

The Prohibition of the Habitation of Women: The Temple Scroll's Attitude Toward Sexual Impurity and Its Biblical Precedents

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The laws of purity and impurity are known to be an important component of the Temple Scroll. Among these laws the regulations concerning the Temple city occupy a special place, the importance of which was noted immediately upon their publication.¹ Initially these regulations were interpreted as a highly valuable source for the basic concepts of the Qumran sect and the way in which its particular legal system was formed,² and they were discussed in the light of other sectarian works and in relation to the sect's positions regarding purity and impurity, which had been known before the publication of the scroll. However, with progress in research on the Temple Scroll, and, principally, once the question arose as to whether it was, in its entirety, a sectarian work, the possibility was raised that the laws of ritual purity might also be an ancient element within the laws of the sect, which did not originate with it.³ If this is indeed the case, it

1. The laws of the Temple city are found together on cols. 45:7–46:18 (or 47:3), and the laws of purity continue until 51:10. However, various details relevant to this area are also mentioned in other places. See Y. Yadin, *The Temple Scroll*, 3 vols. (Jerusalem, 1977–1983), 1:277–307; also the commentary on the appropriate passages, 2:188–227 (henceforth: *TS*, vol.:p.).

2. Yadin emphasized this frequently, both in the book itself and also in other contexts. See, e.g., "But the determining factor of identification is the draconic nature of all the laws in the scroll pertaining to matters of purity and to the holiness of the temple" (*TS*, 1:399). See also Levine's remarks: "Long before the publication of the Scroll, Yadin regularly emphasized in lectures and preliminary statements the special importance of purity regulations for ascertaining the historical provenance of the Scroll"; B. A. Levine, "The Temple Scroll: Aspects of its Historical Provenance and Literary Character," *BASOR* 232 (1978), 13. This position was also taken by Milgrom in a series of studies, most recently: J. Milgrom, "The Scriptural Foundations and Derivations in the Laws of Purity of the Temple Scroll," in L. H. Schiffman, ed., *Archaeology and History in the Dead Sea Scrolls* (Sheffield, 1990) 83–99: "Concerning the vexed question of whether 11QT is truly Qumranic, the impurity rules call for an answer in the affirmative" (95).

3. Doubts regarding whether the Temple Scroll originated with the Qumran sect were raised by Levine immediately after the publication of the Scroll ("Temple Scroll," 7–17; see also H. Stegemann, "The Origins of the Temple Scroll," *SVT* 40 (1988), 235–56; idem, "Is the Temple Scroll a Sixth Book of the Torah?" *BAR* 13 (1987), 28–35; P. R. Callaway, "The Temple Scroll and the Canonization of the Jewish Law," *RQ* 13 (1988), 239–50. Regarding the origins of the laws governing purity and impurity in the Temple Scroll, see A. M. Wilson and L. Wills, "Literary Sources of the Temple Scroll," *HTR* 75 (1982), 275–88; P. Callaway, "Source Criticism of the Temple Scroll: The Purity Laws," *RQ* 12 (1986), 213–22.

might provide both an indication of the sources of the Temple Scroll, and also of the various views and legal controversies that prevailed in Judaism during the Second Temple period. The process of clarifying these questions is still at a high pitch,⁴ and the present discussion seeks to make a small contribution to the topic.

I

Among the regulations related to the Temple city, there is the law concerning the impurity of seminal emission, which reads as follows:

And if a man lies with his wife and has an emission of semen, he shall not come into any part of the city/of the Temple, where I cause my name to dwell, for three days (col. 45:11–12).

As Yadin correctly points out, "the author does not discuss the ban on sexual relations in the Temple city, but rather the procedure of purification for anyone who lies with a woman outside the city."⁵ Nevertheless, a fortiori, Yadin concludes that one must not cause the pollution of a seminal emission within the Temple city itself, hence inferring an unequivocal prohibition against sexual relations within the Temple city: "The ban on intercourse anywhere within the Temple city is implicit in the language of the scroll."⁶ A specific prohibition in this regard is found in the Damascus Covenant: "Let no man lie with a woman in the City of the Sanctuary so as to convey uncleanness to the City of the Sanctuary with their impurity" (12:1–2).

It is commonly agreed that these two laws refer to the same matter and represent a single halakhah that comprises two issues: (1) the prohibition against sexual intercourse in the Temple city (Damascus Covenant); (2) the injunction that a person who has had intercourse with a woman elsewhere may not come to the Temple city for three days (Temple Scroll).

Each of these two compositions highlights a different aspect of the broader law, depending upon the respective context within each work. The decidedly complementary character of the two regulations leads one to the inevitable conclusion that both works cite a more ancient source, whose character and scope are unknown to us at present. The scope of that source might have been broader than what is presently in our possession, and the combination of these two passages might not represent the entire law in all its details.⁷

4. See the recent article, Y. Sussmann, "The History of *Halakha* and the Dead Sea Scrolls—Preliminary Observations on Mikṣat Ma'ase Ha-Torah (4QMMT)," *Tarbiz* 59 (1990), 11–76 [in Hebrew].

5. *TS*, 1:288.

6. *Ibid.* and see also 281.

7. See, e.g., Greenfield's comments: "They probably share a common written source. Indeed one may speculate that the various laws quoted in the Damascus Document go back to legal collections that circulated in sectarian circles"; J. C. Greenfield, "The Words of Levi Son of Jacob in Damascus Document IV, 15–19," *RQ* 13 (1988), 320. With regard to the content of the laws, Milgrom also argues: "Qumran did not invent its laws on . . . the exclusion of women. . . . It is more likely that it inherited them from others" ("Scriptural Foundations," 95). However, Milgrom views the content of the halakhah as an ancient law and its specific formulation as the work of the people of Qumran, whereas Greenfield presents the law as formulated as a quotation from an earlier source.

Despite the clear and unambiguous language of the law, its significance and implications are not unequivocal to the same degree. The central question, which touches upon all the regulations governing the Temple city, is the exact definition of "Temple city"—what are the boundaries within which the aforementioned prohibitions and restrictions apply? Yadin himself defined the "Temple city" within its widest boundaries; that is, the "Temple city" is the entire city of Jerusalem.⁸ This basic definition led Yadin to two further conclusions, which are of far-reaching significance regarding the laws of the sect and its history: (a) "The doctrine of the sect deemed it necessary to ban women from permanent residence in the Temple city," and (b) "We have here the most distinct halakhic core for the development of Essene celibacy."⁹ Yadin also explicitly stated the reasoning that led him to these conclusions: "According to the laws of the sect, all males residing in the Temple city must abstain from having sexual relations therein. Therefore, this ban is tantamount to ordaining complete celibacy for them."¹⁰

What is the validity of Yadin's definition and the conclusions derived from it? First, let us recall that neither in the writings of Qumran nor in the Temple Scroll is there any prohibition against the habitation of women. Thus the conclusions belong to the realm of conjecture, with no explicit or implicit support. Moreover, Yadin makes a point of using the term "permanent residence," apparently taking cognizance of the fact that women were present in Jerusalem, even within the bounds of the Temple, as is proven not only by historical evidence from the period,¹¹ but also in the Temple Scroll itself. The scroll forbids women from entering the middle court of the Temple, but it appears that they were permitted to enter the outer court.¹²

Nevertheless, the major difficulty regarding Yadin's conclusion does not lie in the lack of documentary evidence, explicit or implicit, to support it, but rather in the logic upon which it is based. Since the law deals with purity, its details and conclusions must be examined within the conceptual framework of that realm of thought. Impurity is the cause of the prohibition against being present in the Temple city, and in the matter under discussion here, this impurity is not caused by an external factor but rather arises from within the person himself, or, to be precise, within men. According to the Jewish outlook, which is found in the Bible and preserved in the rabbinic halakhah—and which is also reflected in the Temple

8. This identification was first suggested by Ginzberg, and I have not seen that Yadin refers to it; L. Ginzberg, *Eine unbekannte jüdische Sekte* (New York, 1922); Eng. trans.: *An Unknown Jewish Sect* (New York, 1976), 73–74. After discussing this possibility, Ginzberg preferred a different one; see below.

