the day of anguish or distress: ביום צרה]" from Psalm 20:2.[59] Perhaps the interpretation alludes to Jer 49:24, a passage discussed above, in which the

[58] The use of the term חבל draws on language from Jer 13:21, 22:23, 49:24, Isa 13:8, 26:17, and 66:7 (other biblical references to the pains of a woman giving birth do not make use of this word). Anxiety about the advent of the Messiah appears in *b. Shabbat* 118a as well, and is connected to a proof text in Mal 3:2 ("but who can endure the day of his coming? Who can stand when he appears?"), which describes what will happen during the impending end of days; the birth pangs of the messiah are mentioned here too, as in the passage from tractate Sanhedrin.

[59] There might be an allusion to Ps 91:15 as well, which reads: "when he calls Me, I will answer him (ואענהו); I will be with him in distress (בצרה)." See also Ps 50:15, with some similar language.

word צרה is used in the context of labor pains (צרה וחבלים אחזתה כיולדה). In the context of the biblical text, Psalm 20 refers to a general time of trouble and assures the readers that God will answer them during such desperate moments. The text emphasizes God's ability to extract the anguished person from suffering, and makes mention of the reason for that person's suffering: "May He send you help from the sanctuary, and sustain you from Zion. May He receive the tokens of all your meal offerings, and approve your burnt offerings…"[60] The second half of the Psalm alludes to a future redemptive or eschatological moment, in which God enables victory for his "anointed one" from his position in the heavenly sanctuary and, as a result, causes Israel's enemies to "collapse and lie fallen" while God's people "rally and gather strength."[61] The eschaton is not mentioned explicitly, but the imagery nonetheless indicates that this is the most likely context. Thus, what begins as a potentially personal time of trouble at the start of the Psalm ends with God acting on behalf of Israel collectively.

In its midrashic interpretation of this passage, Deuteronomy Rabbah draws an analogy between the narrator's suffering, which is described without reference to childbirth metaphors, and the anguish of a woman in labor.[62] In the Psalm, David replies to Israel's pain by assuring them that God will answer them just as God answered their forefather Jacob during *his* time of trouble. The midrash connects Genesis 35:3 – in which Jacob declares that he will go to Bethel and build an altar to the God "who answered me in the day of my trouble (ביום צרתי)" – to the use of the phrase "on the day

[60] Psalm 20:3-4.
[61] Psalm 20:7-10.
[62] *Deut. Rab.* va-Ethanan 2.

of trouble (ביום צרה)" in the Psalm.[63] According to the midrash, David's answer mirrors what a laboring woman is told to offer her hope during her distressing pains: that the one who answered her mother's labor cries will now answer hers as well. In this midrash, the incorporation of a laboring woman almost seems superfluous; understood, however, in the context of the long tradition of associating eschatological time with a woman's birth pangs helps elucidate why this analogy was employed by the midrashic author in this specific context.

Midrash Psalms, explicating the same phrase "on the day of trouble (ביום צרה)," also draws an analogy between the cries of Israel and the cries of a laboring woman to stress the theme of desperation and agony.[64] A story is told about a pregnant woman who had an argument with her mother. When the woman began laboring, her mother went up to the attic while her daughter cried in agony downstairs; upon hearing her daughter's cries, the mother, too, began wailing sympathetically. Questioned about the usefulness of her cries, the mother answers: with my daughter in pain, "how can I tolerate her cries other than by wailing along with her, as the pain of my daughter is my own?"[65] This is similar, the midrash explains, to the destruction of the Temple, when a cry of agony rang out in the entire world, and God (who had been angry at Israel) nonetheless wept along with his people over their distress.[66] The midrash plays on a passage from Isaiah that highlights God's sympathetic pain: "In all their [Israel's] troubles he [God] was troubled

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[63] The midrash also invokes another of Israel's ancestors, Moses, through a second intertextual connection in which God responds to Moses by telling him that He will answer the people at any hour they call out to Him.

[64] Midrash Psalms 20.

[65] וכי בתי אינה בצער ואיך יכולה אני לסבול צעקתה אלא הריני צווחת עמה שצרתבתי שלי היא.

[66] This is similar to the image of God crying out as if in labor in Isa 42:14, discussed above. Portrayals of God mourning the destruction and crying are not uncommon in rabbinic sources (see e.g. *b. Berakhot* 3a, 59a), as is describing God in human terms more generally; see David Stern, "Imitatio Hominis: Anthropomorphism and the Character(s) of God in Rabbinic Literature," *Prooftexts* 12.2 (1992): 151-174.

(בכל צָרָתָם לו צר)."[67] In this midrashic iteration, it is the time of destruction and crisis in the past, rather than an anticipated eschatological moment in the future, for which the metaphor of a woman's laboring cries is used.

Calendrical Time

As we have seen, women's bodies feature prominently in a wide variety of passages about redemptive and eschatological time, in texts from the biblical corpus as well as others from the second temple period and thereafter. In rabbinic sources, however, female bodies are also evoked in the context of *calendrical* time, a development that corresponds well with the replacement of the biblical masculine noun for moon (ירח) with the feminine noun (לבנה), a term rarely used in the Hebrew Bible, highlighting another connection that develops between women and the calendar.[68] This new discourse does not anchor itself in more ancient precedents; it seems to be a rabbinic innovation. Even though debates about competing calendars were of central concern in the sectarian disputes during the end of the second temple period, it is only in rabbinic sources about the calendar and its observation and calculation that the discussion draws on the stages and processes of women's bodies and the terminology associated with female bodily practices.

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[67] Isa 63:9.

[68] The term לבנה appears infrequently in the Hebrew Bible, e.g. Isa 24:23 and 30:26, and Song of Songs 6:10, and always in parallel with חמה, rather than with שמש. It appears, however, throughout rabbinic sources and essentially replaces ירח. See Gary A. Rendsburg, "A Comprehensive Guide to Israelian Hebrew: Grammar and Lexicon," *Orient* 38 (2003): 26, and idem., "The Geographical and Historical Background of the Mishnaic Hebrew Lexicon," *Orient* 38 (2003): 110. On the sex of the sun and the moon, see Claude Lévi-Strauss, *Structural Anthropology* vol. 2 (Chicago: University of Chicago Press, 1983), 211-221.

