

# HOSPICE E MULTICULTURALITÀ

Aspetti storici, antropologici e istituzionali  
nei percorsi di fine vita

a cura di

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ISBN 978-88-7395-854-3

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Progetto di copertina: Irene Sartini  
Progetto grafico e impaginazione: Sara Celia

Stampa: Editografica (Rastignano, Bologna)

Prima edizione: giugno 2013

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# Discourse on Death in Judaism from the Bible to Late Antiquity

Piero Capelli

In this paper I will examine the different kinds of discourse on death that are developed in ancient and late antique Jewish literature. In my analysis I will consider the two kinds of sources: those that became canonical for medieval and modern rabbinic Judaism at a later period (i.e., the Hebrew Bible according to the masoretic tradition and rabbinic texts from late antiquity); and those that did not enter the rabbinic canon but nonetheless express forms of Jewish piety that were widespread in the period under scrutiny (e.g., the Dead Sea texts) and in some instances were accepted as canonical in various Christian traditions (e.g., the Apocrypha and some of the Pseudepigrapha).

It is useful to begin by mentioning two demographic points that bear on the social perception of death in Jewish Palestine in the first century CE: the Jewish population of the region must not have exceeded half a million inhabitants<sup>1</sup>, and the average life expectancy – as far as we can reconstruct from epigraphic evidence – was less than twenty-nine years<sup>2</sup>.

## The yahwist-priestly myth about death

According to the phenomenological analysis of Theo P. van Baaren, many cultures harbor a connection between the arrival of death into the world and “the origin of both the countless imperfections that are part of the world of man and, more espe-

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<sup>1</sup> T.S. Schwartz, *Imperialism and Jewish Society 200 B.C.E. to 640 C.E.*, Princeton/Oxford 2001, pp. 10-11 (see p. 10 n. 14 for a discussion of the relevant bibliography). A higher estimate was suggested by M. Avi-Yonah, *The Jews under Roman and Byzantine Rule: A Political History of Palestine from the Bar Kokhba War to the Arab Conquest*, Engl. transl., Jerusalem 1984, orig. ed. 1962, p. 19: the Jewish population of Palestine, Galilee and Transjordan before the second war against Rome would have been of around 1.300.000, decreasing to 7/800.000 (out of a total of around 2.500.000 inhabitants) after the war. Avi-Yonah's figures are endorsed by G. Stemberger, *Jews and Christians in the Holy Land: Palestine in the Fourth Century*, Engl. transl., Edinburgh 2000, orig. ed. 1987, p. 17.

<sup>2</sup> Thus P. van der Horst, *Ancient Jewish Epitaphs: An Introductory Survey of a Millennium of Jewish Funerary Epigraphy (300 BCE-700 CE)*, Kampen 1991, pp. 73-84.

cially, evil". Death is seen as a breakdown of cosmic order; it "requires explanation."<sup>3</sup> The variety of religious answers to the problem of the existence of death has been summarized by van Baaren as follows:

1. Death is considered the natural destination of man, or at least, it is considered to be in accordance with the primordial will of the gods and as such it is to be accepted, if not without demur then without the necessity of further explanation. Death forms, as it were, an indispensable part of the divine administration (or the divine economy) and is simply acknowledged as such.

2. The death of a god or some other mythic being has given rise to the existence of death in the human world as well, and so it is not in any respect due to the behavior of man.

3. Human death is the result of conflict among divine beings.

4. Death is the result of man being cheated by a god or some other mythic being, or of the carelessness or stupidity of such a being.

5. Death is the result of some human shortcoming, sometimes a rather futile one in our eyes. (...)

6. Death is the result of a wrong judgment or a wrong choice made by man.

7. Death results from some kind of guilt, usually, but not exclusively, human guilt. Yet the question of guilt can be difficult to decide. In certain cases there is only a sin of omission, which can also be seen as a simple case of human shortcoming. There may be – to show the difficulty – more than one argument given for the origin of death, such as, for example, curiosity and disobedience. Curiosity in itself is a minor shortcoming, if it is one at all, but when it leads to disobedience it becomes decisively important; according to the various myths, disobedience is the actual sin that deserves death. (...) Apart from a number of cases in which the question of whether we can actually speak of human guilt must be left as a matter of opinion, the three main reasons given in which this point is clear are disobedience, sexual offense, and killing.