9. *TS*, 1:289. In the spirit of these remarks, Milgrom stated: "Yet, within the Temple-city . . . its residents must live priestly, indeed celibate lives" ("Scriptural Foundations," 88).

10. *TS*, 1:288. Similarly, 281: "and from that to the banning of women from taking up permanent residence there was a small step. It seems that it was this edict that eventually developed into the 'abstention' of the Essenes, and their celibacy."

11. See Sh. Safrai, *Pilgrimage at the Time of the Second Temple* (Tel Aviv, 1965), 88–91 [in Hebrew].

12. Temple Scroll 39:7–9; 40:6. See Yadin, *TS*, 1:248, 2:166–67, also L. H. Schiffman, "Exclusion from the Sanctuary and the City of the Sanctuary in the Temple Scroll," *HAR* 9 (1985), 305–6.

Scroll—the cause of ritual pollution in sexual relations is the seminal emission (שכבת זרע), the source of which is in the man; the woman's pollution in sexual relations is only a result of that.¹³ While the law in the Damascus Covenant includes both the man and the woman with respect to “their impurity,” the wording of the Temple Scroll is explicit regarding the source of the pollution, “an emission of semen.” The question regarding Yadin's claim is clear: if the source of the impurity is the man, why should we conclude from this law that the residence of women was forbidden?¹⁴ Logically one should draw the opposite conclusion, which is the prohibition against the permanent habitation of men!

Such a claim could be supported by the position of the Temple Scroll regarding seminal emission in general, which is liable to result not only from sexual relations but also from their lack, in a nocturnal emission. It is well known that the Temple Scroll takes an extremely severe view of the pollution resulting from a nocturnal emission, requiring the man to whom it happened to immerse himself twice.¹⁵ Nevertheless Yadin does not conclude that the permanent habitation of men in the Temple city, i.e., Jerusalem, was forbidden. Moreover, logically it is clear that the impurity of seminal emission applies only to married women, but not to minors, unmarried women, widows, etc. If so, what is the logical or legal basis for the conjecture that because sexual intercourse was forbidden in the Temple city, it was forbidden for women to live in Jerusalem?

Yadin does not adduce the considerations presented above, but he might have been aware of them, since he attempts to support his claim with two additional arguments: (1) In parallel with the source of pollution found in men, according to the biblical view, there is also a source of pollution in women, which is that of menstruation and the bleeding associated with childbirth. In that matter Yadin states: “Menstruating women and women after confinement are not given places in the Temple city,” and, therefore, he deduces, “the doctrine of the sect deemed it necessary to ban women from permanent residence in the Temple city.”¹⁶ (2) Arguing from another direction, Yadin claimed that one must derive the laws governing the Temple city from those governing the “war camp.” Just as women and children were forbidden to enter a war camp,¹⁷ so, too, women were forbidden to dwell in the Temple city.

However, these arguments offer dubious support to his central claim. We shall return to the question of the allocation of a place to menstruating women and women with postpartum bleeding,¹⁸ as for the analogy with a war camp, it cannot

13. See, e.g., the Talmudic ruling that a woman is not rendered impure if the intercourse does not include a seminal emission, either in normal or in uncommon intercourse; see *Talmudic Encyclopedia* (Jerusalem, 1981), 3:98, 100.

14. Ginzberg indeed argues in this spirit: “Conceivably the rigorousness of our author is dictated by a policy of making a sojourn of some time in Jerusalem very difficult for the adherents of the sect and thus removing them from the influence of their opponents” (*Unknown Sect*, 74).

15. See Milgrom, “Scriptural Foundations,” 91–92, and below.

16. *TS*, 1:289. See also *ibid.*, 304, and *TS*, 2:200.

17. War Scroll 7:3–4, and see Yadin's comments in *The Scroll of the War of the Sons of Light against the Sons of Darkness* (Oxford, 1962), 70–73; cf. *TS*, 1:288–89.

18. See below, 77.

help us here. A war camp is a temporary situation, to which special conditions of sanctity apply, and therefore it is governed by special regulations: "Holy angels are in communion with their hosts" (War Scroll 6:6).¹⁹ That is to say, in its degree of sanctity, the war camp is parallel with the Temple itself, and the analogy with the war camp is indeed found in the Scroll in another place, in the prohibition against women and children entering the middle court of the Temple: "a woman and child shall not enter it" (39:7). Yadin's claim regarding the prohibition against the residence of women in Jerusalem thus seems untenable, and certainly there is no support for the superstructure erected upon that claim, that this is the source of celibacy among the Essenes.²⁰ What, then, is the meaning of the law, what can be learned of its sources, and what are its implications?

II

As is well known, the laws of the Temple city do not have a biblical source, and among the questions that immediately arose after the publication of the Scroll were: Is it possible to interpret the laws of the Temple city in the context of the biblical laws and concepts? Can they be seen as a development of biblical laws? And can one discover the principles underlying this development?

Yadin offered positive answers to this series of questions, and, following G. Alon, he formulated two general rules by means of which one could, in his opinion, interpret the standard relationship between the laws of the Bible and those of the Temple Scroll:

1. Extension of the laws of purity and impurity from the priests to the entire people.²¹

2. Application of the laws of "the camp" to the Temple city: "This sect identified the camp of the Pentateuch with the entire Temple city and maintained that every ban involving the former applies to the Temple city as well."²²

Without relating to the general validity of these two rules,²³ let us examine them with respect to the issues under discussion.

19. See Yadin, *Scroll of the War*, 290-91.

20. The way in which Yadin connects these two conclusions seems difficult, not only with respect to the contents, but also with respect to his methodology. As we have seen, Yadin argues that "all males residing in the Temple city must abstain from having sexual relations therein. Therefore, this ban is tantamount to ordaining complete celibacy for them." He also states that Essene celibacy developed from this ban (*TS*, 1:282). That is to say, he views Essene celibacy as a sociological development from a concrete situation, which existed in a certain historical reality. However, according to Yadin's own view, the Scroll does not reflect reality; rather, "the author generally deals with commands and subjects that ran contrary to contemporary practice" (*TS*, 1:388). He also attributes the Scroll to the sectarians of Qumran, who did not live in Jerusalem in any event. Thus he posits a sociological and historical development from a basic situation which never existed as concrete reality.