In a famous *mishnah* about declaring a new month, the waxing of the moon is likened to a pregnant woman's abdomen.[69] When Rabban Gamliel accepts the testimony of false witnesses (that they observed a full moon when in fact the moon increased in size the next day, thus proving that the testimony was incorrect), his critic, Rabbi Dosa, declares: "They are false witnesses: how can they testify that a woman has given birth, when, on the very next day, her stomach is still up there between her teeth!" The metaphor of a pregnant woman is used not only because declaring a birth to have taken place when in fact a woman is still pregnant is a sure sign of false testimony, but also because the visual imagery of a pregnant woman's body evokes that of a full moon, and because the last night of a long, intercalated month is called "ליל עבור," a pregnant night, and is mentioned within the story – an artful intertextual pun.

Similarly, tractate Niddah places in parallel observations of the onset of menstruation and of the new moon.[70] In a mishnaic rule attributed to Rabbi Eliezer, it is asserted that "in the case of four classes of women it suffices [for them to reckon] their [period of uncleanness from] the time [of their discovering of the flow]…"[71] In other words, certain women must only consider themselves impure from the moment in which they see blood, rather than retroactively, as is the case for all other types of women according to the preceding *mishnah*. The witnessing of blood determines the beginning of these women's status of impurity. In their first comment on this *mishnah*, the Palestinian and Babylonian Talmuds cite a text from Tosefta Niddah: "It was taught:

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[69] *m. Rosh HaShanah* 2:8. See also Song of Songs 7:3, "Your navel is like a moon (שררך אגן הסהר)." The woman's belly-button, where the umbilical cord once connected to the fetus, is likened to a moon (the word סהר means moon; Jastrow, *Dictionary*, 960). In Joel 3:4, the eschaton includes the sun darkening and the moon become blood (והירח לדם); though the reference is not explicitly to menstrual blood, perhaps the association is nonetheless implied.

[70] *b. Niddah* 7b.

[71] *m. Niddah* 1:3.

Rabbi Eliezer said to Rabbi Joshua, '…people do not ask one who has not seen the moon to come and tender evidence but only one who has seen it.'"[72] Rabbi Eliezer explains that only those who have seen the moon can come to bear witness for the purpose of declaring a new moon. Here, the rabbinic text very consciously makes the connection between detecting menses and observing a new moon as they construct a legal parallel: only upon seeing blood (just as with a new moon) can one be certain of its appearance.

In his study of female imagery in rabbinic calendar literature, Ron Feldman has pointed out that rabbinic terminology "concerning key moments of calendrical time, especially lunation, drew heavily on feminine biological processes of pregnancy and birth."[73] Feldman identifies a number of legal terms employed both in calendrical contexts and in a variety of texts related to women's rituals, including menstruation and marriage. First, the term "in its [proper] time – בזמנו" refers both to a month of 30 (instead of 29) days in discussions of the calendar and to the time of menstruation, as in the phrases "it is her time to observe [menstrual blood] - זמנה לראות" and "in her [proper] time - בזמנה" in texts about menstrual purity.[74] Even more striking is the phrase employed in the Babylonian Talmud, "in her [proper] time or not in her [proper] time -

[72] *t. Niddah* 1:5, *y. Niddah* 1.2, 1c ff., *b. Niddah* 7b. The statement is attributed to Rabbi Eliezer in all sources.

[73] Ron H. Feldman, "Taming Women and Taming Time: The Use of Female Imagery in Rabbinic Calendar Literature" (forthcoming). See also Solomon Gandz, *Studies in Hebrew Astronomy and Mathematics* (New York: Ktav, 1970).

[74] E.g. *m. Niddah* 10:1, *t. Niddah* 1:5, 9:6, *y. Berakhot* 2.6, 5b, *y. Niddah* 1.2, 49a, 1.4, 49c, 1.6, 49c, *b. Ketubbot* 6a, *b. Niddah* 5a, 9b, 10b, 64b, 65a, all cited by Feldman. Feldman writes: "The compounding of the term 'her time' with 'to see' is particularly suggestive: just as the girl is on the look-out for the uncertain appearance of her first blood (according to the Rabbis' understanding), so too this is the term used for the phase of the moon that would be successfully sighted by the new-moon witnesses who would be on the look-out for the uncertain appearance of the first crescent. When the first blood or first crescent is seen, the moment is considered significant. If the term 'pregnant' describes the arrival of the new-moon on the 31st day, then 'in its (proper) time' as its compliment describing the shorter month may have been borrowed from meaning a 'first-time menstruant,' i.e., one that was certainly *not* pregnant" ("Taming Women and Taming Time," forthcoming).

בין בזמנה בין שלא בזמנה," to refer to the time a woman immerses herself in a ritual bath, which is parallel to language used in relation to the observation of the moon, "either in its [proper] time or not in its [proper] time – בין בזמנן בין שלא בזמנן."[75] Third, the term מעובר means both "pregnant" and "intercalated," as a month is metaphorically "pregnant" with an extra day.[76] Shemaryahu Talmon has pointed out that the technical phrase for a new moon not only draws on the idea of a "birth," but is also used in some Qumranic and rabbinic sources in conjunction with turns of phrase that the Hebrew Bible uses to describe the motif of the "barren wife."[77] That is, language associated with human birth by a woman is applied to calendrical contexts in which the moon is "born."[78] Finally, the verb מקודש is used to mean "sanctification" of the new moon and also "sanctification" for marriage (מקודשת), and the terms "rebirth - תולדה" / "born - נולד" refer to the "birth" of the new moon[79] and a woman's delivery of a child.[80] In each of these cases, women's bodies are associated with and compared to the monthly phases of the moon, the process of intercalation, and thus calendrical time more generally.

