

APPROACHING SACRED SPACE

Baruch M. Bokser
Dropsie College

Jonathan Z. Smith, in discussing the transformation of the notion of sacred space in Judaism and the shift from a "locative" type of religious activity to one not limited to a fixed place, points to the necessity "to take history . . . seriously" and to examine closely how that transformation took place.¹ We can take up this charge and illuminate the larger processes at work by focusing on the narrower problem of the proper protocol required when approaching sacred space. This will enable us to see how the postbiblical tradition revises, while at the same time it preserves, the biblical model of a sacred center.²

The issue is simple: if people believe that the divine may manifest itself in the world without being restricted to a single area, how should they treat this extended zone of the sacred? Since sacred places are marked off from the world at large—where the divine may also be found—by the preparations that must be undertaken before entering it, what Mircea Eliade calls "gestures of approach," and by the behavior that must be followed while in it,³ must people then follow this protocol for the larger domain? This is the problem faced by such postbiblical thinkers as the author of the Temple Scroll, the Qumran sectarians, and early rabbinic masters.

I

To understand the reworking of the biblical heritage, let us first review the scriptural tradition. The Bible describes God's place in the world in

¹ Jonathan Z. Smith, *Map is Not Territory: Studies in the History of Religion* (SJLA 23; Leiden: Brill, 1978) 128.

² See Jacob Neusner, "Map Is Without Territory: Mishnah's System of Sacrifice and Sanctuary," *HR* 19 (1979) 103-27, on the transformation in Mishnah Qodashim.

³ Mircea Eliade, *Patterns in Comparative Religion* (London: Sheed and Ward, 1958) 370-71.

several fashions. We find the assertion that the LORD fills the heavens (Ps 11:4) and also the belief that God is very close, and found among the people of Israel (Joel 2:27). Although the notion of the divine presence did undergo development and one might see a tension between these two positions,⁴ they can also be reconciled. For example, as the author of 1 Kings 8 already noted, while God may be found in the whole world, the LORD may make the divine presence more acutely felt in certain places. God may therefore be in a specified locale but need not be limited to it.⁵

To approach these special places, individuals are required to make special preparations. Moses is to take off his shoes before drawing near to the burning bush; priests, Levites, and Israelites must avoid impurities and follow various standards before entering the tabernacle. Leviticus, Numbers, and Deuteronomy apply such rules not only to the tabernacle but also in other contexts.

Because Num 5:1-4 believes that the camp is like the tabernacle—for the LORD dwells in it—it applies the notion of sacred space to the Israelite camp in the desert. Hence, lepers and those unclean with an issue or from contact with a corpse are to be sent out of the camp. Num 31:19 adds that those who shed blood, even on divine orders, must follow suit and reside outside the camp until they finish the process of purification.

Deut 23:10-15, by preventing pollution in the camp and by requiring a place outside the camp where one may relieve oneself, notably introduces the notion of physical cleanness:

When you go out as a camp against your enemies, be on your guard against anything untoward (*mikol dabar ra'*). If anyone among you has been rendered unclean by a nocturnal emission, he must leave the camp, and he must not reenter the camp. Toward evening he shall bathe in water, and at sundown he may reenter the camp. Further, there shall be an area for you outside the camp, where you may relieve yourself. With your gear you shall have a spike, and when you have squatted you shall dig a hole with it and cover up your excrement. Since the LORD your God moves

⁴ See Baruch A. Levine, "On the Presence of God in Biblical Religion," in Jacob Neusner, ed., *Religions in Antiquity: Essays in Honor of Erwin Ramsdell Goodenough* (Leiden: Brill, 1968) 71-87; and Moshe Weinfeld, "Presence, Divine," *EncJud*, s.v.

⁵ See Sara Japhet, *The Ideology of the Book of Chronicles* (in Hebrew; Jerusalem, 1977) 57-60; and G. Ernest Wright, "The Temple in Palestine-Syria," in idem and David Noel Freedman, eds., *The Biblical Archaeologist Reader* (Garden City: Anchor, 1961-70) 170, 176.

about in your camp to protect you and to deliver your enemies to you, let your camp be holy; let Him not find anything unseemly (*ervat dabar*) among you and turn away from you.

The last verse expresses the reason behind the regulation: because God accompanies the people, they must avoid everything that appears disgusting, unbecoming, or otherwise inappropriate.⁶ Maimonides captures this point in observing that the text, in attempting to make people realize that the Indwelling has descended upon them, regards the camp as a Sanctuary of the LORD.⁷ The individual's state is thus made contingent on the place's holiness.

II

What happens to this injunction to avoid what is unseemly when the place of the divine presence is redefined? The postbiblical literature provides several answers. Quite important is the Temple Scroll, found at Qumran whether or not authored by a member of the Qumran community. It exemplifies one way in which the notion of sacred space can be extended.⁸ The Scroll describes an ideal Temple for the pre-Messianic age where the true cult may be performed and where God can dwell. It thus shares with the Dead Sea Scrolls the belief that the current Jerusalem Temple was polluted. Hermann Lichtenberger suggests that Qumranites could see in the Temple Scroll a validation of their position that their community represents an interim stage prior to and anticipating the true (pre-Messianic) Temple.⁹ Other ways to integrate the two approaches are also possible.¹⁰

In this idealized future, the "potent presence"¹¹ is potent in a larger

⁶ See Deut 15:21; 17:1; and Moshe Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford, 1972) 238–39, 191–208.

⁷ *The Guide of the Perplexed* 3.41 (ed. Shlomo Pines; Chicago: University of Chicago Press, 1963) 566–67.

⁸ See Yigael Yadin, ed., *Megillat ha-Miqdash, The Temple Scroll* (in Hebrew; 3 vols.; Jerusalem: Israel Exploration Society, 1977) 1. 215–63.

⁹ Hermann Lichtenberger, "Atonement and Sacrifice in the Qumran Community," in W. S. Green, ed., *Approaches to Ancient Judaism* (Chico: Scholars Press, 1980) 167.

¹⁰ See, e.g., Joseph M. Baumgarten, review of Yadin, *Temple Scroll*, *JBL* 97 (1978) 589; and cf. Ben Zion Wacholder, *The Dawn of Qumran: The Sectarian Torah and the Teacher of Righteousness* (Cincinnati: Hebrew Union College Press, 1983) esp. 21–24, 86–88, 224–29.