21. G. Alon, *Studies in Jewish History* (Jerusalem, 1957), 148, 149 [in Hebrew]; *TS*, 1:277. This line of argument was also strongly emphasized in L. H. Schiffman, "The Impurity of the Dead in the Temple Scroll," in idem, *Archaeology and History in the Dead Sea Scrolls* (Sheffield, 1990), 136, 152, and passim.

22. *TS*, 1:279.

23. On this subject see Milgrom, "Scriptural Foundations," 83-89.

The matter of the pollution of a seminal emission is mentioned in several laws in the Bible, and in various contexts. In Leviticus 15 three laws are presented which concern purification from this kind of impurity: of the man alone (Lev. 15:16), of "every garment and every skin" (15:17), and of both the man and woman after intercourse (15:18). This source of impurity is also mentioned in relation to the purity of the priests (Lev. 22:3-7 and see v. 4).²⁴ The same matter, although in the very special context of the war camp, and without using the expression "seminal emission" (שִׁכְבַת זָרַע), is also found outside the Priestly material, in Deut. 23:10-12.

The rules concerning impurity resulting from a seminal emission are simple and complementary. The first two laws deal with the seminal emission itself. Though this is not stated explicitly, they apparently relate to a nocturnal emission: any man who experiences a seminal emission must bathe and will be impure until the evening (Lev. 15:16); any garment or leather apparel that is touched by semen must be washed in water and will be impure until the evening (Lev. 15:17). The third law relates to sexual relations: when a couple lies together, and a seminal emission occurs, both parties are required to bathe and are impure until the evening (Lev. 15:18). Further, in connection with priests, the law states that a priest who has experienced a seminal emission is forbidden to eat even the least holy of the consecrated foods; he must bathe in water, and he remains impure until sunset. Then he may eat consecrated foods, "because such are his food" (Lev. 22:4-7).

These rules indicate that the impurity of a seminal emission is relatively minor. It requires a single immersion, and the person afflicted with it remains polluted only until the evening. Even a priest, who is restricted from eating consecrated foods because of it, may partake of them after sunset and after he has purified himself. In any event, it is clear that the pollution of a seminal emission does not require removal from the camp. This is implied not only by the silence of the laws just quoted, but also by an explicit ruling in this matter: "Command the people of Israel that they put out of the camp every leper, and every one having a discharge, and every one that is unclean through contact with the dead" (Num. 5:2-3). The impurity of a seminal emission is not mentioned here.

In contrast to the laws of the Priestly code, which deal with the "camp" in general, that is, the place where the Israelites dwelled in the wilderness, the law in Deuteronomy refers to the war camp, and only to one aspect of that law: nocturnal emissions. This narrowing of focus is understandable in its context, for it is unlikely that women would have been present in a war camp. A comparison between Deut. 23:10-12 and Lev. 15:16-17 shows that, on the one hand, the law in Deuteronomy is stricter than that of the Priestly code, because it requires the removal from the camp of the man who has experienced a nocturnal emission (Deut. 23:11). On the other hand, with respect to the level of impurity and the manner of removing it, the two laws are equal: "But when evening comes on, he shall bathe himself in water, and when the sun is down, he may come within the camp." The difference between the two laws therefore derives not from a different conception

24. This term also appears at the conclusion of the passage in Lev. 15:32, and without relation to the area of impurity in Lev. 19:20. All Bible quotations are taken from the RSV.

of the pollution caused by a seminal emission but rather from the special status of a war camp in Deuteronomy, for stricter laws of purity apply to it, "because the Lord your God walks in the midst of your camp. . . . Therefore your camp must be holy" (Deut. 23:15).

The comparison between the biblical laws in these two contexts and the laws of the Temple Scroll immediately shows both the similarity between them and their differences. They both share the belief that the camp was holy, the view that a seminal emission causes impurity, and the instruction that the means of purification is through bathing. However, along with the shared principles there is a difference in many details, and these cannot be viewed as independent elements unconnected with one another. Rather they must be seen as concrete expressions of a different fundamental outlook. The principle underlying all of these changes in detail is a change in the status of seminal emission as a source of pollution. The Temple Scroll takes a more intense view of this kind of impurity, and this increased severity is expressed in all three aspects by which the gravity of the impurity can be evaluated: the duration, the process of purification, and the position of the affected person in respect to the camp.

In the biblical laws, the impurity of a seminal emission lasts "until evening," the act of purification is a single immersion, and the impure person remains in the camp. With respect to the last of these clauses, there is a special provision relating to a war camp, stating that a man who has experienced a nocturnal emission is removed from it until the evening. According to the laws of the Temple Scroll, the increased severity of the pollution resulting from a seminal emission with respect to the Temple city is expressed in all the aforementioned aspects:

a. The duration of the impurity is three days, whether a man has experienced a nocturnal emission or whether he has had sexual relations with a woman: "If a man has a nocturnal emission, he shall not enter into/ any part of the temple until [he will com]plete three days" (45:7-8); "If a man lies with his wife and has an emission of semen, he shall not come into any part of the city of the temple²⁵ . . . for three

25. There is a difference in wording between these two laws which, at least at the outset, might be interpreted as having legal consequences. A person who has had a nocturnal emission is forbidden to enter "any part of the temple," whereas a man who has lain with his wife may not enter "any part of the city of the temple." If we analyze these formulations precisely, assuming that "the city of the temple" and "the temple" are two discrete areas, the sanctity of the former being less than that of the latter, it would appear that the consequences of a man's lying with his wife are more severe than those of a nocturnal emission: a man who had lain with his wife would not be permitted to enter "the city of the temple," and, a fortiori, the temple itself, whereas the man who had had a nocturnal emission would be forbidden to enter "the temple" but nevertheless permitted to enter the "city of the temple." However, these precise distinctions are nullified by the explicit injunction in the Scroll to remove any man who had experienced a nocturnal emission from the Temple city (46:6). One way of resolving this difficulty is to assume that the text is corrupt at line 45:7 and that it ought to read "city of the Temple" everywhere. However, Yadin has already refuted this suggestion in the light of the sequel. Yadin himself suggested interpreting the expression "any part of the temple" as an expression of special severity relating to means of purification (*TS*, 1:287), whereas Milgrom believes that the difference in wording derives from different perspectives, whether the pollution took place in the city or outside it; J. Milgrom, "Sabbath' and 'Temple City' in the Temple Scroll," *BASOR* 232 (1978), 27; idem, "Studies in the Temple Scroll," *JBL* 97 (1978), 517-18. In contrast, Levine believes that the two terms are synonymous, expressing a single concept, a suggestion with far-reaching consequences regarding the meaning of "Temple city" ("Temple Scroll," 14). See also below.

days" (45:11–12). Return to the Temple city is only possible after the sun has set on the third day.

b. The process of purification demands not a single immersion but rather two, and it also demands a double laundering of the clothes: "He shall wash his clothes and bathe/ on the first day, and on the third day he shall wash his clothes [and bathe]" (45:8–9).

c. The person polluted by a seminal emission is entirely removed from the Temple city: "You shall make three places to the east of the city . . . into which shall come the lepers and the people who have a discharge and the men who have had a (nocturnal) emission" (46:16). Comparison of this demand to Num. 5:2 immediately clarifies both the similarity and the difference: according to the biblical text, Moses is commanded to remove three types of polluted individuals from the camp: the leprous, people with a discharge, and those rendered impure by contact with a corpse. The Temple Scroll also mentions three types of impurities that must be removed from the Temple city. But in place of those rendered impure by contact with a corpse, it mentions a man who has experienced a nocturnal emission. This change does not mean that those rendered impure by contact with a corpse are permitted to enter the Temple city; an explicit prohibition in this regard is mentioned elsewhere: "Any one unclean through contact with the d[ead] shall not enter it (the city) until he cleanses himself" (45:17).