8. Man dies because he himself has desired death<sup>4</sup>.

The Biblical myth of the origin of death *Genesis* 2-3 is ancient (ascribed to the so-called Yahwist author, possibly as early as the beginning of the first millennium BCE), though it was edited in its present form only later by the priestly class that ruled Israel from the end of the sixth century BCE until the Roman period and determined the emergence of official Jewish culture through the canonization of the

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<sup>3</sup> Th.P. van Baaren, *Death*, in M. Eliade (ed.), *The Encyclopedia of Religion*, vol. 4, New York/London 1987, pp. 251-25 (here pp. 251-252).

<sup>4</sup> Van Baaren, *Death*, p. 252.

Torah and of at least part of Biblical prophetic literature<sup>5</sup>.

2:8 And the Lord God planted a garden in Eden, in the east; and there he put the man whom he had formed. 9 Out of the ground the Lord God made to grow every tree that is pleasant to the sight and good for food, the tree of life also in the midst of the garden, and the tree of the knowledge of good and evil. (...) 2:16 And the Lord God commanded the man, "You may freely eat of every tree of the garden; 17 but of the tree of the knowledge of good and evil you shall not eat, for in the day that you eat of it you shall die." (...) 3:22 Then the Lord God said, "See, the man has become like one of us, knowing good and evil; and now, he might reach out his hand and take also from the tree of life, and eat, and live forever."

Verse 3:22 contains various important ideas. First, the "us" is not a majestic plural; it rather indicates an actual plurality of superhuman beings, the *elohim*, among whom God has supremacy. These beings, and God among them, are irritated by man's partaking of the faculty of knowledge and/or moral judgment that was earlier their sole right. They are therefore concerned about *also* losing their other prerogative, that is, eternal life; so they drive the human couple out of its residence in the garden of Eden and thus out of proximity to the tree whose fruit grants immortality. God has not entirely lied to Adam, because the latter will actually die after eating from the tree of knowledge; but, had he not eaten from the tree, Adam *would have died all the same* – an outcome of which he was not warned. According to the yahwist-priestly myth, death is by no means the disruption of the original condition of unending life; it is rather part of the original nature of human beings – of their creature-ness. Van Baaren indexes this myth under the seventh of his categories (death as the result of human guilt); yet, when he proceeds to analyze it in detail, he notices its inconsistencies ("which are rarely absent from myth") and comes to the conclusion that in the yahwist-priestly narrative "the connection between human disobedience and the origin of death is at best rather loose and must lead us to doubt whether the best-known example of death's origin as the result of disobedience is really the best one"<sup>6</sup>. We can conclude that this myth fits in van Baaren's first category (mortality as the natural condition of man) better than in his seventh, where it was relegated by n ancient pious exegetical traditions, both Jewish and Christian<sup>7</sup>.

<sup>5</sup> Biblical sources are quoted according to the *New Revised Standard Version*, with modifications where I found necessary to keep closer to the original text.

<sup>6</sup> Van Baaren, *Death*, p. 257.

<sup>7</sup> To my knowledge, the exceptions to this tradition are few: Sa'adyah Gaon in the tenth century (cf. B. Chiesa, *Creazione e caduta dell'uomo nell'esegesi giudeo-araba*, Brescia 1991, p. 128 n. 33), and, among modern interpreters, Claus Westermann (*Genesis 1-11: A Commentary*, Engl. transl., Minneapolis 1984, orig. ed. 1976<sup>2</sup>, esp. pp. 277-278), Harold Bloom (*The Book of J*, with D. Rosenberg, New York 1990, p. 186), James Barr (*The Garden of Eden and the Hope of Immortality*, Minneapolis 1993, esp. pp. 1-20) and M.A. Knibb (quoted in Barr, *The Garden of Eden*, p. 18, n. 21).



## The mainstream conception of the netherworld in Biblical literature

Death is one of the few realms of human experience and of its cultural elaboration in which the abused and outdated distinction between classical Hellenic culture and the cultures of the ancient Near East still retains some validity. The Greek gods do not master death; rather, their relationship to transcendent and inescapable Fate – Moira or Heimarmene – is one of alterity or even subjection. The gods of the ancient Near East, by contrast, govern the cycle of life (which includes death and may include rebirth); in some cases (e.g., Isis and Osiris), they are protagonists of the myth of individual death and rebirth. Yhwh/Elohim, the god of Israel, is a heavenly godhead who originally was one among the members of a whole *pantheon* – a trace of which is to be seen in the other *elohim* whom he addresses in *Genesis* 3:22, as we saw earlier. He therefore has neither a relationship to the underworld nor contact with it<sup>8</sup> – though, as Erich Fromm rightly saw, he is certainly not deprived of a Jungian ‘shadow’ of his own<sup>9</sup>.