¹¹ To use Baruch Levine's term, in "Presence of God."

sphere. According to Yigael Yadin,¹² it applies fully throughout the city housing the Temple though, according to Baruch Levine,¹³ it applies fully only to the whole Temple mount and but partially to the rest of the city. The scroll therefore extends the regulations of holiness and respect to these larger areas. Further, taking seriously the notion that God dwells among all the Israelites, it requires that all Israelite cities—though to a lesser degree than the Temple city—must maintain their purity and exclude the ritually impure. It imposes a related requirement on Israelites in general. Jacob Milgrom formulates the distinction between the cities in these terms:

In the Temple-city all impurities cause their bearers to be banished, requiring a minimum of two ablutions for passage through the two stages of impurity (*šûmâ*) to profaneness (*ḥol*) to holiness (*qodeš*). In other cities only lepers are expelled and gonorrhoeics, parturients, and menstruants are quarantined but the corpse-contaminated can remain within his community provided he submits to ablutions on the first day of his week-long purification.¹⁴

As part of setting out the rules to insure the protection, purity, and respect for the Temple, the Temple city, other cities, and the land (cols. 46–51), the Temple Scroll draws on Deuteronomy 23.¹⁵ As Yadin suggests, the Temple city is made equivalent to the wilderness camp; just as the latter surrounded Sinai during the revelation, so the former surrounds the Temple.¹⁶ It is for this reason that the laws of a camp apply to the Temple city.

For example, 45:7–10, employing the language of Deut 23:11, bans a person with nocturnal emission from the entire sacred area for three days—a period derived by extending Deuteronomy's rule on the basis of the model of Mount Sinai (Exod 19:10–15) when the people were in a state of preparation for three days. 46:13–16, adding details to Deut 23:13–14's provision for defecating outside the sacred area, specifies that outhouses with pits should be constructed outside and beyond the

¹² Yadin, *Temple Scroll*, and idem, "Is the Temple Scroll a Sectarian Composition?" in Benjamin Mazar, ed., *Thirty Years of Archaeology in Eretz-Israel, 1948–1978* (in Hebrew; Jerusalem, 1981) 157–63.

¹³ Baruch A. Levine, "The Temple Scroll: Aspects of Its Historical Provenance and Literary Character," *BASOR* 232 (1978) 14–17. Cf. Joseph M. Baumgarten, "The Pharisaic-Sadducean Controversies about Purity and the Qumran Texts," *JJS* 31 (1980) 158–59.

¹⁴ Jacob Milgrom, "Studies in the Temple Scroll," *JBL* 97 (1978) 516–17.

¹⁵ See Yadin, *Temple Scroll*, 1. 215–32.

¹⁶ *Ibid.*, 1. 223.

view of the Temple city. Following 46:16–18's law requiring huts outside the city for lepers and other excluded individuals, 47:3–6 provides a structural analogue to the justificatory clause in Deut 23:15:

“[And let] their cities be clean so that [a lacuna, for which Yadin suggests: “I may dwell in them”] for ever. And the city which I shall sanctify by causing my name and Temple to dwell in it shall be holy (*qôdeš*) and clean (*ṭehôrâ*) from all substances of uncleanness (*mikôl dabar lekôl ṭum'â*) by means of which [persons] become unclean. Everything in it shall be clean, and everything that shall enter it shall be clean (*ṭahôr*).

The Temple Scroll thus follows a logical deduction from extending the notion of sacred space. If the center of sacredness is extended, so the rules must be.¹⁷ As we shall now see, we find the identical logic in the Dead Sea Scrolls and in Josephus's description of the Essenes.

The Qumranite War Scroll, heavily drawing on the language of Deut 23:10–15, prescribes regulations for a forty-year war of the whole community against the evil dark forces. The rules of sacredness apply to their war camp as it did to the Israelite camp in the desert. 1QM 7, 6–7 reads:

Any man who is not pure with regard to his sexual organs on the day of battle shall not join them in battle, for holy angels are with their hosts. And there shall be a space of about 2000 cubits between all their camps and the place of the “area” (*hayad* = the latrine). And no unseemly untoward thing (*wkôl 'eryat dabar ra'*) shall be seen in all the surroundings of their camps.¹⁸

The pericope adds to Deuteronomy mention of an appropriate distance separating the latrine area from the encampment. Moreover, reworking the scriptural reference to God, it represents the divine presence by an angel, while a related passage, 1QM 10, 1, speaks of the LORD Himself: “[for let] our camp [be holy] and we should beware of every unseemly untoward thing, for Thou are in our midst, O great and terrible God.” Both passages combine the phrases “an untoward thing” and “an unseemly thing” from Deut 23:10 and 15. Hence the whole community, arranged as a war camp, must avoid impurity and indecency before

¹⁷ According to *ibid.*, 1. 223–24 and Milgrom, “Studies,” 517, the Scroll bans even sexual intercourse and the residence of women in the Temple city.

¹⁸ See Yigael Yadin, *The Scroll of the War of the Sons of Light against the Sons of Darkness* (London: Oxford University Press, 1962) 290–91, 73–75.

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the Potent Presence. This accords with what elsewhere appears to be the self-image of the Qumran community. While other Second Temple groups like the Pharisees also stressed the importance of purity, requiring the eating of common food in a state of ritual purity, the Qumranites are the ones who established an elaborate community to act on these notions, even when not eating, so as to form a "community of perfect holiness."¹⁹ They thus saw themselves as a replacement for the Temple, where the divine presence would dwell until the eschaton when God will bring a New Temple. Like earlier biblical writers, they in turn found in the concept of the sacred a means to insure group identity around a central place, though, to be sure, they expanded the locus of the sacred to the Temple city.

The Zadokite Document applies regulations to the sect both for the time of prayer and for other matters:

And all who enter the house of prostration, let him not come in a state of uncleanness requiring washing. . . . Let no man lie with a woman in the city of the sanctuary (*b^eir hammiqdaš*), thus imparting uncleanness to the city of the sanctuary with their menstruation.²⁰

Considering the earlier heritage, we can understand why the places of prostration, that is, worship,²¹ and of sanctification both require the proper "gestures of approach" and behavior.