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[75] Compare *b. Niddah* 67b with *m. Rosh HaShanah* 2:9 and *b. Sanhedrin* 10b. Feldman continues: "Although determining which discourse preceded the other is uncertain, it seems reasonable to think that this phrase was originally used in the discussion of female biology and then applied to calendrical contexts, since this is obviously the case with the term with which it is paired, 'pregnant – מעובר'" (ibid.). The term זמן appears all over, of course, but this particular construction is less ubiquitous.

[76] e.g. *b. Rosh HaShanah* 20b, *b. Ketubbot* 112a, Pesiqta Rabbati 15, 78a, Pirqe de Rabbi Eliezer 7 (ed. Friedlander, 41-42), and perhaps also in texts from Qumran, including 1Q27 1 i 5-7, 1QH XX 8, 1QS IX.26-X.17, 4Q299 frg. 5, 4Q417 1 i 11, 4Q418 123 ii 2-6, and 4Q416, on which see Talmon, "Anti-Lunar-Calendar Polemics in Covenanters' Writings," 36-38.

[77] The idea of the new moons' "birth" is particularly striking in Ts. Ps-J. on Gen 1.14, and Tg. Ket. on 1 Chr 12:32 (the latter two references mention specifically the "birth" of new moons). See Talmon, "Anti-Lunar-Calendar Polemics in Covenanters' Writings," 33-38.

[78] e.g. 1Q27 1 i 5-7.

[79] Technically the mean conjunction when the moon becomes visible.

[80] e.g. *m. Rosh HaShanah* 2:7, *b. Rosh HaShanah* 20b. On the term "sanctification" in the context of marriage, see Gail Susan Labovitz, *Marriage and Metaphor: Constructions of Gender in Rabbinic Literature* (Lanham, MD: Lexington Books, 2009), 76-79, and Michael Satlow, *Jewish Marriage in Antiquity* (Princeton: Princeton University Press, 2001), 76-77.

Feldman suggests that language that referred originally to female biological processes was adapted in the discourse surrounding the calendar during the rabbinic period. This is most obvious in the case of the term מעובר, which refers to a woman who is pregnant, and is then extended to include the moon, which is metaphorically pregnant with an extra intercalated day, or a leap year, which includes a full intercalated month. The terminology of observation, too, might originate with the observation of menstrual blood and then transfer to other forms of observation such as the observation of the moon's cycles. For Feldman, this terminological overlapping and the parallels that develop out of these similarities indicate rabbinic efforts to control nature, women, and time – control over the untamed female body and the untamed natural monthly phases of the moon.

While Feldman stresses the parallels between rabbinic discourses on time and on women in order to show how the rabbis aim to control both, I highlight these connections here not because I see them merely as parallel but because, I argue, the rabbis *use* their understanding of women and their bodies to explain and define time. For the rabbis, the distant, feared, and intangible eschaton is best understood with reference to childbirth, just as the cycles of the distant moon are most readily conceived through the metaphor of menstruation. I take for granted that power dynamics are also involved, as Feldman suggests; what is fascinating for our purposes is that women's bodies are a central conceptual tool for the rabbinic imagination of time. In other words, out of the many possible terms the rabbis might have used or metaphors they might have employed or comparisons they might have drawn to other concepts or laws as they devised their calendrical system, the rabbis chose women's bodies, pregnancy, and the laws of

menstruation. It is ironic, and illuminating, that in the same literature that associates a timelessness to women and their lives (through their exemption from positive, time-bound commandments), women's bodies are also regarded as primary models for understanding time.

Rabbinic Time and Real Women

In all of the examples discussed above, the schedule of pregnancy, the temporal inevitability of labor and birth, and the cycle of menstruation are employed metaphorically either in descriptions of the eschatological end-times or in discussions of calendars and calendrical time. Women's bodies are marked *by* time more than they mark time; all of the menstruation, pregnancy, and birth metaphors highlight the inability to change the timing of events and expectations, even as they happen within bodies, the heavens, and communities. The act of birthing a child is itself generally more active than menstruation, yet both processes are equally passive with regard to their inevitable timing, over which no one has full control (which is precisely the point).[81]

The relationship between time and women's bodies in all of these instances consistently remains on the level of discourse and metaphor. These are not actual pregnant bellies or labor pains, but metaphorical ones. Women, after all, were banned by rabbinic law from serving as witnesses of the new moon and from sanctifying it, and seemingly play no active role in the redemption as it is imagined in any of the sources

[81] There were, of course, ancient labor-inducing techniques as well as methods used to try to postpone labor or accelerate a long and difficult labor, which were attempts to control an unpredictable process. On ancient childbirth techniques, including a special sneeze meant to help the baby proceed through labor, and the shaking of the mother in more extreme cases, see *Morb. Mul.* 1.68 = 8:142.13-144.16, reproduced in Hanson, "Continuity and Change," 91-92.

cited above.[82] Women's bodies, in these cases, are used as images to illustrate theological concepts and ideas. In fact, it has been argued that when women are evoked metaphorically – to stand in for concepts such as justice, or Israel, or the Torah – actual women are necessarily barred from participating in the abstraction because the feminine image stands in for one of the male partners. For example, when the Torah is described as a female erotic object within a heterosexual paradigm, women do not have access to the Torah because it is *men* who are presented as those drawn to the (female) Torah.[83] With the case of the sanctification of the new moon, and even with the process of redemption, the mapping of these times onto women's bodies ironically highlights their forced *distance* from the unfolding process. In marked contrast, in the observance of the menstrual purity rituals discussed in the previous chapter, women's bodies determined their own times of purity and impurity, and the time of intimacy between husbands and wives, as sexual encounter was prohibited during periods of impurity. These real, rather than metaphorical, cycles of women's bodies, combined with the laws mandating menstrual purity, created a temporal rhythm that impacted, above all, actual women.