The conception of the netherworld that is typical of the ‘classic’ period of ancient Israelite culture corresponds thoroughly to the one that is typical of the classic period of Greco-Roman culture. It includes a chthonian world where the spirits of both the righteous and the wicked end up, without distinction. In Biblical literature this undifferentiated Hades is designated by the etymologically mysterious name *She’ol*. As Ida Zatelli has recently pointed out,

the term *She’ol* occurs sixty-six times in the Hebrew Bible, almost exclusively in poetical texts (...). Poetic language in the Bible is quite conservative and preserves myths and images that are connected to an early stage in the culture of that area and were subsequently removed from later, ideologically more elaborate Biblical narratives. This means that the netherworld must have been important to the Canaanites, the Phoenicians, and in Ugarit, where it was linked to the worship of Baal and to a set of myths and beliefs founded upon the cyclical return of gods and heroes who were connected to the succession of seasons<sup>10</sup>.

Biblical authors are vexed by one further problem: the end of life also entails the interruption of the relationship to one’s own God – who, as we saw, is a God of

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<sup>8</sup> C. Grottanelli, *Messaggi dagli inferi nella Bibbia ebraica: la necromante di En-dor*, in P. Xella (ed.), *Archeologia dell’inferno*, Verona 1987, pp. 191-207, here p. 191.

<sup>9</sup> E. Fromm, *You Shall Be as Gods: A Radical Interpretation of the Old Testament and Its Tradition*, New York 1966. Cf. my *Il male. Storia di un’idea nell’ebraismo dalla Bibbia alla Qabbalah*, Firenze 2012, pp. 21-39.

<sup>10</sup> I. Zatelli, “*Dolce è la luce*”, in L. Novati (ed.), *La buona morte*, Brescia 2009, pp. 45-58, here pp. 50-52 (transl. mine).

the living and has no relation to the netherworld. In Zatelli's words, "the splitting from the world of the living and the interruption of the extremely important family relationships also imply the huge problem of one's removal from his/her godhead"<sup>11</sup>. The author of *Psalm* 6 prays to be healed and kept alive because "in death there is no remembrance of you [God]; in She'ol who can give you praise?" (v. 5); Proto-Isaiah, too, notes that "She'ol cannot thank you, death cannot praise you; those who go down to the Pit (*bor*) cannot hope for your faithfulness" (38:18)<sup>12</sup>. In Qoheleth – a third century BCE author deeply influenced by Hellenistic philosophy – the observation of the frailty of human experience and existence is expressed through an utterly Epicurean exhortation to enjoy the *hic et nunc*:

5:18 This is what I have seen to be good: it is fitting to eat and drink and find enjoyment in all the toil with which one toils under the sun the few days of the life God gives us; for this is our lot. (...) 9:10 Whatever your hand finds to do, do with your might; for there is no work or thought or knowledge or wisdom in Sheol, to which you are going<sup>13</sup>.

In his classic survey, *Ancient Israel: Its Life and Institutions* (1960-61), Roland de Vaux stated that the distinction between soul and body was "something foreign to the Hebrew mentality"; the idea of death did therefore not correspond to that of a separation between these two elements, so that in Biblical Hebrew the "soul" – *nefesh* – can be either "living" (*nefesh hayyah*) or "dead" (*nefesh met*)<sup>14</sup>. Even after bodily death, the soul subsists in She'ol, though in a state of extreme weakness ("the shades of the dead [*refu'im*] below tremble", *Job* 26:5-6)<sup>15</sup>. Thus, though burials and corpses are ritually impure and convey ritual impurity – a transient, if unavoidable condition – the prospect of lying unburied and abandoned to wild beasts is considered the worst possible misfortune one can wish anyone else<sup>16</sup>. Likewise, disinterment after burial is an unheard-of kind of punishment, one inflicted only for the most extreme of religious crimes: in *2 Kings* 23:16, the pious king Josiah orders that the bones of those who were buried near the pagan altar erected by his predecessor Jeroboam be disinterred and burnt. These narratives can be explained in accordance with a common perception that the *nefesh* continued to feel what was done to the body even after its death<sup>17</sup>.

<sup>11</sup> Zatelli, "Dolce è la luce", p. 52 (transl. mine).

<sup>12</sup> Cf. *Psalm* 115:17.

<sup>13</sup> About the *She'ol* cf. Barr, *The Garden of Eden*, pp. 28-36.

<sup>14</sup> *Leviticus* 21:11; *Numbers* 6:6; 19:13. R. de Vaux, *Ancient Israel: Its Life and Institutions*, Engl. transl., New York/Toronto/London 1961, orig. ed. 1960-1961, pp. 56-61 (here p. 56).