These diverse sources agree with Josephus's description of the Essenes. One feature of that description has often raised questions, but it too fits in with the above ideology of sacredness. *Bell.* 2.147-49 reads:

They . . . are stricter than all Jews in abstaining from work on the seventh day; for not only do they prepare their food on the day before, to avoid kindling a fire on that one, but they do not venture to remove any vessel or even to go to stool. On other days

¹⁹ Lawrence H. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Courts, Testimony, and the Penal Code* (BJS 33; Chico: Scholars Press, 1983) 12, 195, 215-17; cf. Jacob Neusner, *A History of the Mishnaic Law of Purities* (SJLA 6; 22 vols.; Leiden: Brill, 1974-80) 22. 37-49.

²⁰ 11, 21-22; 12, 1; see Chaim Rabin, ed. and trans., *The Zadokite Documents* (2d ed.; Oxford: Clarendon, 1958) 58-59. Cf. Temple Scroll 45, 11-12; and Levine, "Temple," 14.

²¹ See Bezalel Porten, *Archives from Elephantine* (Berkeley: University of California Press, 1968) 155-56; and Louis Ginzberg, *An Unknown Jewish Sect* (New York: Jewish Theological Seminary, 1976) 71, 374-75.

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they dig a trench a foot deep with a mattock—such is the nature of the hatchet which they present to the neophytes—and . . . sit above it. They then replace the excavated soil in the trench. For this purpose they select the more desolate spots (ἐρημοτέρους). And though this discharge of the excrements is a natural function, they make it a rule to wash themselves after it, as if defiled.²²

In the description of the Essenes' relieving themselves in a desolate spot outside an inhabited area,²³ and thus outside the sacred domain, we have an adaptation of Deut 23:12–14's rule regarding defecation. This account provides background information for the account of their strict Sabbath observance. I submit that even the ban on relieving oneself on the Sabbath derives from the group's understanding of sacredness. A concentration or localization of sacredness, which is what constitutes a Temple or tabernacle (in Hebrew literally a "dwelling" of the Potent Presence), is not limited to a geographic area or place; the presence may also be acutely felt in a designated time. This notion lies behind the divine sanctification of the Sabbath in such passages as Gen 2:3 and Exod 16:22–26,²⁴ and is suggested by the juxtaposition of the mentions of the Sabbath and of a place of sanctification in Lev 19:30 and 26:2: "You shall keep My sabbaths and venerate My sanctuary; I am the LORD," for both provided opportunities to experience the sacred. In this very sense the Essenes thus took the Sabbath as a Temple; by observing the rules required for sacred space during this sacred period, they tried to create and experience the sacred dimension.²⁵ Arthur Green in fact has demonstrated how rabbinic Judaism shaped his experience of the Sabbath as a tabernacle of time, and attributed to many of the ideas, symbols, and metaphors previously associated with the Temple.²⁶ Note Green's formulation: "Any place where the glory

²² Translation based on the LCL edition.

²³ See Edwin Hatch and H. A. Redpath, *A Concordance to the Septuagint and Other Greek Versions of the Old Testament* (Oxford: Clarendon, 1897; reprinted Graz: Akademische Druck- und Verlagsanstalt, 1954) 545–47; and Edward Robinson, *A Greek and English Lexicon of the New Testament* (New York, 1878) 292–93.

²⁴ As Exod 16:22–26 and 35:2–3 couple this notion with the ban on fire or cooking on Sabbath, we can understand Josephus's association of the two. See also Exod 35:2–3; 31:12–17; Isa 58:13–14; Jer 17:21–22; and cf. Neh 13:15–19.

Cf. Lawrence H. Schiffman, *The Halakhah at Qumran* (SJLA 16; Leiden: Brill, 1975) 123–24; and Baruch M. Sharvit, "The Sabbath of the Judean Desert Sect," *Beit Mikra* 21 (1976) 514–15 (in Hebrew).

Arthur Green, "Sabbath As Temple," in Raphael Jospe and Z. Fishman, eds., *Go Study: Essays and Studies in Honor of Alfred Jospe* (Washington, DC: B'nai B'rith Hillel Foundations, 1980) 287–305. For a modern theological exposition of this notion see A. Schel, *The Sabbath* (New York, 1950).

of God appears, in however transient a manner . . . , is to be treated as God's holy Temple."²⁷

Jonathan Z. Smith, observing that "most particularly, as is widespread in the history of religions, the exile may be overcome in moments of sacred time," comments on the detailed actions taken by the Lurianic community and later Hasidism to express these ideas.²⁸ Our analysis has enabled us to recognize an early precedent for the later rabbinic and qabbalistic notions. The Qumran writers, still venerating the center and seeking to overcome their self-imposed loss of this sacred domain, thus represent an early stage in the trajectory leading to those subsequent developments.

Such efforts at working out the meaning of sacredness surely affected the social experience of the several writers and groups. To be sure, since they diversely adapted the biblical notion, we cannot know the degree to which each group was able to put its ideas into action, in particular when they involved those outside the group. Nevertheless, these notions not only shaped the way people viewed the cosmos and defined their own place in it, but as other sources demonstrate, may also have motivated people to act. Josephus, in *Ant.* 12.145-48, records Antiochus III's decree enforcing respect of the Temple and the city of Jerusalem:

It is unlawful for any foreigner to enter the enclosure of the Temple, which is forbidden to the Jews, except to those of them who are accustomed to enter it after purifying themselves in accordance with the law of the country. Nor shall anyone bring into the city the flesh of horses or . . . , in general, of any animals forbidden to the Jews. Nor is it lawful to bring in their skins or even to breed any of these animals in the city. But only the sacrificial animals known to their ancestors and necessary for the propitiation of God shall they be permitted to use. And the person who violates any of these statutes shall pay to the priests a fine of three thousand drachmas of silver.²⁹

²⁷ Green, "Sabbath As Temple," 303. Yadin (*Scroll of the War*, 74-75 and *Temple Scroll*, 1. 233) believes that the same Sabbath regulation is assumed in the War Scroll. Cf. Jub 2:29; and Schiffman, *Halakhah*, 91-98.