There is, however, a difference between the two groups deriving from a distinction we find in the Scroll but not in the Bible. Whereas the biblical text states a single general rule of "putting out of the camp," without discussing where those excluded from the camp must dwell, the author of the Temple Scroll creates two different categories. The more severe of the two involves not only removal of the impure from the city but also their confinement in special places (48:14–17), and, regarding the Temple city, the Scroll discusses their locations in detail (46:16–18). The less severe of the two categories removes the impure person from various areas but does not require him to be confined. The Scroll interprets "putting out" (Num. 5:2) as quarantine,²⁶ replacing the category of those rendered impure by contact with a corpse with that of those who have experienced a nocturnal emission. The Scroll compares the impurity of the former to that of the blind, who were also forbidden to enter the Temple city but whose condition did not demand confinement (45:12–13). Furthermore, according to the Temple Scroll, the sentence of removal from the city in instances of severe impurity applies not only to the Temple city but also to Israelite cities in general. That is to say, on the one hand there is an analogy between the Israelite camp in the desert and every Israelite city, not only to the Temple city;²⁷ and, on the other hand, the list of the im-

26. This interpretation of the removal from the camp might have been inferred from the story of Miriam in Numbers 12; see vv. 14–15: "Let her be shut up outside the camp seven days, and after that she may be brought in again.' So Miriam was shut up outside the camp seven days." Both Num. 5:2 and Lev. 13:46 use different wording.

27. Yadin noted this trait of the Scroll but did not draw any conclusions from it. See, e.g., "in order to make the commands of the 'camp' apply to the populated cities" (*TS*, 1:325), and "applying the laws of the camp to the Temple, the Temple city and the cities" (*ibid.*:279).

pure is slightly different both from that stipulated by the Pentateuch regarding the camp, and also from that stipulated by the Scroll regarding the Temple city: "In every city you shall allot places for those afflicted/ with leprosy or with plague or with scab, who may not enter your cities and defile them, and also those who have a discharge, and for women during their menstrual uncleanness and after giving birth" (48:14–15). Regarding removal from the camp, interpreted as quarantine, there is, then, a parallel between the Israelite camp in the wilderness and any Israelite city; however, that parallel only applies to two kinds of impurity: the kind that derives from various types of skin disease and the kind that attaches to a person having a discharge. The Scroll lowered the level of impurity caused by a corpse. With regard to the Temple city, it removes from the city those rendered impure by contact with a corpse but does not confine them; regarding all Israelite cities, it does not demand their removal at all.²⁸ In contrast, the Scroll intensified the severity of the impurity derived from sexual organs. It orders the removal of menstruating women and those who have just given birth from "every city" and that they be quarantined;²⁹ and it also requires the removal of anyone who has been polluted by a seminal emission from the Temple city, and the placement of a man who has experienced a nocturnal emission in confinement similar to that of a leper. All of these are strictures that are not mentioned in the Bible.³⁰

The conclusion emerging from our discussion thus far is that the laws under consideration here concerning the Temple city do indeed have roots in the Torah, but the principles posited by Yadin cannot explain the relation between them. The rule of "applying the laws of the camp to the Temple city" is insufficient and inexact because, on the one hand, we have found that the "laws of the camp" apply not only to the Temple city but also to other cities, and, on the other hand, the Scroll diverges from the "laws of the camp" both in greater leniency and in greater severity. As for the rule regarding the extension of the demand of purification from the priests to the entire people, it is not relevant in this case; the

28. Regarding the laws of the impurity of the dead in the Temple Scroll and in comparison to Rabbinic halakhah, see Schiffman, "Impurity of the Dead."

29. As we have seen above, Yadin argues that this required the allocation of a special place to those women, as with other types of impure people and as in other cities. From the absence of such an instruction Yadin deduces, as noted, the prohibition against habitation (above, 72), but on this matter two comments must be made. From the textual point of view, this "lacuna" is not certain. The first lines of col. 47 are damaged, and Yadin correctly argued that "the first few lines probably continued the discussion of places for the unclean and other laws concerning the purity of the Temple city" (TS, 2:201). In that spirit Yadin also reconstructed the first word at the top of col. 47 as לילה, "night," since the last word on col. 46 is נקרה, "emission." It is therefore possible that this subject is included in the missing lines. Even if this is not the case, Yadin's conclusion regarding habitation is an argument *ex silentio* based on the earlier assumption that the Temple city is Jerusalem. The detailed reference to "three places to the east of the city" (46:17) has a purpose of its own: to locate the places of quarantine far from the Temple and to include among those who must be confined there men who have had a nocturnal emission. This does not imply, however, that the subject was covered in its entirety, or that Jerusalem must be excluded from the category of "any city." The removal of menstruating and postpartum women from the Temple city is thus self-evident.

30. See Lev. 12:2–8 for the impurity of childbirth; Lev. 15:19–24 regarding the impurity of menstruation. For a discussion of these texts, see the recent work of T. Z. Meacham, "Mishnah Tractate Niddah with Introduction" (Ph.D. diss., Hebrew University, Jerusalem, 1989) 172ff. [in Hebrew].

Pentateuch does not contain restrictions applicable only to priests except with respect to the eating of consecrated foods, and this area remains a matter for the priests alone.

It seems that what is common both to the laws of the Temple city and also to the laws of the Pentateuch are the general principles of the sanctity of the Temple and the camp, and the conception of the "source" as the cause of pollution. Notwithstanding these general principles, there are many differences between them, some of which derive from a general strictness in matters of purity³¹ and others of which derive from a different view of the impurity of a seminal emission, and, correspondingly, all the types of pollution deriving from sexual organs. It can be said in general that the Pentateuch distinguishes between the less serious form of impurity, which is caused by regular functions, and the severe impurity deriving from an irregular condition of venereal secretions. The Pentateuch made the impurity of a discharge equal to that of leprosy, but it did not take such a severe view of the menstrual flow, postpartum bleeding, and the impurity of a seminal emission. The Scroll, by contrast, intensifies significantly the conception of the impurity of regular bodily functions, and this is expressed with respect to menstruation, childbirth, and seminal emission. This intensification can be seen on two levels: the first in relation to the secular realm, and the second in connection with the holy.³² In the secular domain the Temple Scroll refers only to the impurity of menstruation and childbirth, and, in contrast to the Pentateuch, it requires that women who are menstruating or who have given birth must be removed from the camp and quarantined.