<sup>15</sup> Cf. *Isaiah* 14:9-11, where the *refu'im* greet a newcomer to *She'ol* with these words: "You too have become as weak as we are!" (v. 10).

<sup>16</sup> Cf. *1 Kings* 14:11; *Jeremiah* 16:4; 22:19; *Ezekiel* 29:5. See Barr, *The Garden of Eden*, pp. 27-28.

<sup>17</sup> De Vaux, *Ancient Israel*, pp. 56-61.

Much information about the belief in the netherworld in ancient Mediterranean societies can be derived from a comparison between Odysseus' *nekylia* in Book 11 of the *Odyssey* and the evocation of the ghost of prophet Samuel by a necromancer at Endor on the request of king Saul. Odysseus' *nekylia* is usually described as a descent to the netherworld (*katabasis*) because of a traditional comparison to Aeneas' descent in Book 6 of the *Aeneid*. In fact, Odysseus' *nekylia* consists mainly of a properly necromantic ritual in which Odysseus sacrifices a barren cow and a black ram, whose blood must be drunk by the ghost of Teiresias the soothsayer for him to attain sufficient strength to predict Odysseus's future. Similarly, in the Biblical passage (1 Samuel 28:5-20) the prophet's ghost reveals to Saul God's wrath against him and against the other Israelite tribal leaders who had neglected the divine injunction to kill the enemy king Agag, thus obliging Samuel to do so in person:<sup>18</sup>

28:5 When Saul saw the army of the Philistines, he was afraid, and his heart trembled greatly. 6 When Saul inquired of the Lord, the Lord did not answer him, not by dreams, nor by Urim, nor by prophets. 7 Then Saul said to his servants, 'Seek out for me a woman who is a necromancer (lit. 'who has power over a ghoull/spirit', *ba'alat-obh*), so that I may go to her and inquire of her.' His servants said to him, 'There is a necromancer at Endor.' 8 So Saul disguised himself and put on other clothes and went there, he and two men with him. They came to the woman by night. And he said, 'Practice divination for me with a ghoull/spirit (*qasomi-na li ba-obh*), and bring up for me the one whom I name to you.' 9 The woman said to him, 'Surely you know what Saul has done, how he has cut off the necromancers and the wizards from the land. Why then are you laying a snare for my life to bring about my death?' 10 But Saul swore to her by the Lord, 'As the Lord lives, no punishment shall come upon you for this thing.' 11 Then the woman said, 'Whom shall I bring up for you?' He answered, 'Bring up Samuel for me.' 12 When the woman saw Samuel, she cried out with a loud voice; and the woman said to Saul, 'Why have you deceived me? You are Saul!' 13 The king said to her, 'Have no fear; what do you see?' The woman said to Saul, 'I see a divine being coming up (lit. 'divine beings coming up', *elohim 'olim*) out of the ground.' 14 He said to her, 'What is his appearance?' She said, 'An old man is coming up; he is wrapped in a robe.' So Saul knew that it was Samuel, and he bowed with his face to the ground, and did obeisance. 15 Then Samuel said to Saul, 'Why have you disturbed me by bringing me up?' Saul answered, 'I am in great distress, for the Philistines are warring against me, and God has turned away from me and answers me no more, either by prophets or by dreams; so I have summoned you to tell me what I should do.' 16 Samuel said, 'Why then do you ask me, since the Lord has turned from you and become your enemy?' 17 The Lord has done to you just as he spoke by me; for the Lord has torn the kingdom out of your hand, and given it

<sup>18</sup> Cf. 1 Samuel 15:33.

to your neighbor David. 18 Because you did not obey the voice of the Lord, and did not carry out his fierce wrath against Amalek, therefore the Lord has done this thing to you today. 19 Moreover, the Lord will give Israel along with you into the hands of the Philistines; and tomorrow you and your sons shall be with me; the Lord will also give the army of Israel into the hands of the Philistines.' 20 Immediately Saul fell full length on the ground, filled with fear because of the words of Samuel.

This passage contains many features of the ancient Israelite conception of otherworldly existence. The idea that the dead were no more clairvoyant than the living was common in the ancient Mediterranean world: in the analogous evocation of the ghost of Darius in Aeschylus' *Persians* (fifth century BCE), the dead king knows nothing about the present or the future, or even about the past<sup>19</sup>. The main point of the Biblical narrative is that even after death, Samuel – like Teiresias in the *Odyssey* – still possesses the individual faculty of foreseeing future events that he possessed when he was alive. It is also noteworthy that Samuel's grim and inescapable prediction to Saul, "Tomorrow you [Saul] and your sons *shall be with me*" (v. 19), was later modified in the Hellenistic-Jewish translation of the Septuagint (which the Christians subsequently appropriated) to "Tomorrow you and your sons *shall fall*": the choice of a different verb makes room for the idea (absent from the original Hebrew) that after death, wicked people like Saul and righteous one like Samuel might not head to the same, undifferentiated abode.