²⁸ Smith, *Map*, 124; see also 124-26.

²⁹ The Temple Scroll (47, 7-18) also contains the ban on animals. On Antiochus's decree, see Martin Hengel, *Judaism and Hellenism: Studies in Their Encounter in Palestine during the Early Hellenistic Period* (2 vols.; Philadelphia: Fortress, 1974) 1. 28, 270, and nn.

Whatever the dynamics that led Antiochus to make such a decree, he undoubtedly would have shaped it on the basis of the information given him by Jewish authorities. In addition, epigraphic evidence and Josephus's testimony attest that in Herod's day too an inscription was put up marking off the sacred precinct surrounding the Temple and prohibiting Gentiles from passing through it.³⁰

Other ancient groups apply comparable regulations to their sacred areas. Saul Lieberman summarizes this evidence thus:

The attitude of the ancients towards their sanctuaries was expressed in certain laws which marked their respect for the holy places. There was, of course, a rule common to Jew and Gentile that ritually unclean persons or people improperly dressed were barred from Temple premises. To these the Orientals, the Greeks and the Romans added certain social transgressions as well as the state of mourning over relations.³¹

III

In turning to the rabbinic sources, we face a new situation: early rabbinic authorities, following a changed perspective on holiness, in effect redefined the sacred, asserting that one could worship God in one's everyday life without the Temple and could experience the LORD in prayer and study in any place.³² What would they then do with the heritage of Deuteronomy 23? Since one always stood before the Potent Presence, would an individual constantly and everywhere have to observe the "gestures of approach" and live up to the special protocol? Could people follow such a standard? Would they not be even more restricted than the Qumran sectarians? As we shall now see, while retaining the earlier perspective that special sacredness may reside—be "localized"—in certain places, the rabbis departed from it in significant ways and suggested that the special procedures apply in the world at large only when an individual acts so as to elicit the sacred.

³⁰ See E. Mary Smallwood, *The Jews Under Roman Rule: From Pompey to Diocletian* (SJLA 20; Leiden: Brill, 1976) 93 and n. 115; Joseph M. Baumgarten, "Exclusions from the Temple: Proselytes and Agrippa I," *JJS* 33 (1982) 218–25; and Louis H. Feldman, *Josephus and Modern Scholarship, 1937–1980* (Berlin: De Gruyter, 1984) 444–46.

³¹ Saul Lieberman, *Hellenism in Jewish Palestine: Studies in the Literary Transmission, Beliefs, and Manners of Palestine in the I Century B.C.E. -IV Century C.E.* (New York: Jewish Theological Seminary, 1950) 164 and nn.

³² See Baruch M. Bokser, "The Wall Separating God and Israel," *JQR* 73 (1983) 367–69 and esp. n. 53.

The rabbinic developments fit patterns known in other Late Antique religions. The loss of a sacred center yields not only the negative experience of "exile," but positive efforts to locate the sacred in other places and to provide new centering structures. The increased importance attached to the Torah in Judaism yielded one such structure, as noted by many scholars. But fully accepting alternatives and acknowledging that they are comparable to, or replacements for, the lost center obviously do not come about quickly; articulating such sentiments takes even more time. It is therefore understandable that we first find that the sacred is tacitly and obliquely extended and applied in new ways.³³ But at the same time—and later—rabbinic culture sought to preserve, and in principle not to reject, the cosmological sacred center. Indeed precisely because rabbis shared in and envisioned a society venerating a locative special manifestation of the sacred, they had to find new meaning for the concept of the sacred so that it could persist in the face of reality.

The nature of sacred place is addressed in two sets of rabbinic sources, those treating Temple practices and prescriptions and those dealing with extra-Temple life. In the first category, sources assume that the traditional sacred structures of the Temple and the city of Jerusalem continue. The whole order of Mishnah Qodashim is built on this notion. As Jacob Neusner suggests, individual Jews reading the detailed cultic regulations share in the world of the Temple in a manner previously open primarily to priests:

What Mishnah does by representing this cult, laying out its measurements, describing its rite, and specifying its rules, is to permit Israel in the words of Mishnah to experience anywhere and any-time that cosmic center of the world described by Mishnah: *Cosmic center in words is made utopia*.³⁴

The thought here is not so far from the explicit Amoraic claim that studying the sacrificial sections is equivalent to acting them out and offering the actual sacrifices.³⁵ All Jews, no matter where they reside, are thus empowered to enter the sacred center. Although this trend may predate the Temple's actual destruction, as Qumran and other evidence attest, it only becomes pronounced in post-70 times when study

³³ See Neusner, "Map," 122; and Baruch M. Bokser, "Rabbinic Responses to Catastrophe," *PAAJR* 50 (1983) 37-61.

³⁴ Neusner, "Map," 125.

³⁵ See, e.g., *Midr. Vay. Rab.* 7.3 (ed. Margulies 155) and parallels cited in n. to line 5.

is made encumbent upon every individual,³⁶ and the institutions of the rabbi and of the synagogue come into their own.³⁷

The continuity of the cultic structures appears explicit in a series of texts teaching that the Temple and the city of Jerusalem demand respect. For example, *m. Kelim* 1.6–9 lists a hierarchy of “ten” (actually eleven) holy locations in Israel and the increasing regulations applicable to each.

There are ten (degrees of) holiness:

- 1) The land of Israel is holier than all lands. What is its holiness? For they bring from it the *omer*, and the first fruits, and the two loaves, [things] which they do not bring from all lands.
- 2) The cities surrounded by a wall are more holy than it [the land]. . . .
- 3) Within the wall [Jerusalem] is more holy than they [other walled cities]. For they eat there lesser sanctities and second tithe.
- 4) The Temple mount is more holy than it. For *zabim* and *zabot* [who have emissions from their sexual organs], menstruating women, and those that have given birth do not enter there.
- 5) The rampart is more holy than it [the Temple Mount]. For gentiles and the one made unclean by a corpse do not enter there.
- 6) The court of women is more holy than it [the rampart]. For a *tevil-yom* [one unclean, but who has already immersed himself and only awaits the onset of the evening to become purified] does not enter there but they are not liable on its account for a sin-offering.
- 7) The court of Israel is more holy than it [the court of women]. For one who [yet] lacks atonement [offerings made in the completion of his purification rite] does not enter there, and they are liable on its account for a sin-offering.
- 8) The court of the priest is more holy than it [the court of Israel]. For Israelites do not enter there except in the time of their [cultic] requirements: for laying on of hands, for slaughtering, [and] for waving.
- 9) [The area] between the porch and the altar is more holy than it [the court of the priest]. For those [priests] who are blemished or whose hair is unloosed do not enter there.