I end this chapter by returning to the text with which I began. In an evocative passage describing the unimaginable chaos that will accompany eschatological time, 4 Ezra connects menstrual impurity, childbirth metaphors, and the end-times: "menstruous

[82] There are isolated exceptions in which women do play some role in the redemption, but their presence in these contexts highlights their absence elsewhere. See e.g. Martha Himmelfarb, "The Mother of the Messiah in the Talmud Yerushalmi and Sefer Zerubbabel," in *The Talmud Yerushalmi and Graeco-Roman Culture III* (ed. Peter Schäfer; Tübingen: Mohr Siebeck, 2002), 369-389.

[83] On the tension between Torah study and marriage, see Daniel Boyarin's chapter titled "Lusting After Learning: The Torah as 'the Other Woman,'" in *Carnal Israel*, 134-166, and Steven Fraade, "Ascetical Aspects of Ancient Judaism," in *Jewish Spirituality: From the Bible Through the Middle Ages* (ed. Arthur Green; New York: Crossroad Press, 1986), 275. On the exclusion of women from Torah study, see Gail Labovitz, "The Scholarly Life – The Laboring Wife: Gender, Torah and the Family Economy in Rabbinic Culture," *Nashim: A Journal of Jewish Women's Studies and Gender Issues* (2007): 8-48, esp. 31-34.

women shall bring forth monsters."[84] Commenting on this passage, Iricinschi notes that the procreative metaphor

> is predicated on the functional significance of the elaborate purity system established in Leviticus 12 and 15 for female sexual discharges. The signs of the *eschaton* include a prophecy regarding a double anomaly in a world that has gone wrong and become impure: women will menstruate (utter impurity) and, at the same time, will give birth to monsters."[85]

Here is an interesting example of the intersection between metaphorical and real discourses, in which catastrophe is metaphorically characterized as the unnatural merging of a woman's time of menstrual impurity with her time of creative childbearing. As Lakoff and Johnson's work on metaphors insists, "The concepts that govern our thought are not just matters of the intellect. They also govern our everyday functioning, down to the most mundane details. Our concepts structure what we perceive, how we get around in the world…"[86] The metaphors studied in this chapter add to our understanding of the texture of women's time in Jewish antiquity, as these metaphors reflected and permeated lived experience, just as the menstrual purity laws studied in the previous chapter were not only practiced by women but also found their way into language and metaphor.

[84] 4 Ezra 5:8.
[85] Iricinschi, "Interroga matricem mulieris," 758.
[86] Lakoff and Johnson, *Metaphors We Live By*, 3.

CONCLUSIONS

In the preceding chapters, I have explored the intersection of time and gender in rabbinic ritual law and in ancient Jewish texts about eschatology and the calendar. The marking of men's time through the obligation of observing the positive time-bound commandments, from which women were exempt, and the creation of an alternative women's time through increased emphasis on women's adherence to menstrual purity laws, was the result of a series of rabbinic innovations in both tannaitic and amoraic sources. While it is difficult to surmise how widely these rituals were practiced based on the largely prescriptive corpus of rabbinic sources, the gendering of these rituals and the time frames they created became central in medieval Jewish society. Once rabbinic texts, especially the Babylonian Talmud, gained canonical status and dictated Jewish practice more broadly, the temporal conceptions underlying rabbinic *halakhah* became imposed on those who belonged to Jewish communities and observed normative rabbinic rituals.[1] The *halakhot* that might have begun as legal and exegetical debates among the intellectual rabbinic elites of the tannaitic and amoraic periods become widely practiced in the Geonic period and later, even as they evolved and were adapted to different historical and cultural settings.[2] In other words, the *conceptions* of time in these early rabbinic sources *did*, sooner or later, directly impact Jewish *experiences* of time and influence the rhythm of daily life in the medieval period and thereafter.[3]

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[1] On the role of the Babylonian Talmud in geonic society, see Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven: Yale University Press, 1998).

[2] On the idea that exegetical debates often lie in the background of rabbinic discussions, see Alexander's "From Whence the Phrase 'Timebound, Positive Commandments'?" 317-346, Kraemer, *Reading the Rabbis*, and Charlotte Fonrobert, *Menstrual Purity: Rabbinic and Christian Reconstructions of Biblical Gender* (Palo Alto: Stanford University Press, 2000), 40-67.

[3] Consider, for example, the practices outlined in Eleazar of Mainz's (12-13th c.) ethical will. He addresses his "sons and daughters" when he outlines the practices he hopes that they keep, but he begins with the

Medieval sources provide us with the first explicitly stated reasons for why women were, at least theoretically, excluded from the practice of positive, time-bound commandments.[4] Many of the explanations center on women's relationship with time in light of their domestic responsibilities and spiritual dispositions. Among the reasons offered by medieval rabbinic authorities were (1) the requirement for women to devote their time to their husband's needs,[5] (2) the division of responsibilities to establish domestic harmony, such that a husband and wife did not need to perform the same rituals simultaneously but could divide their time among different tasks,[6] (3) women's natural spiritual affinities to God, such that they do not require regularized time-bound rituals to reinforce their relationship with the divine.[7] Though these explanations do not indicate

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rituals traditionally observed by Jewish men: "They should attend synagogue in the morning and in the evening, where they should be particularly attentive to the recitation of the standing prayer [the *amidah*] and the Shema. Immediately following worship, they should spend a little time studying Torah or Psalms, or in charitable activities…" Thereafter, he outlines those practices he hopes his daughters observe: "The women of my family must be exceedingly careful to examine themselves throughout their monthly cycles and to stay apart from their husbands during their unclean days…" In this document, men's and women's practices – specifically the daily recitation of the Shema and women's adherence to the daily examination of their bodies – are presented as parallel, occupying and thus defining men's and women's times simultaneously. These excerpts from the writings of Eleazar of Mainz are taken from Judith Baskin, "Women and Ritual Immersion in Medieval Ashkenaz: The Sexual Politics of Piety," in *Judaism in Practice: From the Middle Ages through the Early Modern Period* (ed. Lawrence Fine; Princeton: Princeton University Press, 2001), 140-141.