### **Worship of the dead and shamanistic practice**

The very insistence of normative yahwistic texts in forbidding worship of the dead and presentation of offerings to them shows how widespread such practices must have been in the piety of ancient Israel, as of the neighboring populations<sup>20</sup>. It is forbidden to separate offerings for the dead by taking them from the tithes (the portion of agricultural produce that was consecrated to priests; *Deuteronomy* 26:2-14). Pagan idols are devoid of any truthfulness and it is in vain that "gifts are placed before them just as before the dead" (*Epistle of Jeremiah*, v. 27); this statement is repeated by Ben

<sup>19</sup> Grottanelli, *Messaggi dagli inferi*, pp. 203-204.

<sup>20</sup> Pace R. de Vaux, *Ancient Israel*, p. 60, who argues that "such and similar customs (...) indicate nothing more than a belief in survival after death and a feeling of affection towards the dead. They are not acts of worship directed towards the dead, for that attitude never existed in Israel. Prayer and sacrifice of expiation for the dead (both incompatible with a cult of the dead) appear at the very end of the Old Testament, in 2 *Maccabees* 12:38-46" (see below, on the idea of resurrection). It is precisely because intercession of the living on behalf of the dead appears only in a very late book that we can legitimately suspect that, at an earlier period, the dead were thought to have powers that exceeded those of the living, and that the latter made offerings to them in order to be granted their favor.

Sira still in the second century BCE ("Good things poured out upon a mouth that is closed are like offerings of food placed upon a grave", 30:18). In the late *I Chronicles* the episode at Endor is rewritten and adapted to the tenets of yahwistic monotheism; thus, consulting the necromancer is counted among the crimes of Saul that caused God to decree his death (10:13). The deuterocanonical book of *Tobit* is informed by the wisdom culture that Israel shared with all the main cultures of the ancient Near East. It draws particularly on the sapiential novel of *Ahiqar*, known to us from an Aramaic papyrus (dating ca. 500 BCE) from the Jewish colony of Elephantine in Egypt, and also from various ancient and late ancient traditions. The protagonist of *Tobit*, on the verge of setting out on a long and dangerous journey, is addressed by his father with this recommendation: "Pour your wine and place your bread on the grave of the righteous, but give none to sinners" (4:17)<sup>21</sup>.

The narrative cycles related to the prophets Elijah and Elisha are set in Israel in the ninth and eighth centuries BCE, though they were ultimately redacted several centuries later. Both prophets are protagonists of episodes in which they cause the resurrection of dead children. In *I Kings* 17, Elijah is hosted by a non-Israelite widow whose only child is no longer breathing and on the verge of death. The woman aggressively addresses the prophet as follows: "You have come to me to bring my sin to remembrance, and to cause the death of my son!" (v. 18)<sup>22</sup>. (The sin hinted at is not made known, but the death of a relative – here the son as earlier the husband – could be interpreted as punishment for a sin.) Elijah understands that the child is entrusted to him; he then

17:19 (...) carried him up into the upper chamber where he was lodging, and laid him on his own bed. 20 He cried out to the Lord, 'O Lord my God, have you brought calamity even upon the widow with whom I am staying, by killing her son?' 21 Then he stretched himself upon the child three times, and cried out to the Lord, 'O Lord my God, let this child's life come into him again.' 22 The Lord listened to the voice of Elijah; the life of the child came into him again, and he revived. 23 Elijah took the child, brought him down from the upper chamber into the house, and gave him to his mother; then Elijah said, 'See, your son is alive.' 24 So the woman said to Elijah, 'Now I know that you are a man of God, and that the word of the Lord in your mouth is truth.'

In chapter 4 of *2 Kings* Elisha is the protagonist of a strikingly similar and even more

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<sup>21</sup> The mention of wine is only in the Old Latin and Vulgate versions. De Vaux (*ibid.*) most unlikely interprets Tobit's offering as a precept taken from the pagan book of *Ahiqar* or as "alms given on the occasion of a funeral". See the commentary by C.A. Moore, *Tobit*, New York/London/Toronto/Sydney/Auckland 1996, p. 173.