³⁶ See, e.g., *m. Abot* passim and *m. Pe'a* 1.1; Baruch M. Bokser, *Post Mishnaic Judaism in Transition: Samuel on Berakhot and the Beginnings of Gemara* (BJS 17; Chico: Scholars Press, 1980) 437–41, 448–49; Schiffman, *Sectarian Law*, 4, 15–17, 213; and esp. Hengel, *Judaism and Hellenism*, 169–75.

³⁷ Cf. Smith, *Map*, 187 n. 66; Bokser, “Wall,” 368–69 and n. 53; and in general Joseph Sievers, “Where Two or Three . . .”: The Rabbinic Concept of *Shekhinah* and Matthew 18,20,” in Asher Finkel and Lawrence Frizzell, eds., *Standing Before God: Studies on Prayer in Scripture and in Tradition, with Essays* (New York: Ktav, 1981) 121–82.

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10) The sanctuary (HYKL) is more holy than it [the area between porch and altar]. For [a priest] whose hands and feet are not washed does not enter there.

11) The house of the holy of holies is more holy than they. For only the high priest enters there on the Day of Atonement at the time of the service.³⁸

Since the Mishnah speaks as if such regulations were still in effect, it is not just recording "ancient" practices but is making an ahistorical assertion that the lines of holiness continue: despite the fall of Jerusalem and the destruction of the Temple in 70 CE and the expulsion of Jews from Jerusalem in 135, the sacred is still found in the world.³⁹ *M. Berakhot* provides another example that will reconnect us with Deuteronomy 23. By placing *m. Ber.* 9.5's prescription that all individuals should behave deferentially towards the Temple court and Temple mount after numerous protocols for a verbal liturgy, in 1:1-9:4, the Mishnah suggests that the former rules, like the latter, apply even in post-Temple times.

[a] A person should not behave lightly opposite the Eastern gate because it faces toward the Holy of Holies; [b] nor enter the Temple mount with his staff, or his shoes, or his moneybag, or with dust upon his feet; [c] nor use it as a short cut, and [d] all the more so spitting [is forbidden there].⁴⁰

Here the general idea receives concrete application. Although the Mishnah, following its general practice, does not specify a scriptural basis, the regulations surely fit the paradigm of Deut 23:10-15, and early rabbinic authorities elsewhere appropriately link them with that

³⁸ See Neusner, *Purities*, 1. 16, 37-44. Other notable examples include *m. Tamid* 1.1 (on which note Louis Ginzberg, "Tractate Tamid" (1919) reprinted in idem, *Al Hala-khah veAggadah* [in Hebrew; Tel Aviv, 1960] 46); and the materials presented in Lieberman, *Hellenism*, 164-79. Meir Bar-Ilan suggests (in "Are Middot and Tamid Tractates Polemic Documents," a lecture delivered at the Ninth World Congress of Jewish Studies, August 1985) that texts such as *Tamid* 1.1 may have been formulated with the intent to counter opposing views on the sacred.

³⁹ This accords with the rabbinic notion that the site of the Temple and Jerusalem remains a theological and cosmological center; see Bokser, "Wall," 368-69 and esp. the reference to Schaefer. Cf. the rise, possibly after the Bar Kokhba war, of the metaphysical concept of the land of Israel, discussed in particular by Isaiah Gafni, "Bringing Deceased from Abroad for Burial in Eretz Israel," *Cathedra* 4 (1977) 113-20 (in Hebrew).

⁴⁰ See also *t. Ber.* 6.19, in Saul Lieberman, ed., *The Tosefta* (New York, 1955-) 1. 38-39; and idem, *Tosefta Ki-Fshutah* (New York, 1955-) 1. 121-22.

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text. For example, according to one tradition in *Sifre Deut.* 257 (p. 281), Deut 23:14 comprises the proof-text for clause A (of the cited portion of *M. Ber.* 9.5). *T. Meg.* 3.25 finds in verse 23:14 the basis for a requirement to cover excrement and 3.26 takes up the prohibition against relieving oneself in the direction of the Temple. The operative principle, as the *Tosefta's* context makes clear, is proper respect.⁴¹

That *m. Ber.* 9.5 is not limited to Temple times is explicitly claimed by *Midr. Sifra Qed.* 7.8–9 (ed. Weiss 90d–91a).⁴²

[“You shall keep My sabbaths and venerate My sanctuary; I am the LORD” (Lev 19:30).] I know [from this that the holy should be respected] only when the Temple exists, from where [do I know that this applies] when the Temple does not exist? The teaching says: “You shall keep My sabbaths and venerate My sanctuary.” Just as the keeping of the sabbath is forever, so the veneration of the holy is forever. What is “veneration”? [One] should not enter the Temple mount with his staff, . . . all the more so spitting. (*m. Ber.* 9.5b–d).

Rabbinic circles thus exhibit the need to assert that certain fixed places continue to maintain a special sacredness.⁴³ Moreover, and in accord with the earlier postbiblical heritage, they assume that Deuteronomy 23 can provide the basis for diverse concrete regulations regarding the camp and that such laws can be extended to the Temple and further to the Temple mount. The center is thus still venerated—and according to the rabbinic teachings all may have access to it.

A second category of rabbinic sources applies Deuteronomy's notion of respect to extra-Temple and extra-Jerusalem settings. The Mishnah often tacitly accomplishes this by juxtaposing material. The above-cited passage from *m. Ber.* 9.5 which as we have seen, closes a tractate setting out the basics for a verbal liturgy, provides the first example. By prescribing a series of blessings that precedes and follows the recitation of prayers, the tractate suggests that prayer is a sacred act of worship, divinely desired and effective. In effect, it transforms prayer into a liturgical act of the individual and community comparable to that of the Temple cult. To convey this notion, the Mishnah mentions both Temple and extra-Temple situations, though unlike later sources, it does

⁴¹ Lieberman, *Tosefta* 2. 361 and nn.; and idem, *Ki-Fshuṭah* 5. 1204–6.