Shall we conclude from this that in the secular domain, in "every city," no change took place in the view of the impurity of a seminal emission, and that the detailed laws of Lev. 15:16–18 also apply here? We have seen in relation to "every city," that the Scroll did not require everyone who was polluted by a seminal emission to be removed from the city and quarantined. But was it content with limiting the duration of the state of impurity to only one day and with effecting purification by means of a single immersion? For the moment, the answers to these questions can be given only *ex silentio*. In contrast, the Scroll greatly intensified the impurity of the seminal emission with respect to the realm of the holy, and, as we have seen, it ordered that a man who has experienced a nocturnal emission must be removed from the Temple city and quarantined, and also that a man who has lain with a woman should be prevented from entering the Temple city.

What are the sources of this view? The essential contradiction between "sanctity" and sexual relations can also be inferred from the Bible, and the text that is commonly cited in this context is not legal but rather narrative: the descrip-

31. Such as "when the sun is down" rather than "when evening comes on"; a double laundering and not merely bathing; and others. See Milgrom, "Scriptural Foundations," 90–95; Schiffman, "Impurity of the Dead," 148.

32. A different attitude toward these two areas is expressed in the rules concerning menstrual impurity and those of nocturnal emission later as well, as demonstrated by Y. Dinary, "The Impurity Customs of the Menstruate Woman—Sources and Development," *Tarbiz* 49 (1979–1980), 302 [in Hebrew]; idem, "The Profanation of the Holy by the Menstruant Woman and 'Takanat Ezra'," *Te'udah* 3 (1983), 17 [in Hebrew].

tion of the revelation on Mount Sinai in Exodus 19. God's command to Moses is given in verses 11–12: "Go to the people and *consecrate them* today and tomorrow, and let them wash their garments, and be ready by the third day." Moses' words appear in verses 14–15: "So Moses went down from the mountain to the people, and consecrated the people; and they washed their garments. And he said to the people, 'Be ready by the third day; *do not go near a woman*.'" Influenced by this text, scholars have concluded that the author of the Temple Scroll was comparing the Temple city to Mount Sinai.³³ Another matter concerning sanctity is mentioned in 1 Samuel 21, where partaking of the holy bread is permitted to non-priests, "if only the young men have kept themselves from women" (1 Sam. 21:5). David responds to this requirement by saying, "Of a truth women have been kept from us as always" (v. 6). These two texts illustrate the general idea of opposition between sanctity (the holiness of the holy place and of the shewbread) on the one hand, and sexual relations, on the other hand. This contrast is presented with respect not to the priests but to everyone in Israel.

However, the Bible contains another text touching on this matter, similarly non-legal in nature, explicitly relating to the prohibition against the habitation of women. This text has indeed been mentioned in connection with the issues under discussion, but it has not received the detailed discussion that it merits, nor did Yadin mention it at all. The situation described in this text is parallel with the laws that have been discussed until now, and it is predicated upon the same halakhic assumptions touching upon our context. I refer to 2 Chr. 8:11,³⁴ which we shall now examine and interpret.

III

2 Chr. 8:11 reads: "Solomon brought Pharaoh's daughter up from the city of David to the house which he had built for her, for he said, 'My wife shall not live in the house of David king of Israel, for the places to which the ark of the Lord has come are holy.'" This verse is dependent upon the parallel text in 1 Kgs. 9:24 in its context, subject matter, and wording. It appears between two matters which are unconnected: the list of the "chief officers of King Solomon" (2 Chr. 8:10; cf. 1 Kgs. 9:23) and information about the sacrifices brought by Solomon in the

33. Yadin expresses this analogy cautiously and sees "a kind of parallel" between Mount Sinai and the Temple Mount: "We are thus presented with a kind of parallel between the Temple Mount—'any part of the Temple'—and Mount Sinai. Hence, the laws applying to Mount Sinai also apply to the Temple" (*TS*, 1:288). In contrast, Milgrom expands greatly on the matter: "Not only the mountain but also the camp, situated in its proximity, is endowed with a sacred status. Once the tabernacle is built it virtually becomes a portable Sinai, endowing the wilderness camp with Sinaitic sanctity"; "Sabbath and Temple City," 513; cf. also "Scriptural Foundations," 89. The details of the comparison do not justify the sweeping generalizations made by Milgrom.

34. This reference was first presented by Ginzberg (see n. 8 above), in his discussion of the concept "Temple city" in the Damascus Covenant, and, following him, by Levine, "Temple Scroll," 16. For a more extended discussion of this text, see Shaye J. D. Cohen, "Solomon and the Daughter of Pharaoh: Intermarriage, Conversion, and the Impurity of Women," *JANES* 16–17 (1984–1985; Bickerman Memorial Volume), 32–37.

Temple (2 Chr. 8:12ff. and cf. 1 Kgs. 9:25). In that sense it reflects the character of 1 Kings 9 as a collection of independent passages dealing with various aspects of Solomon's activities.

The subject of Solomon's marriage to the daughter of Pharaoh is important to the historiographer of Kings; he repeats it five times in the history of Solomon, and its purpose is apparently to demonstrate and emphasize Solomon's exceptional greatness.³⁵ Solomon's marriage is the first subject in the "Acts of Solomon" that immediately follow the statement, "So the kingdom was established in the hand of Solomon" (1 Kgs. 2:46b): "Solomon made a marriage with Pharaoh king of Egypt; he took Pharaoh's daughter" (3:1). The palace of Pharaoh's daughter is mentioned again in 7:8, and Solomon's marriage with Pharaoh's daughter is recounted in 9:16 in connection with the fortifications of Gezer. The matter is mentioned again in 9:24, the verse with which we are dealing here, as a conclusion of the matter that had begun in 3:1. All of these verses are connected in one way or another with Solomon's building projects. In contrast, in 11:1 Solomon's marriage is cited pejoratively, in connection with his marriage to many gentile women.³⁶

In Chronicles there is a clear tendency to restrict the treatment of this subject. The Chronicler refrains from any mention of Pharaoh's daughter except in the verse we are discussing here. However, the Chronicler expands this verse beyond what he found in his sources, using it as an opportunity to convey an important message to his readers.

2 Chr. 8:11 consists of two parts. The first presents the facts and quotes 1 Kgs. 9:24 with slight changes. Compare:

Kings: But Pharaoh's daughter went up from the city of David to her own house which Solomon had built for her.

Chronicles: Solomon brought Pharaoh's daughter up from the city of David to the house which he had built for her.

The differences between these parallel texts are linguistic. Central among them is the change in the subject of the sentence: in Kings "Pharaoh's daughter went up" (עלתה), but in Chronicles "Solomon brought . . . up" (העלה).³⁷ Indeed, as was his practice with parallel texts, the Chronicler clearly made an effort to preserve the look of the verse, and, despite the change in syntax, in the Hebrew original the elements of the parallel sentences are in the same order. "Pharaoh's daughter" changes from the subject to the direct object, the conjugation of the verb is changed from the simple active (קל) to the causative active (הפעיל), and "but" (אך) becomes the direct object particle (את).

35. See mainly A. Malamat in a series of studies, and, in conclusion, "The Kingdom of David and Solomon and its Relations with Egypt—a Power at Its Inception," in *Israel in Biblical Times* (Jerusalem, 1983), 182–88 [in Hebrew].