<sup>22</sup> Some translate the sentence in the interrogative ("Have you come to...?").

detailed narrative. The prophet, hosted by a childless Israelite woman, reveals to her that she will become a mother; but the son, once he reaches the stage of learning to speak, suddenly dies. The woman then goes to the prophet and addresses him harshly – just as the widow had done to Elijah – because of the grace bestowed on her and so abruptly taken away. Elisha orders his servant Gehazi to place the prophet's staff on the dead child's face; then he enters the room where the child is lying,

4:33 (...) and closed the door on the two of them, and prayed to the Lord. 34 Then he got up on the bed and lay upon the child, putting his mouth upon his mouth, his eyes upon his eyes, and his hands upon his hands; and while he lay bent over him, the flesh of the child became warm. 35 He got down, walked once to and fro in the room, then got up again and bent over him; the child sneezed seven times, and the child opened his eyes.

In ancient Israel and contemporary patriarchal cultures, childlessness was more unacceptable and tragic as a condition than death itself. Both Jewish and Christian Scriptures include several narratives about the miraculous birth of children to mothers considered past the age of childbearing, from Sarah, the mother of Isaac, to Hannah, the mother of Samuel, and Elizabeth, the mother of John the Baptist. We will see further how dying was perceived as “being gathered to one's people”; a deceased ancestor to whom no one was gathered was thus like a person who had died twice – and in vain.

The narratives about Elijah and Elisha do not yet constitute evidence for the belief in resurrection; they rather describe a shamanistic faculty of control over death. The prophets' capability to reach into the great beyond in order to rescue a spirit finds a term of comparison in Graeco-Roman myths such as those of Pluto and Proserpine or Orpheus and Eurydice. It is noteworthy that in the mid-twentieth century the Russian-American anthropologist Ivan A. Lopatin observed and described a shamanistic ritual of revivification in eastern Siberia that was entirely similar to the one performed by Elisha<sup>23</sup>.

Another episode related about Elisha bears evidence of the idea that just as Samuel's clairvoyance persists even beyond the prophet's own death, so, too, does Elisha's control over death:

As a man was being buried, a marauding band was seen and the man was thrown into the grave of Elisha; as soon as the man touched the bones of Elisha, he came to life and stood on his feet. (*2 Kings* 13:21)

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<sup>23</sup> I.A. Lopatin, *A Shamanistic Performance for a Sick Boy*, “Anthropos”, 41-44 (1946-1949), pp. 365-368. For a comparison between the two accounts see A. Carastini, *Profeti e tradizione*, Pisa 1990, p. 113.

## Archaeological evidence about death in the history of ancient Israel

Between the Early and Middle Bronze Ages and the Iron Age several different types of burial were in use in Palestine and the Negev: shaft graves with one burial chamber, cairn burials, and multiple-chamber tombs (from the Iron Age) with benches along the walls on which the dead were placed. During all these periods, family burials are the most widely attested typology. Thus, the recurring Biblical image of "being gathered to one's people" to describe death (especially in the Pentateuchal narratives about the Patriarchs)<sup>24</sup> is in its origin not, or not just, an otherworldly metaphor; it rather refers to a well documented burial habit. The type of the multiple-chamber tomb with niches (*kokhim*) perpendicular to the walls emerges from the Hellenistic age (e.g., at Mareshah), and from the first century BCE the tomb with arched-roof benches (*arcosolia*) dug parallel to the walls.<sup>25</sup> In the Hellenistic age, the Jewish aristocracy again adopted the custom of building monumental tombs with a pyramidal elevation (of which several impressive examples can still be seen in the Kidron valley near Jerusalem), whereas commoners continued to be buried in the ground. Thus far, archaeology reveals nothing unusual or peculiar in the burial practices of the ancient Israelites as compared to those adopted in the rest of the Near East (with the exception of Egypt).

The expression *beth 'olam*, "house of eternity", is frequently used to indicate the sepulchre throughout the first millennium BCE, as well as later in Phoenician-Punic, Nabatean and Palmyrene funerary epigraphs and once in Israelite literature (*Qoheleth* 12:5). It is certainly formulaic, but nonetheless appears to bear witness to the persistence of the archaic conception of a netherworld without resurrection<sup>26</sup>. On the other hand, starting from the end of the first century BCE and until the beginning of the second CE, we witness the appearance and spread throughout Palestine of the practice of ossilegium with secondary burial in stone ossuaries – a practice that some archaeologists connected to the spread of the belief in resurrection<sup>27</sup>.