[4] Even though there were plenty of exceptions to this rule, and the principle was considered already in the Babylonian Talmud (e.g. *b. Qiddushin* 34a) and by later authorities such as Maimonides (e.g. *Commentary on the Mishnah*, Kid. 1:7, *Mishneh Torah*, Hil. Akum 12:3) not to carry prescriptive value, the general principle was nonetheless upheld and explanations for its purpose were offered without hesitation. Talya Fishman makes this distinction between the assumed prescriptive value of the category and women's exclusions from it, and medieval explanations for the rule, in "A Kabbalistic Perspective on Gender-Specific Commandments: On the Interplay of Symbols and Society," *AJS Review* 17 (1992), 209. Benovitz also discusses the various reasons given after the rabbinic period for the exemption of women from positive time-bound commandments in "Time-Triggered Positive Commandments," 47-60.

[5] As suggested by Jacob Anatoli (13th c. Provence or Italy), *Malmad HaTalmidim*, Parashat Lekh Lekha, Lik. Ed., no. 15, cited in Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 209.

[6] As suggested by David ben Joshua Abudarham (14th c. Spain), *Sefer Abudarham*, Sha'ar 3, Birkat HaMizvot, cited in Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 209, and discussed also in Benovitz, "Time-Triggered Positive Commandments," 47-50, who suggests that the modern adaptation of this explanation is that women were too occupied with household duties and did not have the time for other rituals that men performed instead.

[7] The Marahal of Prague offers this opinion; Moshe Meiselman, *The Jewish Woman in Jewish Law* (New York: Ktav, 1978), 43-44, and Alexander, *Gender and Time-Bound Commandments in Judaism*, 3.

the origin or purpose of the category of rituals nor the exclusion of women from them in the tannaitic period, or even in the amoraic and stamaitic layers of rabbinic sources, they do provide a window into the reception of this category of rituals and its evolution thereafter. These sources that address the question of why women were not obligated in observing so many of the positive time-bound commandments attempt to resolve the discrepancy between men and women's time that rabbinic law created and to offer explanations for it. While the normative force of this category in early rabbinic sources is debated by modern scholars, its application in the medieval period appears to have been a foregone conclusions despite the many exceptions to the rule.

There is also evidence of push-back against these laws from both women and some medieval rabbinic authorities. In the second half of the eleventh century, Rabbi Isaac Halevi, who served as the head of the yeshiva in Worms at the time, ruled that "one does not prevent women from reciting the blessings over lulav and sukkah" (that is, from reciting blessings when women observe positive time-bound commandments) because "if they wish to undertake the yoke of commandments they are permitted to do so, and one does not object."[8] In his study of women's piety in Germany and France during this period, Avraham Grossman points out that the language of this legal ruling indicates that it was the women themselves who initiated the performance of these commandments and recited the corresponding blessings, and that sages such as Rabbi Isaac Halevi "conceded

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Samson Raphael Hirsch suggests a similar explanation in his commentary on Lev 23:43 in *The Pentateuch* (trans. Isaac Levy; 2nd ed.; New York: Judaica Press, 1971), vol. 3, part 2, 711-712, cited in Benovitz, "Time-Triggered Positive Commandments," 58-59.

[8] *Mahzor Vitry*, ed. Simeon Hurwitz (Berlin: 1893), 413-414, cited in Avraham Grossman, *Pious and Rebellious: Jewish Women in Medieval Europe* (trans. Jonathan Chipman; Waltham, MA: Brandeis University Press, 2004), 178. See also sources about women's participation in shofar, lulav, sukkah, the fast of the first-born, counting the omer, zizit, tefilin, and Torah study collected by Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 210-215, esp. 210 n.49-56.

to reality" and to "a new norm."[9] Even as the rabbinic strictures from antiquity concerning women's exemptions from the positive time-bound commandments solidified and were applied in Jewish communities, there were instances in which these norms and the time-frames they imposed on women were challenged and even – however temporarily – reversed. In such cases, this set of rituals structured not only the time of men, but also the time of those women who took it upon themselves to fulfill the time-bound commandments. Acceptance of women's participation was short-lived, however. By the thirteenth century, rabbinic authorities expressed reservations and again began banning women from full participation.[10]

In the Byzantine context, a late fourteenth or early fifteenth century pseudonymous treatise titled *Sefer HaKanah* (attributed to the first century Palestinian rabbi, R. Nehuniah ben HaKanah) preserves both sides of the debate in its dialogue form: resistance to women's exemption is articulated by a pupil in a series of critiques of the rule, while the voice of tradition is expressed by the teacher through primarily kabbalistic reasoning.[11] Specifically regarding the recitation of the Shema, the pupil presents his challenge directly to God:

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[9] Grossman, *Pious and Rebellious*, 178. Grossman also cites the writings of Rabbi Eliezer ben Nathan (*Mordekhai, Shabbat §286*) Rabbenu Tam (Tosafot at *b. Eruvin* 96a), both of which indicate women's initiation of this trend, and the later Rabbi Yitzhak ben Samuel, whose rulings indicate that such practices persisted at least until the late twelfth century. Grossman suggests that women's demands to play a more active role in religious life was a result of a general improvement in the economic and social status of Jewish women in Ashkenaz during this period as well as of similar trends of religious awakening among Christian women, who were at the time gaining influence in worship and prayer in the church (179).

[10] On the increasing discomfort with women's participation in positive time-bound commandments in the thirteenth century forward, see Elisheva Baumgarten, *Mothers and Children: Jewish Family Life in Medieval Europe* (Princeton: Princeton University Press, 2004), 88, and Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 199-245. Most rabbinic figures in Spain (including Rabbi David Abudarham of Spain and the later Rabbi Elijah Capsali of Candia), in contrast, objected to women's observance of these rituals and their recitation of the corresponding blessings throughout, even when those in Ashkenaz were more permissive (Grossman, *Pious and Rebellious*, 180).

[11] Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 215-233.

