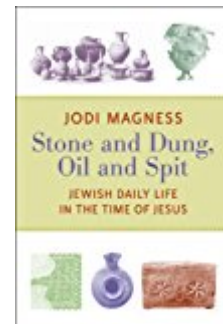


# H-Net Reviews

in the Humanities & Social Sciences

Jodi Magness. *Stone and Dung, Oil and Spit: Jewish Daily Life in the Time of Jesus*. Grand Rapids: William B. Eerdmans, 2011. Illustrations. xv + 335 pp. \$25.00 (paper), ISBN 978-0-8028-6558-8.

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## A Life Worth Living Is More Than Spit

The origins of this book are in Qumran. Jodi Magness, one of the foremost scholars today of the archaeology and history of the Land of Israel and especially of Qumran, had hoped to write a book on the archaeology of purity, correlating the literary and archaeological evidence for the purity practices of the major Jewish groups and sects of the late Second Temple period. As she wrote her drafts, it expanded beyond purity to deal with aspects of Jewish daily life in late Second Temple period Palestine. The book she wrote seeks to identify and correlate evidence of Jewish “footprints” in the archaeological record and literary sources. The footprints relate to a broad spectrum of activities, from dining practices to toilet habits to Sabbath observance to burial customs.

The work contains twelve chapters. The first is an introductory chapter that sets the stage for uncovering the footprints. The first step is to discuss what distinguished Jews from other peoples of the Roman Empire. Much of this related to religion and the observance of laws, but some distinctions reflected socioeconomic realities, i.e., material culture. This chapter discusses sectarianism in general, purity and holiness, ruling classes, urban and rural elites, agrarian society, and the settlement at Qumran. The following chapters deal with purification of the body and hands, creeping and swarming things, household vessels, dining customs, Sabbath observance and fasting, coins, clothing and *tzitzit* (fringes),

oil and spit, toilet and toilet habits, and tombs and burial customs. The final chapter is a short epilogue dealing with the immediate post-70 CE period.

Magness is an original and innovative scholar who is not afraid to think outside the box, as it were. She is best when her innovative ideas relate to daily life in Qumran and purity. For example, as mentioned above, the initial plan of the book revolved around issues of purity and thus it is not surprising that her first chapter after the introduction deals with the purification of body and hands. A good part of the chapter discusses the rabbinic strictures regarding sacred scripture as “defiling the hands.” However, did the Qumran community consider touching Torah scrolls as defiling the hands? While there does not seem to be direct evidence, Magness musters a good deal of indirect evidence to show that they did not share the rabbinic view, although the scrolls did maintain a high level of purity in Qumran. Since biblical purity laws did not refer to the hands causing impurity independently of the rest of the body, it was unlikely, according to Magness, that the Qumran sect accepted the principle of hand defilement. Finally, she points out that the rabbinic custom might ultimately be related to the Persian and Roman custom of making an offering with hands covered or veiled.

To cite another example of her originality, Magness,

in her discussion of tombs and burial customs (chapter 11), points out the curious fact that although Qumran is ringed by caves, the sectarians did not use them for the internment of the dead. At Qumran, the preferred method of burial was the trench grave. Magness sees this as the rejection of the Hellenized/Romanized lifestyle of the Jerusalem elite. There might have also been matters of purity, or impurity, involved. Corpse impurity, according to the Qumranites, related to any enclosed area and not to a tent or house. Thus, the closed space of a rock cut tomb in its entirety, even those areas not actually connected to the corpse, would impart corpse impurity to anyone entering. The Qumranites would have taken steps to avoid defilement since not only was their defilement process more stringent, but so was the purification process. This also explains the heaps of stones marking the graves as they were a necessary precaution to keep a passerby away since even dust can transmit impurity according to the sectarians.

Sometimes, though, her originality oversteps the bounds of methodological soundness, especially in her use of rabbinic sources. In her discussion of spit, for instance, Magness makes reference to the negative attitude to spit among the Essenes. The source for the negative attitude is Leviticus 15:8, which states that the spit of a *zav*, someone who suffers from an impure flux, is impure. There is no problem, of course, with any of this analysis. However, then she refers to Mishnah Berachot 9:5 about things that one should not do on the Temple Mount, such as using it for a shortcut, spitting, or entering wearing shoes. She correctly points out that this is a matter of respect as indicated from parallel rabbinic traditions. Indeed Tosefta Berachot 6:19 adds that one should also not enter with coins wrapped in a cloth or a belt that contained a purse.[1] Then, however, out of nowhere, Magness states that this does not preclude that the ban on spitting in the Temple area originated out of purity concerns.

Is there any proof for this? If one cites rabbinic literature regarding the Temple, then it is necessary to point out that the traditions based on the Mishnah and Tosefta Berachot cited above connect the Mishnah and Tosefta to both the synagogue and private homes. There is no hint here of purity in any form or fashion.[2] Magness further cites a “similar ban” relating to the prohibition against spitting or blowing one’s nose in a Roman temple. She makes this statement without any discussion or analysis. Did the Jews set Temple policy based on Roman policy? Was there perhaps unconscious borrowing? Are there other examples? Her suggestion regarding the Ro-

man temple is not impossible, but it cannot just be left as a suggestion without further examination.[3] Then Magness cites rabbinic sources dealing with the spit of a Gentile, which, although these sources are related to purity, have nothing to do with Mishnah Berachot 9:5; the same is true for the tradition she cites from the Palestinian Talmud relating to spitting during prayer. Not all spit relates to purity.[4]