36. On the sources of these texts and the relations among them see Cohen, "Solomon and the Daughter of Pharaoh," 27–30.

37. Another linguistic change is the substitution of "to her house" (אל ביתה) by "to the house" (לבית). On this matter see Y. Thorion, "Neue Bemerkungen über die Sprache der Qumran-Literatur," *RQ* 11 (1983), 579–80.

The main difference between the two texts is, however, the addition in Chronicles of a second part: an explanatory clause presented as a direct quotation of Solomon, "for he said,"³⁸ and formulated as a series of three phrases, each of which explains the one before it. The reason for transferring Pharaoh's daughter is: "my wife shall not live in the house of David," and this argument is explained by two causal phrases: "for [they] are holy" and "to which the ark of the Lord has come."³⁹ With this complex structure of explanation, the Chronicler seeks to answer the question of why Solomon built a special mansion for the daughter of Pharaoh.

The text in Kings does not address this question, but one can infer from the context that the allocation of a separate palace expresses the special status of that wife among all of Solomon's wives, and this may have been prescribed in an agreement between Solomon and Pharaoh. The Chronicler addresses this issue directly and offers his own answer, which is related to our main topic: Pharaoh's daughter's first place of residence was not suitable because the place was "holy," and she was not permitted to live there. It should be emphasized that the prohibition against her habitation was not connected to her identity as the daughter of Pharaoh, that is to say, a gentile,⁴⁰ but rather to her being a woman, and, more precisely, a married woman, "my wife."⁴¹ The text in Chronicles, therefore, deals explicitly with the prohibition against habitation, and in order to understand the position taken by the Chronicler on this subject, it should be examined in detail.

A first point is the definition of the location. In the sources available to the Chronicler, the City of David is mentioned in a number of contexts, including those which relate directly to our discussion: the Ark of the Lord, on the one hand, and the daughter of Pharaoh, on the other. In all of the events in which the Ark is mentioned during the period of David and Solomon, its connection to the City of David is stated explicitly: "So David was not willing to take the ark of the Lord into the city of David" (2 Sam. 6:10); "so David . . . brought up the ark of

38. This is a common method employed in biblical narrative to present the considerations underlying certain actions; cf. 2 Chr. 23:14 = 2 Kgs. 11:15; 1 Chr. 23:26; 2 Chr. 22:9; 26:23. What is peculiar to Chronicles is that in most (perhaps all) of these cases, the consideration underlying the action has a legal basis. This is certainly true of 1 Chr. 23:26; 2 Chr. 23:13; 26:23. As for the passage under consideration, see below.

39. For similar structures in Chronicles see, e.g., 2 Chr. 14:5; 28:19; 28:23; and others. Such a long series of causal clauses is not unique to Chronicles (see, e.g., Deut. 14:25), but it stands out because of the peculiar use of tenses.

40. Since the other contexts in which Pharaoh's daughter is mentioned in Kings and in which she is explicitly described as the daughter of the Pharaoh of Egypt are absent in Chronicles, it is in fact impossible to know how the Chronicler understood her identity. The name "Bithiah, the daughter of Pharaoh" appears in 1 Chr. 4:18 as the name of a Judahite woman. On the function of this factor in determining the image and fate of Solomon in midrashic exegesis, see Cohen, "Solomon and the Daughter of Pharaoh," 30–32.

41. The preposition indicating the proprietary relationship between man and wife (in addition to the construct state and pronouns) is always a *lamed*, either one or double, as in *אשה* . . . *וקח-לך* (Gen. 28:2), *לאשה* . . . *קח-לי* (Gen. 34:4); *היתה לו אשה* (2 Chr. 21:6), "*ותיה לו לאשה*" (Gen. 24:67); etc. Nevertheless the phrase used in 2 Chr. 8:11, *אשה לי* (NJPS: "a wife of mine") is unique; it seems to convey a special variety of meaning, something like "a woman who is my wife."

God . . . to the city of David" (6:12); "as the ark of the Lord came into the city of David" (6:16); "to bring the ark of the covenant of the Lord out of the city of David" (1 Kgs. 8:1); and the parallel passages in 1 Chr. 13:13; 15:29; 2 Chr. 5:2.⁴² Notice of Pharaoh's daughter's residence in the City of David is also repeated: "He took Pharaoh's daughter, and brought her into the city of David" (1 Kgs. 3:1); "but Pharaoh's daughter went up from the city of David" (9:24).

The City of David is also mentioned in other contexts in Chronicles, an examination of which shows that this term has two meanings. The first is broad, the second narrower. The broad meaning is intended in the description of the conquest of Jerusalem, and in all the passages where the tombs of the kings of the House of David are mentioned, usually phrased as, "and they buried him in the city of David." Here Chronicles depends on sources in Samuel and Kings.⁴³ Similarly, this is the meaning of the term in verses referring to the various construction projects undertaken during the reigns of Hezekiah and Manasseh, kings of Judah, of which we do not possess the sources: "and he strengthened the Millo in the city of David" (2 Chr. 32:5); "afterwards he built an outer wall for the city of David west of Gihon" (33:14). However, it seems that precisely in the two contexts that relate to our topic, the term "City of David" has a narrower meaning. In 2 Chr. 8:11, we read: "Solomon brought Pharaoh's daughter up *from the city of David* . . . 'My wife shall not live *in the house of David* king of Israel.'" That is to say, Pharaoh's daughter does not live in the "City of David" in the broad sense, but rather in the more specific sense: "the house of David king of Israel."

This meaning of the term also applies to the context of the Ark of the Lord. According to the description in Samuel and Kings, it is clear that the Ark was not placed in a building (בית) but rather in a tent (אהל): "and set it in its place, inside the tent that David had pitched for it" (2 Sam. 6:17; also 7:2; 1 Kgs. 8:4). However, the precise location of the tent within the broad area of the City of David is not indicated. The Chronicler added a verse to the information he had drawn from Samuel and Kings: "David built houses for himself in the city of David; and he prepared a place for the ark of God, and pitched a tent for it" (1 Chr. 15:1). This verse supplements several aspects of the story: it refers specifically to pitching the tent, it specifies that this was done prior to bringing the Ark, and it expresses the logical order of events of David's preparations. Likewise, it explicitly links the "houses" that David built for himself to the "tent" that was pitched for the Ark. In the linguistic context of Chronicles, the plural form of "houses" should be understood in

42. The rewriting of 2 Sam. 6:12 in 1 Chr. 16:25 removes the reference to the City of David in that text; contrastingly, the City of David is mentioned in 1 Chr. 15:1, which has no parallel in 2 Samuel. See below.