> *Yihud* [the unification of God's Name, as done in the recitation of the Shema] is the foundation of all *mizvot*, and You exempted women! They are left open to destruction, for if they do not unify God, they will worship the sun or moon! Eve's sin in the Garden was that she did not unify God, and her lot was one of pain. Do you wish to banish woman totally from the world-to-come?[12]

In her study of this text, Talya Fishman explains that, in these lines, the pupil invokes kabbalistic ideas that Eve's sin involved isolating the last divine hypostatis of the Creator, and thus, given that the "fragmentation of God is… part of woman's archetypal experience… *Sefer HaKanah*'s pupil argues, woman should hardly be exempted from the commandment to unify God's Name twice daily."[13] In another text written by the same author, the pupil expresses exasperation about women's exclusion from an entire set of commandments, which he deems unfair because women thereby forfeit the *reward* they might have received had they been permitted to perform these rituals. The pupil declares: "Is there a greater injustice than this, that the woman is included in warnings about punishments, but is excluded from the reward of performing?!?"[14] Rebuffing these types of claims that undermine the rationale for women's exemption from positive time-bound commandments, the teacher in *Sefer HaKanah* comes well equipped to offer kabbalistic explanations to the pupil's attacks. Fishman summaries the teacher's rationale, which draws on a rich kabbalistic tradition: "As is not the case with laws that are applicable to all people or those which may be performed at all times, the gender-specificity and the temporal-specificity of these *mizvot* highlight the existence of boundaries within the Godhead: between the sacred and its nonsacred mirror image, between male and female,

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[12] *Sefer HaKanah* (Crawkow 1894 edition, repr. Jerusalem, 1973), p. 15a, cited and discussed in Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 218-219.
[13] Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 219.
[14] *Sefer HaPeliah* (Przemysl 1883), pt. II, p. 20a, cited and discussed in Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 217.

and between the timeless and the time-bound."[15] These laws, in other words, exemplified secrets of the divine through the way that they structured men and women's times, the teacher explains.

Adherence to menstrual purity laws increasingly became a marker of women's piety after the rabbinic period as well, and in turn influenced the temporal rhythms of women's daily lives and monthly cycles. A late medieval medical manual titled *Sefer Ahavat Nashim* (The Book of Women's Love) provides suggestions for therapeutic measures women could perform on the day that they immersed in the ritual bath.[16] Polemics were hurled against women who did not observe menstrual purity practices in the way deemed proper by rabbinic authorities, including failure properly to count the days of their periods or the seven clean days.[17] As discussed, Baraita de-Niddah insisted

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[15] Fishman, "A Kabbalistic Perspective on Gender-Specific Commandments," 228. Fishman leaves open the possibility that the treatise was written to counter actual claims made by men or women who were critical of the rabbinic exemption of women from positive time-bound commandments, or that the treatise uses this subject to make a broader claim about the superior explanatory abilities of the kabbalistic system. Regarding the latter, she writes: "While all precepts 'hint' at particular aspects of God, gender-specific and temporally-specific *mizvot* are especially well suited to the kabbalist's description of the cosmic roles played by different divine hypostases: male *sefirot* as opposed to female *sefirot*, or *sefirot* which are 'above' the realm of time as opposed to those which are temporally defined. The sefirotic interpretations of *mizvot* highlight Kabbalah's superior explanatory powers as compared with halakhah. *Sefer HaKanah*'s interest in gender-specific commandments can thus be explained on the purely internal grounds of preference for a particular hermeneutic system, without any reference to environmental stimuli. Indeed, the fact that *Sefer HaKanah*'s systematically-referential criticisms seem to have been triggered by nothing other than contact with the texts of rabbinic culture and a zealously embraced method of reading, impedes the detection and identification of any live voices in the author's environment who may have discussed the issue of gender-specific commandments" (229).

[16] The text of this Hebrew fifteenth-century manual, along with an analysis of its content, is the subject of Carmen Caballero-Navas, *The Book of Women's Love and Jewish Medieval Medical Literature on Women: Sefer Ahavat Nashim* (London: Kegan Paul, 2004), 92. Women's observance of *niddah* as a practice of piety continued into the modern period, on which see the chapter on "*Mitsvot* Built into the Body: *Tkhines* for *Niddah*, Pregnancy, and Childbirth" in Chava Weissler's *Voices of the Matriarchs: Listening to the Prayers of Early Modern Jewish Women* (Boston: Beacon Press, 1999), 66-75.

[17] Shaye J. D. Cohen studies such polemics against improper practices as a way of glimpsing the practices of women even within the prescriptive texts of the male rabbis in "Purity, Piety, and Polemic: Medieval Rabbinic Denunciations of 'Incorrect' Purification Practices," in *Women and Water*, 82-100. See also Yedidyah Dinari, "The Customs of Menstrual Impurity: Their Origin and Development" (Heb.), *Tarbiz* 49 (1979-80): 302-324; Mordechai A. Friedman, "Menstrual Impurity and Sectarianism in the Writings of the Geonim and of Moses and Abraham Maimonides," *Maimonidean Studies*, vol. 1 (ed. Arthur Hyman; New

on prolonged periods of menstrual impurity and more elaborate forms of marking times of purity and impurity, in addition to a whole host of other stringencies concerning a menstruating woman's activities within her home and community.[18] In other medieval texts, especially mystical literature, women symbolically existed in a state of constant impurity – they could not partake in mystical rituals because of fear of impurity.[19] Even while women could, theoretically, engage in mystical activities during the time of the month when they were not ritually impure, their potential for impurity at unpredictable times of the month prevented them from engaging in such activities altogether.[20] For these women, then, their time was not only segregated into periods of purity and impurity during which their behavior had to change, but the entirety of their time was regarded as distinctly different from men's time because of the potential for unexpected impurity. Thus the laws that marked their bodies fundamentally changed their access to whole realms of spirituality that were predicated on predictable states of purity, which were defined as male.