There are also a number of problems relating to the book in general, especially what is not in the book. This line of criticism may be somewhat unfair to the author, but it is also not fair to the reader to ignore these matters. Thus, Magness points out in both the preface and introduction that her aim in this volume is not to be comprehensive, but rather to discuss “selected aspects” of Jewish daily life, mostly related to aspects of sectarianism in general or Qumran in particular (p. 15). Thus, the subtitle of the book, “Jewish Daily Life in the Time of Jesus,” is misleading and while “aspects” on a cover-page is probably anathema to publishers, the title and subtitle should reflect what the book seeks to be and what it is. Just to cite a few aspects of Jewish daily life that are not included: settlement types; domestic architecture and all aspects of attendant everyday life; domestic furniture; agriculture, including crops, implements, and agricultural labor; roads; travel and mobility; markets; fairs; consumption; arts and crafts; jewelry; and play and games.[5] In addition, there is very little in her work that relates to gender or to “life-stage” material culture.

What is also missing from this volume is a detailed methodological programmatic statement regarding the use of certain types of source material for the study of the first century CE. While Magness does point out the difficulty of using the Gospels for the first century CE, she generally makes do with citing what she considers relevant Gospel verses, without any discussion as to the problematic nature of their use.[6] She cites rabbinic sources at great length, for the most part to make connections to the Second Temple period Pharisees, without any discussion as to the appropriateness of these connections. This is at times irritating, since Magness knows that the Pharisees and the Rabbis are not the same, but continues to cite from rabbinic literature claiming in specific cases that this or that halakhah antedates the time of the Sages.[7] She is in a bind. There is little source material on the material culture of the Pharisees. The Rabbis might provide the missing links. But to use the Rabbis and work backward in terms of material culture requires a theoretical statement and discussion that is totally missing in her work. The fact is that material culture

often develops at an exceedingly slow pace, allowing the scholar of the Second Temple period to make careful use of later rabbinic literature, based on the principle of the *longue durée*. This too, however, requires a theoretical discussion absent in her work and at times a detailed discussion of individual sources, also mostly absent.[8]

There is much in the work of Magness that is brilliant and this volume should become standard reading for anyone dealing with any topic related to the “time of Jesus” and not just daily life. Indeed, the vast majority of Magness’s studies have become part of the standard academic canon. However, as Magness herself points out, this is not the all-inclusive statement of daily life in the time of Jesus, and sometimes purity might be overplayed.

#### Notes

[1]. Saul Lieberman, *Hellenism in Jewish Palestine* (New York: Jewish Theological Seminary of America, 1962), 38-39.

[2]. Cf. Uri Ehrlich, *The Non-Verbal Language of Jewish Prayer* [in Hebrew] (Jerusalem: The Hebrew University Magnes Press, 2003), 150-152.

[3]. See Lieberman, *Hellenism in Jewish Palestine*, 164-179, for a discussion of parallels between the Jerusalem Temple and non-Jewish temples.

[4]. Much of the discussion on spit seems to be based on Kenneth Atkinson and Jodi Magness, “Josephus’s Essenes and the Qumran Community,” *Journal of Biblical Literature*, 129 (2010): 317-342. This article is not cited in the bibliography.

[5]. Basically she entirely ignores the landscape-oriented definition of “material culture” as opposed to the artifact approach. See my work, Joshua Schwartz, “The Material Realities of Jewish Life in the Land of Is-

rael, c.235-638,” in *The Cambridge History of Judaism*, vol. 4, *The Late Roman–Rabbinic Period*, ed. Steven T. Katz (Cambridge: Cambridge University Press, 2006), 431. See also Catherine Hezser, ed., *The Oxford Handbook of Jewish Daily Life in Roman Palestine* (Oxford: Oxford University Press, 2010).

[6]. Cf. my work, Joshua Schwartz, “Jesus the ‘Material Jew,’” in *The Jewish Jesus: Revelation, Reflection, Reclamation*, ed. Zeev Garber (West Lafayette: Purdue University Press, 2011), 47-64.

[7]. Thus, to cite one example (p. 20), on Tosefta Berachot 4:3 (see Lieberman, *Hellenism in Jewish Palestine*, 18-19), and citing Gedalyahu Alon, *Jews, Judaism and the Classical World* (Jerusalem: Magnes Press, 1977), 220 (p. 203n40). What Alon actually stated is that this law predates the Sages mentioned in this particular Tosefta tradition. The issue being discussed is washing one’s hands with undiluted wine. Magness associates this law with issues of purity. However, see Saul Lieberman, *Tosefta Ki-Fshutah* (New York: Jewish Theological Seminary, 1955), 1:57, who cites the view that this was related to cleansing one’s hands and not to purity. Lieberman connects this, i.e., washing for cleanliness with wine, to an episode described in Petronius, *Satyricon*, chapter 34, as does Magness (still apparently relating to purity), but I do not see how she comes to the conclusion that “this custom (= washing with wine) was widespread among the Jews to be familiar to the Romans” (p. 21).

[8]. Schwartz, “Jesus the ‘Material Jew,’” 50; and Schwartz, “Material Realities,” 432-433. Since Magness consistently uses rabbinic literature for the “time of Jesus,” she should have made reference to standard works on Talmudic realia, such as Daniel Sperber, *Material Culture in Eretz-Israel during the Talmudic Period* [in Hebrew], vols. 1-2 (Jerusalem: Yad Izhak Ben-Zvi and Bar-Ilan, 1993, 2006).

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