43. Both the description of the conquest of Jerusalem and the phrase, "and they buried him in the city of David," are taken from the sources with changes; compare 1 Chr. 11:4-8 to 2 Sam. 5:6-9 and 2 Chr. 9:31; 12:16; 13:23; 16:14; 21:1,20; 24:25; 27:9 to their parallels in 1 Kgs. 11:4; 14:31; 15:8,28; 22:51; 2 Kgs. 8:24; 9:28; 15:38). Burial in the City of David is mentioned in Chronicles in relation to Jehoiada the Priest (2 Chr. 24:16) with no source in Kings, and it is removed from Chronicles with relation to David himself (1 Kgs. 2:10 compared with 1 Chr. 29:28) and also to the kings Ahaziah, Amaziah, Uzziah, and Ahaz (compare 2 Chr. 22:9; 25:28; 26:23; 28:27 to 2 Kgs. 9:28; 14:20; 15:7; 16:20). Hence, borrowing from the sources is purposeful and controlled.

the collective sense, meaning, a structure with many parts.⁴⁴ This description is not found in Samuel, though it is a fitting proposition to the contrast later described by David: "Behold, I dwell in a house of cedar, but the ark of the covenant of the Lord is under a tent" (1 Chr. 17:1, and the parallel in 2 Sam. 7:2). It also fits in well with the other details of the story. The location of the Ark in the "House of David" after being brought up the second time is parallel to its location after it was first brought up "to the house of Obedom the Gittite" (2 Sam. 6:10,11,12, and, with slight changes, 1 Chr. 13:13,14), and it provides a proper background for the famous scene with Saul's daughter Michal: "As the ark of the Lord came into the city of David, Michal the daughter of Saul looked out of the window . . ." (2 Sam. 6:16). Saul's daughter sees the procession passing right past her house.⁴⁵ In these contexts the Chronicler understood the term "City of David" as referring to the area of King David's palace, including all of its annexes, and this interpretation forced him to conclude that the Ark of the Lord and the daughter of Pharaoh dwell together—an impossible situation demanding a solution.

A second point in the Chronicler's addition to 1 Kgs. 9:24 is his explanation of the cause: "for the places . . . are holy"⁴⁶ "to which the ark of the Lord has come." This is both a description of the situation ("the House of David" is "holy") and a suggestion regarding the source of this holiness: "the ark of the Lord has come." Indeed, the tent where the Ark stood served as a sanctuary during the time of David and Solomon. The Book of Kings indicates that sacrifices were actually brought there (1 Kgs. 3:15: "[He] stood before the ark of the covenant of the Lord and offered up burnt offerings and peace offerings"), while, according to Chronicles, a ritual including song and instrumental music was conducted there in all of its fullness and pomp.⁴⁷

The explanation in Chronicles in itself may be interpreted as a general theological and cultic argument, based on a contrast in principle between "woman" and "holy," as in Exod. 19:15 and 1 Sam. 21:5.⁴⁸ However, in light of the testimony of

44. See 1 Chr. 29:4: "for overlaying the walls of the houses" (בתים, RSV: "house") and also 2 Chr. 34:11: "beams for the buildings (הבתים) which the kings of Judah had let go to ruin." In both cases the word בתים (RSV: "house, buildings") refers to the Temple itself. On the use of the plural as a collective in Chronicles, see A. Kropat, *Die Syntax des Autors der Chronik*, BZAW 16 (Giesen, 1909), 9–10.

45. The Peshitta to 2 Sam. 6:16 does indeed interpret the text in this spirit when it writes "in David's house" instead of "he came to the city of David" as in the Masoretic text.

46. The pronoun הֵמָּה, "they" replaces the phrase "the house of David, king of Israel," and, in referring to the "house of David," use of the plural seems at first surprising. Perles suggested that the form הֵמָּה is a mistaken expansion of an abbreviation. In his opinion the original version was הַמָּקוֹם, "the place," abbreviated as הַמָּ and then mistakenly expanded into הֵמָּה; later, the original "to it" was replaced by "to them"; F. Perles, "Neue Analekten zur Textkritik des Alten Testament," *MVGJ*, 1917, 134–35. This conjecture was accepted and followed by the RSV, which writes "for the places . . . are holy"; see Cohen, "Solomon and the Daughter of Pharaoh," 32–33. The conjecture, however, is far from likely. The phrase "for they are holy" (כִּי קִדְשׁ הֵמָּה) is found elsewhere in Chronicles (2 Chr. 23:6), and reference to the House of David in the plural is attested in 1 Chr. 15:1 (see above, 82–83 with n. 44).

47. See S. Japhet, *The Ideology of the Book of Chronicles and Its Place in Biblical Thought* (Frankfurt, 1989), 226–28.

48. See, e.g., E. L. Curtis-A. A. Madsen, *The Books of Chronicles*, ICC (Edinburgh, 1910), 353; W. Rudolph, *Chronikbücher* (Tübingen, 1955), 220–21.

the Temple Scroll, this explanation appears differently. The combination of the two elements, that is, the definition of a place as "holy" and the suggestion of the source of its sanctity, characterizes all of the laws governing purity and impurity in the Temple Scroll. It is the standard explanation for the prohibitions included in them,⁴⁹ such as: "The city/ of the Temple [lit., Sanctuary] where I will cause my name to dwell" (45:11-12); "the city in which I dwell/ for I, the Lord, dwell among the children of Israel" (45:13-14); "be within my Temple [lit., Sanctuary] forever and ever, all the days that I dwell among them" (46:3-4); "my Temple [lit., Sanctuary]/ for I dwell among them" (46:11-12) and others,⁵⁰ and it seems that the explanation presented in Chronicles must also be understood in the context of these concepts. This is not a general theological consideration, but rather a specific legal issue.⁵¹ The explanation of the Chronicler is a halakhic exegesis that moves in two directions. On the one hand, it seeks to cope with the problems that arise from the ancient source and to solve them by means of appropriate exegesis; and, on the other hand, it presents the current legal practice as the force that operated in antiquity. A historical event which is documented in the sources is explained by means of these halakhic considerations.

What is the law reflected in Chronicles? We have seen that the author explicitly refers to the prohibition against the habitation of women in the area of the Sanctuary, defined, on the one hand, as the "City of David," and, on the other hand, as the "house of David, king of Israel." Further, we have seen that both according to the definition of the place and also according to the narrative background, this is the place where the Ark of the Lord stands. Since the Sanctuary itself, the place to which the Ark was brought, is a tent, the "House of David" appears as a sacred compound: in its center stands the tent, within it is the Ark, and around it is the royal palace and the "houses" that the king built, all of which are included in the sanctified compound. Clearly Pharaoh's daughter does not live in the Sanctuary itself, but rather in the compound around it, though, since the presence of the Ark radiates its sanctity throughout the entire compound, the dwelling of Pharaoh's daughter in one of its parts is not permissible.

Thus we find here a conception of sanctity similar to that of the Tabernacle and the Temple and their courts. The focus of holiness in the Sanctuary extends from the center outward and radiates its sanctity upon everything surrounding it. The similarity between the Temple and the Tabernacle receives additional force through the repeated emphasis in Chronicles, that the entire house built by Solomon is none other than "a house of rest for the ark of the covenant of the Lord" (1 Chr. 28:2; see also 22:19). That is to say, it replaces the tent that stood within the bounds of the House of David. Moreover, according to the narrative of

49. See *TS*, 1:278-79.

50. Also 47:3-4, 10-11, 18, and elsewhere.

51. Cohen comes close to this view in attributing "this kind of religiosity" to the Chronicler; "Solomon and the Daughter of Pharaoh," 36. After presenting as an example various halakhic rules, he says: "2 Chr. 8:11 anticipates these rulings" (37). It seems that one ought to be more precise in this matter; the Chronicler did not merely "anticipate" these rulings, but he was actually following them.