The uncomfortable collision of men and women's ritual times is movingly articulated in a much more recent text as well. In her personal journal dated to the 21st of October, 1941, the Hebrew writer Hava Shapiro (1878-1943) reflects on the exclusion of women from the rituals of sanctifying and blessing the new moon.[21] While the boys and

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York: Yeshiva University Press, 1990), 1-21; and Baskin, "Women and Ritual Immersion in Medieval Ashkenaz," 131-142.

[18] Sharon Faye Koren, *Forsaken: The Menstruant in Medieval Jewish Mysticism* (Waltham, MA/Hanover: Brandeis University Press/University Press of New England, 2011), 28-42; Marienberg, *La Baraïta de-Niddah*, 17-73.

[19] Koren, "The Menstruant as 'Other' in Medieval Judaism and Christianity," 33-59, and idem., *Forsaken*.

[20] Koren writes: "Women are susceptible to impurity at all times and are therefore continually barred from mystical practice – a legal construction that also accounts for the absence of post-menopausal women mystics" (10-11).

[21] On Hava Shapiro's writings, see Wendy Zierler, "'My Own Special Corner, Sacred, Beloved': The Hebrew Diary of Hava Shapiro (1878-1943)," *Hebrew Studies* 53 (2012): 231-255, and idem., "Hava

men of her Ukranian community marked the transition of months by gazing at the moon and reciting a blessing, the women, because of their potential for menstrual impurity, were ordered to keep away and abstain from sanctifying the new moon and the passage of time. Shapiro recalls that as she reached puberty and was no longer allowed to tag along with her older brothers, she bemoaned her womanly fate: "And so the hour of the sanctification of the moon became a hidden torment: it seemed a terrible burden that we, the girls, were made to suffer. I could not be consoled, for it seemed to me a terrible decree…"[22] The sanctification of the moon is described in a rabbinic source as "greeting the face of the Shekhinah," an expression of extreme spirituality and unity with the divine.[23] Shapiro's sadness – which eventually turns into anger and defiance in the story she recounts – seems to stem from being kept away from the holiness this ritual cultivated in its practitioners. According to the rabbinic strictures observed in her community, her body's temporal rhythms, those of her monthly menses, replace the cosmic rhythms of the moon and its indication of the new month that lay ahead.[24] Here, the legacy of the ancient rabbinic exclusion of women from this ritual still echoes: on the one hand, the monthly cycles of the moon and of a woman's menses are placed in

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Shapiro's Letters to Reuven Brainin," *Nashim: A Journal of Jewish Women's Studies and Gender Issues* 16.2 (2008): 67-97.

[22] The text has been compiled and edited by Carole B. Balin and Wendy Zierler in Hava Shapiro, *Be-hikansi 'atah : mivḥar sipurim, masot, mikhtavim ye-ḳiṭ'e yoman* (Tel Aviv: Resling, 2008), 89-92.

[23] *b. Sanhedrin* 42a.

[24] It is particularly ironic that while women were barred from observing and sanctifying the moon, the holiday of the first of the month was considered to be a woman's festival. See e.g. *y. Ta'anit* 1.6, 64c and *Pirqe de Rabbi Eliezer* 45, both referenced in Feldman, "Taming Women and Taming Time." In the Yerushalmi passage, it states that women are permitted not to work on the new moon, and in PRE, which comments on Ex 32:2, women are said to have refused to participate in the sin of the golden calf and were therefore rewarded with the celebration of the new moon. On the contemporary history and practice of this monthly celebration, see idem., "'On Your New Moons': The Feminist Transformation of the Jewish New Moon Festival," *Journal of Women and Religion* 19 (2001): 25-51, and David M. Rosen and Victoria P. Rosen, "New Myths and Meanings in Jewish New Moon Rituals," *Ethnology* 39.3 (2000): 263-277.

parallel, and yet on the other hand, it is their irreconcilability and incompatibility in the realm of ritual that is at issue.

This brief journal entry captures the themes explored in the three preceding chapters: women's exclusion from a certain set of rituals that were deemed by the rabbis to constitute men's time; the emphasis on menstrual purity laws that in turn defined a corresponding women's time; and the rhetorical intertwining of women's bodily metaphors to describe temporal processes such as the end-times and the calendar, a discourse that at once evoked the language of female bodily time and excluded real women from those times.

EPILOGUE

Throughout this dissertation, I have not argued that the ancient rabbis had a single conception of time. Quite the opposite: I have shown that their world, like ours and like any other, consisted of many different types of times – some overlapping and complementary, others contradictary and complicating. Johann Gottfried Herder, in his critique of Immanuel Kant, observed that "no two worldly things have the same measure of time"; rather, there are "(to be precise and audacious) at any one time in the Universe infinitely many times."[1] What this study has unpacked, then, are some of the rhythms of time that animated the rabbinic world and the community the rabbis sought to create, and has identified a few ways in which such timescapes emerged and how they operated in antiquity. To return to the Introduction's opening quote by Jeremy Rifkin, this dissertation has attempted to uncover some of the rabbis' "temporal footprints," for, as Rifkin suggests, "to know a people is to know the time values they live by."[2]

A prominent theme that runs through the entire dissertation is that of time and difference. Though time appears to be universal, based on shared elements such as the rising sun, the phases of the moon, or the seasons, it is not. Different communities maintain different calendars, and groups and individuals within a single community interact with time in different ways, even when they look to the same temporal markers with which to anchor their days, nights, weeks, months, and years.[3] In rabbinic sources, the structuring of time was used to both create and elide difference. Such difference was

[1] Johann Gottfried Herder, *Metakritik zur Kritik der reinen Vernunft* (1799; Berlin, 1955), 68, quoted in Reinhart Koselleck, *Futures Past: On the Semantics of Historical Time* (trans. Keith Tribe; New York: Columbia University Press, 2004), 2. Koselleck adds, about his own study of historical time in modernity, "What follows will therefore seek to speak, not of one historical time, but rather of many forms of time superimposed one upon the other" (2).
[2] Rifkin, *Time Wars*, xi.
[3] Even each individual operates on several different temporal registers simultaneously.

constructed on communal terms, separating those in one community from those in another, and on gendered terms, dividing men from women within a single community.