⁴² See Maimonides, *Mishneh Torah: Beit haBeḥirâ* 7.7.

⁴³ On this need see Baruch M. Bokser, “Ma‘al and Blessings Over Food: Rabbinic Transformation of Cultic Terminology and Alternative Modes of Piety,” *JBL* 100 (1981) 557–74.

not explicitly contrast the two. Placing *m. Ber.* 9.5b at the tractate's end creates the impression that the extra-Temple rules are as firmly rooted as the Temple ones.⁴⁴

Other early rabbinic teachings directly address this issue by relating the principle of respect to new contexts. *T. Meg.* 12.18 exemplifies this trend in regard to a synagogue, a fixed place of worship.

Synagogues—they do not behave in them frivolously. One should not go into them on a hot day on account of the heat, or on a cold day because of the cold, or on a rainy day because of the rain. And neither do they eat in them, nor do they drink in them, nor do they sleep in them, nor do they take a stroll in them, nor do they beautify themselves in them.⁴⁵

While supplying different concrete examples, the text is surely taking up the principle of *m. Ber.* 9.5.

Early rabbinic circles also apply Deuteronomy 23 to individual study and prayer and other encounters with the divine that need not take place in fixed institutions during set times. *Sifre Deut.* 258 (p. 282), for example, requires respect for the sacred when performing acts that raise one's awareness of the holy:

“Since the LORD your God moves about in your camp [to protect you and to deliver your enemies to you, let your camp be holy; let Him not find anything unseemly among you and turn away from you]” (Deut 23:15). From here they deduced that a person [A] should not recite the Shema^c adjacent to a soaking pool [e.g., of flax] and [B] should not enter a bathhouse or tannery with scrolls [of the Bible] or phylacteries in his hand.

By suggesting that the divine presence may be encountered in reciting the Shema^c [A], or in biblical scrolls or phylacteries, items that contain biblical verses [B],⁴⁶ the text indicates the degree to which the Deuteronomic regulation has been transformed. It now refers not only to a camp or to dwellings of the Jews but also to various times in the lives of Jews in nondescript places—potentially anywhere. Although these places are not inherently holy and cannot become holy on their own,

⁴⁴ See Bokser, “Responses”; and idem, *The Origins of the Seder* (Berkeley: University of California Press, 1984).

⁴⁵ See also *m. Meg.* 3.1–3; Max Kadushin, *Worship and Ethics: A Study in Rabbinic Judaism* (Evanston: Northwestern University Press, 1963) 216–35; and Bokser, “Wall,” 368–69.

⁴⁶ See also *b. Šabbat* 150a and *y. Ter.* 1.6, 40d.

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they may yet become holy or sacred through human action.⁴⁷ Deuteronomy 23 thus encompasses something new. When people impart holiness through an action or put themselves in contact with special holy objects, at those moments they should avoid disgusting and unseemly matters.⁴⁸

The principle that *Sifre* explicitly associates with Deuteronomy 23 informs the exceptions that *m. Ber.* 3 makes to the liturgical acts prescribed elsewhere in the tractate. Chapter 3 provides cases when a person is exempt from: the Shema^c (dealt with in *m. Berakhot* 1–2); the *Tefillah* (chaps. 4–5); the blessings said before eating different foods (chap. 6); and the invitation to say grace after meals (chap. 7). In particular, *m. Ber.* 3.1–2 deals with a mourner and those involved in a funeral; 3.3 with those falling into certain classes (women, slaves, and minors); and 3.4–6 with those having a seminal emission or other bodily discharges or being in proximity to an unseemly object.

3.1: Whoever's dead is lying unburied before him is exempt from Shema^c, from *Tefillah*, and from phylacteries. . . .

3:4: One who had a seminal emission, thinks ["of the Shema^c"; alternatively: "of the Shema^c blessings"]⁴⁹ in his heart and does not say the blessing before or after it, and over food he says the blessing after it [= Grace] and does not say the blessing before it. R. Judah says, He says the blessing before them and after them.

[3.5a] If one is engaged in the *Tefillah* and remembers that he had had a seminal emission—he should not break off [his prayer] but rather shorten [it].

[b] [If] one goes down to immerse oneself—if he can come up, cover himself, and recite [the Shema^c] before the sun rises, he should come up, cover himself, and recite [it]; and if not, he should cover himself with water and recite [it], but he should not cover himself with foul water or soaking water [for flax] until he pours therein [fresh] water.

[c] And how far should one distance oneself from them [= the "foul" and "soaking water," mentioned above, or, alternatively,

⁴⁷ Even those objects that are considered inherently holy generally gain that quality as a result of human action: the regular gathering of ten people, for example, is what makes a synagogue a synagogue.

⁴⁸ The text follows the rabbinic tendency to maintain Deuteronomy's distinction between unseemliness and impurity. See Saul Lieberman, "Palestine in the Third and Fourth Centuries," *JQR* 36 (1946) 45–46 n. 33; idem, *Ki-Fshutah*, 4. 746.

⁴⁹ See *ibid.*, 1. 20–21.

from "urine") and from excrement? Four cubits.⁵⁰

[3.6] A *zab* [who is unclean for seven days] who had a seminal emission, and a menstruant [who is unclean seven days] who discharged semen [from an earlier act of intercourse], and a woman having intercourse who saw [the signs of] menstruation—require immersion [before saying the Tefillah to purify themselves from the seminal emission etc., even though they are not fully clean until the seven-day protocol of purification is completed]. R. Judah exempts them.