The great catacomb necropolis of Beth She'arim was in use through the late Roman and the Byzantine periods. Almost all the previous typologies of burial are represented there, along with hundreds of inscriptions in Hebrew, Jewish Aramaic, Palmyrene, and Greek. But the iconography of Beth She'arim is what is most rel-

<sup>24</sup> Cf. the passages listed in Barr, *The Garden of Eden*, p. 28. The paganizing king Jeroboam is conversely predicted punishment by not being buried with his ancestors (*I Kings* 13:21-22).

<sup>25</sup> Cf. B.R. McCane, *Roll Back the Stone: Death and Burial in the World of Jesus*, Harrisburg, PA 2003, pp. 33-34.

<sup>26</sup> Cf. my *Sulla storia di alcune espressioni del lessico sepolcrale semitico nordoccidentale nel primo millennio a.E.V.*, "Annali della Scuola Normale Superiore di Pisa", Classe di Lettere e Filosofia, s. III, 20 (1990), pp. 729-765, here pp. 754-765.

<sup>27</sup> E.g. E.M. Meyers, *Jewish Ossuaries: Reburial and Rebirth*, Rome 1971.

evant: the *menorah* is the symbol that recurs most frequently; figures of humans and animals (bulls, lions, eagles) are also frequent, and even representations of pagan deities and myths. Such iconographic variety enables us to derive various conclusions. One is that the Biblical and then rabbinic prohibition of the graphic representation of the human being was reaffirmed as often as it was ignored in practice<sup>28</sup>. Further, Jewish clients customarily resorted to non-Jewish craftsmen (or Jewish craftsmen trained by non-Jewish ones); nor can we even be sure how many of the tombs at Beth She'arim actually contained remains of Jews, as there is scarcely any doubt that after the wars against Rome in the first and second century CE the Jewish percentage of the population of Palestine was dramatically reduced<sup>29</sup>. Again, Christian burials differed from Jewish ones not in their typology but only in their iconography, with the symbol of the cross substituting for the *menorah*. On secondary burial ossuaries the most frequent iconographic motif is the rosette, which some scholars (J. Wilkinson) have interpreted as a symbol for the cherubim that were represented on the Ark of the Covenant and on the veil of the Tabernacle in the first Temple<sup>30</sup>; the rosette would thus have symbolized and, at the same time, petitioned for divine protection of the soul of the defunct on its journey towards heaven. True, the theme of psychanodia is quite widespread in contemporary Jewish apocalyptic and mystical literature. But it always pertains to living characters, never to dead ones; other archaeologists (L.Y. Rahmani) have therefore denied that the rosette icon had any mystical meaning. Small crosses on the sides and lid of ossuaries are also another extremely frequent motif; they have long been considered a Jewish-Christian symbol, but have lately been demonstrated to be a simple technical device for the closing of the ossuaries themselves.

Archaeological evidence of the practice of cremation dates only to a very ancient period (though in the Phoenician site of Athlit it was still in use as of the sixth century BCE). Its abandonment apparently coincided with the progressive emergence and establishment of yahwist piety, a *longue durée* process that was fully accomplished only during the Persian period (sixth-fourth century BCE). In the prophetic book of *Amos*, one of the most ancient yahwist texts in Biblical literature (possibly dating

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<sup>28</sup> On Jewish aniconism and Rabbinic control on art production see E.R. Goodenough, *Jewish Symbols in the Greco-Roman Period*, IV, New York 1954, pp. 25-62; S. Fine, *Art and Judaism in the Greco-Roman World: Toward a New Jewish Archaeology*, Cambridge/New York/Melbourne/Madrid/Cape Town/Singapore/São Paulo 2005, pp. 35-46. K.P. Bland, *The Artless Jew: Medieval and Modern Affirmations and Denials of the Visual*, Princeton 2000, esp. pp. 59-70, deals with Jewish aniconism as a historiographical issue.

<sup>29</sup> Schwartz, *Imperialism*, p. 108 and n. 11. According to Avi-Yonah, *Jews under the Roman and Byzantine Rule*, p. 19, the Jews would have been  $\frac{3}{4}$  of the population of Galilee and  $\frac{1}{4}$  of the population of the coastal belt together with Transjordan, out of a total of ca. 2.500.000 inhabitants.

<sup>30</sup> *Exodus* 26:31; 2 *Chronicles* 3:14.



to the prophet himself, eighth century BCE, the final redaction certainly being pre-exilic), the Moabites are severely criticized and promised due chastisement for having inhumanely burned to lime the bones of their defeated enemies, the Ammonite kings (2:1)<sup>31</sup>. The yahwist prescriptive texts of the Bible do not deal with cremation after death; yet, they inflict burning at the stake on the perpetrators of particularly heinous sex crimes, like Tamar for having prostituted herself (*Genesis* 38:24), or a woman of priestly descent who did the same (*Leviticus* 21:9), or any man who marries a woman and her mother at the same time (*Leviticus* 20:14)<sup>32</sup>.