In Part I, I argued that the rabbis of the Mishnah and the two Talmuds actively attempted to differentiate their time from the time of their Roman neighbors by prohibiting participation in Roman festival celebrations. This attempt to distance themselves from the Roman calendar often had the opposite effect, however, because in their efforts to avoid Roman festivals the rabbis needed to be mindful of the rhythms of Roman time. In the stories the rabbis told about the origins of Roman festivals, the rabbis presented these times as linked to Jewish history, grafting the Jewish past onto important days of the Roman calendar. A similar convergence of times occurred when those in the Roman Empire began dividing their time into seven-day weeks and resting on the seventh day; the effect was the integration of Jewish time into Roman daily and weekly life.

In Part II, I turned to a set of texts that outline rituals the rabbis reserved for either men or women and that, as a result, cultivated a gender-differentiated temporality. Men were obligated to fulfill those commandments that were categorized as "positive time-bound commandments," while women oriented their time around rituals related to the menstrual purity laws that were imposed onto the biological rhythms of their bodies. I argued that by observing different time-related rituals, men and women's time was conceived by the rabbis as markedly different. I concluded with a study of how a number of processes related to women's bodies were used as metaphors for temporal ideas. While the examples were metaphorical, I suggested that these metaphors in fact shaped rabbinic conceptions of time beyond the literary realm.

Temporal difference was observed and cultivated at other points of rupture in the rabbinic imagination not explored in this dissertation – for humans, animals, and plants; among those of different ages; and between earthly and heavenly realms. By way of conclusion, then, let us turn to a rabbinic text that sets forth a vision of God's time. It can be read not only as a playful musing about divine time, but also as a reflection on the points of intersection and difference between the time of heaven and the time on earth.

In the opening pages of tractate Avodah Zarah in the Babylonian Talmud, in the midst of a fantastical story about all the nations of the world approaching God at the end of time, the following description of God's daily schedule appears:

> The day consists of twelve hours; during the first three hours the Holy One, blessed be He, is occupying Himself with the Torah; during the second three He sits in judgment on the whole world, and when He sees that the world is so guilty as to deserve destruction, He transfers Himself from the seat of Justice to the seat of Mercy; during the third quarter, He is feeding the whole world, from the horned buffalo to the brood of vermin; during the fourth quarter He is sporting with the Leviathan, as it is said, "There is Leviathan, whom you formed to frolic there."[4]

This text presents God's day as consisting of 12 (astronomical) hours, just like those on earth. God's day is divided into four 3-hour segments, a common organization of time mentioned in both rabbinic and Roman sources. God does the following activities each day: God studies Torah, judges and has mercy, feeds all of the creatures in the world, and laughs and plays with the Leviathan. This vision of God's time is based largely on Psalm 104, in which only God's study of Torah is absent – seemingly a rabbinic innovation.[5]

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[4] *b. Avodah Zarah* 3b, Soncino trans. This passage was inserted into the story about the end of time because of the theme of laughter in that story, and is largely unrelated to it.

[5] The final line about the Leviathan is a passage from Ps 104:26. Psalm 104 offers a broader outline of God's creation of the world and what he has been doing with His time since then: "He made the moon to mark the seasons and the sun knows when to go down. You bring darkness, it becomes night, and all the beasts of the forest prowl. The lions roar for their prey and seek their food from God. The sun rises, and they steal away; they return and lie down in their dens. Then people go out to their work, to their labor

When one rabbi objects, recalling a tradition that God has not laughed since the destruction of the temple, a revised schedule is proposed. Rather than playing with the Leviathan, the text explains that God spends the last quarter of the day sitting and instructing the school children, a tradition that is based on a passage from Isa 28:9, in which God is said to teach children weaned from their mothers' milk.[6]

> After describing God's day, the text then turns to God's nightlife:
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> And what does He do by night? — If you like you may say, the kind of thing He does by day; or it may be said that He rides a light cherub, and floats in eighteen thousand worlds; for it is said, "The chariots of God are myriads…"[7] Or it may be said, He sits and listens to the song of the Hayyoth, as it is said, "By the day the Lord will command His lovingkindness and in the night a song to Him shall be with me."[8]

A number of options are proposed. God either travels through the heavens with a company of angels, or enjoys a heavenly concert, or simply performs the same tasks that God does during the day. In this text, the rabbis contemplate how time is experienced by God, imposing human structures of time – such as the day and night, and hours – onto God, but imagining God to perform both human activities, such as studying Torah, alongside divine ones, including meting out judgment. As we have seen throughout the dissertation, time both unites and differentiates: the rabbis in this passage liken God to themselves through imagining that the very first activity of God's day is the study of

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until evening. How many are your works, Lord!... There the ships go to and fro, and Leviathan, which you formed to frolic there. All creatures look to you to give them their food at the proper time. When you give it to them, they gather it up; when you open your hand, they are satisfied with good things. When you hide your face, they are terrified, when you take away their breath, they die and return to the dust. When you send your Spirit, they are created, and you renew the face of the ground…" (Ps 104:19-30 NIV). This passage, then, seems to lie behind the *aggadah* and offer a biblical basis for what God does during each day: God feeds the animals, acts as judge, plays with the Leviathan.

[6] "Who is it he is trying to teach? To whom is he explaining his message? To children weaned from their milk, to those just taken from the breast?" (Isa 28:9 NIV). The talmudic text then asks: who taught these children before the destruction of the temple?, and answers that either the angel Metatron did, or God took care of this task even while the temple still stood, in addition to God's other responsibilities.

[7] Ps 68:18. The following lines highlight that God "daily bears our burdens" (Ps 68:20).

[8] Ps 42:9.

Torah, mirroring their primary value and perhaps also their primary daily activity. This same passage, though, also highlights God's uniqueness, as God engages with the Leviathan, the angels, and the Hayyot in the heavens. This brief excursus is yet another "temporal footprint," one that transcends earthly terrain and reaches up to the heavens.

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