Note in particular *m. Ber.* 3.4–6. In treating cases directly related to Deut 23:10–15 and in providing new examples of the biblical categories, these passages assume that the verses apply to a verbal liturgy unconnected to the Temple. Although—and this is important—we are dealing with an extension of the principle, the connection with the Bible is so essential to the passage that, without knowledge of the biblical verses one would not understand why the Mishnah even treats the cases of seminal emission, and disgusting or unseemly items such as stinking waters, urine, and excrement. Yet the Mishnah does not simply apply everything in the Bible to the new situation. First, while respect is demanded, it is made contingent on the performance of specified religious acts. Second, the unseemly and defiling items do not necessarily cause a total and permanent exclusion. Indeed Deut 23:12's requirement to immerse and wait till evening is considerably modified. Neither three days nor even one day of a purification process is required.

In addition, in their rabbinic versions, these acts of defiling differ from other sources of impurity such as menstruation. 3.6 suggests that while the less "severe" cases affect concentration on and experience of the divine, the more "severe" cases do not. 3.5c, moreover, introduces a totally new consideration. It states that disqualifying things affect the surrounding area only within a fixed orbit. Separating oneself four cubits—not a tremendous distance—enables one to continue in prayer or to undertake the act of worship. *M. Ber.* 3.5b's mention of diluting the offensive liquid with fresh water offers a comparable limitation of the rule.

The Tosefta and the two Talmuds considerably expand on the revision of these regulations. *T. Ber.* 2.12–21 (the material supplementing *m. Ber.* 3.4–6) adds exceptions to the disqualifications and indicates ways to circumvent the rules. For example, *t. Ber.* 2.16a–c defines

⁵⁰ See Bokser, *Post Mishnaic Judaism*, 22–24 esp. n. 28.

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what comprises an offensive matter and 2.19 delimits even the duration of the prohibition:

[2.16a] A minor that can eat an olive's amount of grain, they separate from his excrement and from his urine four cubits [since the addition of food other than mother's milk changes the consistency of the excrement and causes it to smell].

[b] They separate only from that of a human, and from that of a dog only when [a person] puts hides in it [= in the excrement, to treat the leather, which causes it to smell].

[c] A vessel for excrement and for urine [even when empty] that is with him in the house, lo, this [person] distances [himself] four cubits and reads [the Shema].

[2.19a] A person should not urinate in the place where he prays the Tefillah unless he distances himself four cubits.

[b] The one who urinates should not pray the Tefillah in that same place unless he distances himself four cubits.

[c] If they dried up [e.g., on a rock] or have been absorbed [e.g., in the ground], lo, this [person] is permitted.⁵¹

The cases in *t. Ber.* 2.16a–b indicate that the prohibitions on excrement and urine are in effect only when there is a smell and thus only when needed to insure respect for the sacred moments and temporary sacred places. As far as the vessels in c, since they regularly are used for the offensive matter, they have the status of a regular latrine. *t. Ber.* 2.19a–b, supplementing the Bible's example of excrement, deals with urine as an instance of something unseemly. From two complementary perspectives, these passages assert that the act of prayer does not render a large area out of bounds for the disrespectful behavior. C relates to the rule in a–b or in *m. Ber.* 3.5c (“And how far should one distance oneself from them and from excrement? Four cubits.”). It declares that a place remains forbidden only for the limited amount of time that the offensive items remain in an offensive state.

These rules, and the last one in particular, demonstrate that the perspective on holiness has changed. While a person may pray and thereby have an experience of the Potent Presence, as indicated by the “gestures of approach” that are in effect, the extension of the biblical paradigm has been considerably modified; indeed, altered to fit into a new definition of the sacred. Although the earlier application of

⁵¹ P. 10, lines 61–64. See Lieberman, *Ki-Fshuṭah*, 1. 23–26; and Bokser, *Post Mishnaic Judaism*, 22–24 and nn.

sacredness to the Temple and its city in principle remains operative, overtly and from a practical perspective it has little currency. Rather what matter on a daily basis are those acts, within real time and at diverse locales, which elicit the sacred. Since the various rules follow the overall paradigm set out in Deuteronomy 23, they must assume an encounter with the divine that dwells in the midst of the people. To be sure, from a deeper perspective even the locative model of holiness had relevance. Since individuals were to believe that the sacred center was not limited to the physical spot, from their distant dwellings they could enter the sacred area. But again they could choose the moments and occasions to enter that center.

Before we comment on the implications of these developments, let us briefly examine how the Amoraic authorities continue the process started in the Mishnah and Tosefta. We can exemplify this trend by taking the above example of avoiding unseemly situations. The third-century Babylonian master Samuel offers two complementary criteria that, like *t. Ber.* 2.19c, require only a brief delay after relieving oneself. The first is identical to the Tosefta: "[Urine is forbidden] so long as it moistens [the ground]." The second applies the principle to excrement: "[Excrement remains prohibited] until its top has dried." Other Amoraim offer alternative criteria.⁵² The process of redirecting the biblical principle is even more blatant in a passage from *y. Ber.* 3.5, 6d that glosses a text (a *baraita*) identical to *t. Ber.* 2.19a–b:

Said R. Jacob bar Aḥa, Not only if [a person] goes four cubits, but even if he waits the time necessary to go four cubits [it is permitted—either to pray after urinating or to urinate after praying].⁵³

We thus deal with a temporary sanctification of a locale.⁵⁴ Although every place potentially may be sanctified, in actuality it awaits the human act to sanctify it. Hence, the protocol of respect applies only when this action is undertaken.

⁵² *B. Ber.* 25a and *y. Ber.* 3.5, 6d. See Bokser, *Post Mishnaic Judaism*.

⁵³ Cf. *b. Ket.* 46a and *Aboda Zar.* 20b.

⁵⁴ Lieberman, *Ki-Fshuṭah*, 1. 25. I do not claim that the rabbinic transformations represent a linear development from the earlier heritage. But irrespective of the existence of biblical precedents to which one might point (e.g., Exod 19:13), what remains significant is the prominence that temporary sacrality and the other retooled notions gained and their new role as part of an institutionalized system.