Chronicles, which provides the basis for 2 Chr. 8:11, the transfer of Pharaoh's daughter to the City of David would seem to have taken place after the construction of the Temple, and after the Ark, the tent, and the holy vessels were transferred to their new location in the Temple (1 Kgs. 8:1-7 = 2 Chr. 5:2-8).⁵² That is to say, the sanctity of the holy place does not depend on the actual presence of the Ark, but rather on the fact that the Ark stood there at one time. From the moment that sanctity was accorded to a holy place, it remains valid forever. It seems that in this, too, the Chronicler expresses a conception of holiness of his own time.

The sanctity of the Temple is indicated in the Temple Scroll not by the presence of the Ark, but rather through another system of concepts, whether these be taken from Deuteronomic phraseology, as in "to have His name dwell there," or in the appellation "Temple (Sanctuary)," terms which are very appropriate for a period in which the Ark no longer exists. Nevertheless, the sanctity derived from the source of holiness remains in force even when the Ark is no longer physically present. This applies both to the City of David and to the Second Temple—and to everything that comes afterwards.

The conception of the holy as expressed in Chronicles can be viewed as analogous not only to the Temple but also to the war camp. We have seen above that, according to the laws of Deuteronomy, a war camp must have particular rules of purity because of its specific state of sanctity. According to the wording in Deuteronomy, the reason for this sanctity is "because the Lord your God walks in the midst of your camp" (Deut. 23:15); in concrete terms, this means that the Ark of the Lord is present among the warriors⁵³—exactly as the Ark of the Lord is present in the extended compound of the House of David. According to the law of Deuteronomy, the sanctity of the war camp demands that those who have been polluted by a seminal emission must be removed from the camp, and in this respect a war camp is distinguished from the secular realm, which also includes the camp of the Israelites in the wilderness.

A demand for the purity of the war camp is also voiced in another source: the Scroll of the War of the Sons of Light against the Sons of Darkness. There we find, on the one hand, an explicit prohibition against the entry of women and children into the war camp (7:3-4) and, on the other hand, a prohibition against a man who has had a nocturnal emission from going forth to war (7:6). However, the analogy between the law reflected in Chronicles and the texts concerning the war camp is not exact in all its aspects, for Chronicles speaks specifically about "habitation," that is to say, permanent dwelling, whereas the War Scroll refers to a temporary situation—the presence of women in the war camp—and we have already seen that this prohibition is related by the Temple Scroll to the presence of

52. See also Cohen, "Solomon and the Daughter of Pharaoh," 33-34.

53. This is the prevalent view of the Pentateuch narrative. See, e.g., Num. 14:42-44: "Do not go up . . . for the Lord is not among you . . . Neither the ark of the covenant of the Lord, nor Moses, departed out of the camp." See also Num. 10:35; 1 Sam. 4:3-11; 2 Sam. 7:6. The priestly text in Num. 31:6 is already less clear because it speaks in general about "the vessels of the sanctuary and the trumpets for the alarm."

women in the Temple, in that they were forbidden to enter the middle court. Nevertheless, it seems that all of these matters combine into a single system of legal precepts and concepts.

The comparison between Chronicles and the texts mentioned in the course of our discussion demands caution. Chronicles does not present the law itself, but rather an example of its application, and, in the light of the differences in context and terminology, Chronicles might reflect a legal practice different in its details from that which is formulated in the War Scroll, the Damascus Covenant, and the Temple Scroll. However, these texts testify to the importance of "the impurity of sexuality" in the thought of that period and in its way of life. Here we find an expression of legal thinking meant to define clearly the effect of sexual impurity and the restrictions it necessitates. The focus of these restrictions is the relation between the impurity of sexuality and the holy, and this necessitates a clear definition of the confines of the holy and their gradations. Common to all of these texts is that they attribute greater force and severity to sexual impurity, particularly in its regular manifestations, opposing this aspect of human existence as to the realm of the sacred.

IV

To conclude this discussion, it is fitting to return to the starting point and to sum up with two comments. We have seen above that Yadin interpreted the term "Temple city" to refer to the entire city of Jerusalem, an interpretation with far-reaching consequences for understanding the Scroll, its character, and its background. Not only are the laws of purity and impurity in the Scroll generally more severe than those in the Pentateuch, but also their application to the entire city of Jerusalem makes their demands unrealistic, polemical, and sectarian, expressing an ideology so radical that it must be viewed as utopian. However, the law itself does not support such a view. Schiffman has already noted: "the laws concerning the impurity of the dead are devoid of any particular characteristics that would be associated with sectarian life."⁵⁴ This is also true of the laws governing the impurity of a seminal emission, which in themselves do not have a sectarian cast. Hence it follows that Yadin's conclusion regarding this matter is virtually derived from a circular argument: these laws of purity and impurity may be identified as sectarian only if we begin with that assumption, or if we identify the "Temple city" with all of Jerusalem. However, it seems that in this legal context one must see "Temple city" as a more precise term, referring to a well defined area, all of which is sanctified. This area is different from the "Temple" in the narrow sense of the Temple building, but it could be synonymous with the Temple in the larger sense, i.e., the broad but well-defined Temple compound, including the buildings, courts, and walls. There is thus a clear analogy between the City of David in 2 Chr. 8:11 and the Temple city of the scroll: a sanctified compound with the Temple in its center.⁵⁵

54. Schiffman, "Impurity of the Dead," 152.

55. See Ginzberg, *Unknown Sect*, 74; Levine, "Temple Scroll," 14-17; cf. Schiffman, "Exclusion" (n. 12 above), 317-18.

The history of halakhah concerning the impurity of menstruation is discussed by Dinary in two complementary studies, with no direct reference to the laws of the Temple Scroll.⁵⁶ Dinary noted the tendency towards casting out the menstruating woman, both in the secular realm and also in that of the holy, "to the point of absolute social segregation," and he has compared this to the attitude towards a man who had a nocturnal emission, as shown in the "Ordinance of Ezra" and its successors. In contrast to Rabbinic halakhah and the central tradition of Jewish law over the generations, a reiterated phenomenon appears in Jewish history, in various periods, diasporas, and streams of thought: a tendency to regard the impurity of menstruation and nocturnal emission with increased severity. Dinary proves that stringent practices governing this form of impurity have very ancient roots, going back to Temple times, though he calls them "folk customs that have no connection with the halakhah."⁵⁷

This claim must be reexamined in light of what has been discussed here. It seems that a severe attitude towards sexual impurity, in all its aspects, is a trait which appears repeatedly in the Jewish tradition. While the general tendency of Rabbinic halakhah was to restrict the extent and applicability of this impurity—and the historical, theological, and legal reasons for this tendency must be examined further—it is doubtful whether we may view the opposite tendency in this matter as mere "folk custom." This is a basic view within Judaism that found legal expression in various places, quite distant from each other. The connections among all of these expressions are not always evident, but they deserve to be traced and brought to light. Indications of the existence of legal practices of this kind can be found in the Bible itself; it is from the biblical period that the various branches of Jewish custom spread out, each with its own outlook and law.

56. Above, n. 32.

57. "Impurity Customs," 310; see also "Profanation of the Holy," 17: "these customs were apparently ancient even in the time of the Temple, but they have no halakhic foundation."