We can see in these developments two wider patterns, the first common to other Late Antique Hellenistic traditions and the second especially prominent in rabbinic Judaism. In the first, individuals activate sanctification, a process revising traditional revelatory practices and illuminated by Jonathan Z. Smith. Speaking of a second-century magician, Thessalos, who searched for miraculous knowledge and attempted to achieve a vision through lekanomancy, Smith writes:

The vision does not take place in a Temple but rather in an οἶκος. Although this term could refer to a Temple, it is difficult not to understand the word as designating either an ordinary dwelling which has been specially prepared and purified (thus, simply, a room); or, less likely, but more tempting, a special construction for the occasion. On either interpretation, the locus of religious experience has shifted from a permanent sacred center, the Temple, to a place of temporary sacrality sanctified by a magician's power. The mode of the autophany, a throne vision, is likewise associated with the royal Temple cultus, as is the general homology of the appearance of the god with the first rays of the sun and the raising of the deity's right hand. But, in *Thessalos*, this language has been displaced. Thessalos and his "room" have replaced the archaic complex of king, priest, and Temple.⁵⁵

Smith sees this change as part of a complex transformation of the locative worldview of the sacred that enabled a degree of mobility and that takes its cue from the human person or group. In it, the "archaic language and ideology of the cult will be revalorized—only those elements which contribute to this new, anthropological and highly mobile understanding of religion will be retained."⁵⁶

Rabbinic Judaism provides a striking analogue to this mobile "temporary sacrality." But the effective actions did not require special virtuosi or magicians; rather they could be performed by any individuals who, in their daily lives, elicited the transcendent by acting on rabbinic guidelines for prayer, concentration, and study.⁵⁷ This view, while peculiar to Judaism, forms part of overall developments in Judaism and thus part of a second, wider pattern regarding the importance to be attributed to human action. It fits in with the well documented mishnaic emphasis on the person's will as expressed in concrete steps, which is

⁵⁵ Smith, *Map*, 181–83.

⁵⁶ *Ibid.*, 187–88; cf. xiv.

⁵⁷ This is not to deny that in postmishnaic times rabbinic circles believed that certain individuals could achieve special access to the divine; but that experience would be above and beyond what rabbis believed that every Jew could achieve. See Bokser, "Wall."

fundamental to the laws of blessings, agriculture, holidays, torts, and purity. Note how Jacob Neusner treats this phenomenon:

The Mishnah's principal message . . . is that man is at the center of creation, the head of all creatures upon earth, corresponding to God in heaven, in whose image man is made. The way in which the Mishnah makes this simple and fundamental statement is to impute power to man to inaugurate and initiate those corresponding processes, sanctification and uncleanness, which play so critical a role in the Mishnah's account of reality. The will of man, expressed through the deeds of man, is the active power in the world. Will and deed constitute those actors of creation which work upon neutral realms, subject to either sanctification or uncleanness. . . . An object, a substance, a transaction, even a phrase or a sentence is inert, but may be made holy when the interplay of the will and deed of man arouses or generates its potential to be sanctified.

Intention has the power, in particular, to initiate the processes of sanctification. So the moment at which something becomes sacred and so falls under a range of severe penalties for misappropriation, or requires a range of strict modes of attentiveness and protection for the preservation of cleanness, is defined by the human will.

The world is inert and neutral. Man by his word and will initiates the processes which force things to find their rightful place on one side or the other of the frontier, the definitive category, of holiness.⁵⁸

Considering this background, we can understand how the rabbinic transformation of the sacred and emphasis on temporary sacrality form part of the wider focus on the individual and on the importance of any person's action.

IV

The rabbis in principle continued the application of Deut 23:10-15 to the Temple, the Temple mount, and Jerusalem, though they modified its perspective. While sharing the biblical locative perspective that sacredness may be accessible in special places, they responded in several stages to the lack of the physical center. Like other Hellenistic religious thinkers, they overcame the loss of the sacred center in

⁵⁸ Jacob Neusner, *Judaism: The Evidence of the Mishnah* (Chicago: University of Chicago Press, 1981) 270, 275, 282. Cf. Kadushin, *Worship and Ethics*, 216-34; and E. E. Urbach, *The Sages: Their Concepts and Beliefs* (trans. Israel Abrahams; Jerusalem: Magnes, 1979) 367-69.

positive ways. They found alternative centering objects, in particular the Torah. Likewise they made the center itself mobile, enabling individuals to enter it by reading or studying the laws of the cult or by replicating the Temple in their dining and living rooms. But they also extended the zone of the sacred to anywhere—if for only a brief and temporary period. Despite these revisions, Scripture's impact on rabbinic thinking remains considerable, as may be seen in how it determined the program in such passages as *m. Ber.* 3.4–6 and its supplements in the Tosefta and two Talmuds.⁵⁹ That background sheds light on the oddity of the selection and content of these and other sources.⁶⁰ The earlier heritage is thus not simply continued or changed but rather transformed. While the Bible affects the categories of thought, a new outlook shapes how the earlier ideas are adapted and retooled.

We may now respond to our initial question. The rabbinic assertion that God may be experienced everywhere and not just in a central cult did not pose a problem. While the Bible may assume that holiness inherently exists, or the divine Potent Presence dwells, in such fixed places as a tabernacle or Temple, the early rabbinic system, recognizing the potential for sacredness in the whole world, taught that extra-Temple sacredness needs to be activated. Accordingly, it is when people take steps to initiate the sacred that they must follow the proper gestures of approach. The rabbis, like other ancients, therefore preserved the idea of sacred space in a manner that enabled the group to function without a single center. They both insisted that the sacred requires a special protocol and also limited these requirements and in effect made them part of the rabbinic system centering on the importance of human action.⁶¹

⁵⁹ See also the impact of Deut 23:15's "unseemliness" ('*ervā*—a term which denotes nakedness and sexuality), in *m. Ber.* 3.5, *t. Ber.* 2.15, 20–21, *y. Ber.* 3.5 and esp. *b. Ber.* 25a.

⁶⁰ This connection illuminates such teachings as "a voice in a woman is '*ervā*'"; Bokser, *Post Mishnaic Judaism*, 196 and nn. Cf. Saul Berman, "Kol 'Isha," in Leo Landman, ed., *Rabbi Joseph Lookstein Memorial Volume* (New York: Ktav, 1980) 45–66.

⁶¹ For their comments on this study, I thank Professors Lawrence H. Schiffman and Ivan G. Marcus and the participants at the session of the Annual Meeting of the Society of Biblical Literature, December 1983, where an earlier version of the paper was read.