### Death in the wisdom tradition

From the third millennium BCE, sapiential culture was the product of intellectuals belonging to court bureaucracies throughout the ancient Near East. Theirs was an international, secular, and disenchanting worldview, interested in what was or could be “better for mortals” (in Qoheleth’s words), and it formed a solid and consistent tradition of learning across centuries, millennia, and political and religious boundaries. This is clearly exemplified by the continuity of thought and expression in the representation of death as the *ultima linea rerum*, as we can see in the *Harper’s Song from the Tomb of King Intef*, a sepulchral Egyptian text from the twenty-first century BCE, and in the Biblical book of *Qoheleth*, written eighteen centuries later and influenced by Epicurean doctrine:

Rejoice in your heart! / Forgetfulness profits you. / Follow your heart as long as you live! / Put myrrh on your head, / Dress in fine linen, / Anoint yourself with oils fit for a god. / Heap up your joys, / Let your heart not sink! / Follow your heart and your happiness, / Do your things on earth as your heart commands! / When there comes to you that day of mourning, / (...) Wailing saves no man from the pit! / Make holiday, / Do not weary of it! / Lo, none is allowed to take his goods with him, / Lo, none who departs comes back again! (*The Harper’s Song from the Tomb of King Intef*)<sup>33</sup>

9:4 But whoever is joined with all the living has hope, for a living dog is better than a

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<sup>31</sup> The practice of unearthing and desecrating the bones of defeated enemies is commonly mentioned in Assyrian military inscriptions: see the commentary by Sh.M. Paul, *Amos: A Commentary on the Book of Amos*, Minneapolis 1991, p. 72 and n. 270. Similarly, the corpses of Saul and his sons are burnt by their enemies the Gileadites; only later their bones are gathered and given burial in a traditional family sepulchre (*1 Samuel* 31:11-13).

<sup>32</sup> On the themes dealt with in this paragraph see the entry *Burial* in A. Negev (ed.), *The Archaeological Encyclopaedia of the Holy Land*, Nashville/Camden/New York 1986, pp. 68-73.

<sup>33</sup> Transl. by M. Lichtheim, *Ancient Egyptian Literature: A Book of Readings*, vol. 1: *The Old and Middle Kingdoms*, Berkeley 1973, pp. 196-197.

dead lion. 5 The living know that they will die, but the dead know nothing; they have no more reward, and even the memory of them is lost. 6 Their love and their hate and their envy have already perished; never again will they have any share in all that happens under the sun. 7 Go, eat your bread with enjoyment, and drink your wine with a merry heart; for God has long ago approved what you do. 8 Let your garments always be white; do not let oil be lacking on your head. 9 Enjoy life with the woman/wife whom you love, all the days of your vain life that are given you under the sun, because that is your portion in life and in your toil at which you toil under the sun. 10 Whatever your hand finds to do, do with your might; for there is no work or thought or knowledge or wisdom in She'ol, to which you are going. (*Qoheleth*)<sup>34</sup>

### The ideas of the immortal soul and bodily resurrection

The idea of a future life, in which the deeds of humans will receive appropriate reward or punishment, is repeatedly expressed and ideologically crucial in the part of ancient Jewish literature (including the Apocrypha and Pseudepigrapha, the Dead Sea texts, and the New Testament) that was not accepted or canonized by the rabbinic movement. The influence of Iranian and Hellenistic doctrines about the end of times and individual salvation on Jewish ideas of the afterlife can hardly be overestimated – if only for the obvious reason that the political supremacy of the Persian and Hellenistic kingdoms over Israel lasted uninterruptedly for almost four centuries (536-164 BCE). In the canonical Hebrew Scriptures an eschatological and soteriological doctrine is clearly formulated only in *Daniel* 12:2-13, a text dating from the period of the Jewish revolt against the Hellenistic ruler Antiochus IV Epiphanes (167-164 BCE). Here the angels reveal to Daniel that Israel will be led by the angel Michael into an eschatological war, at the end of which “everyone who is found written in the book” will be set free (12:1):

12:2 Many of those who sleep in the dust of the earth shall awake, some to everlasting life (*hayye 'olam*), and some to shame and everlasting contempt (*haraphoth we-dir' on 'olam*). 3 Those who are wise shall shine like the brightness of the sky, and those who lead many to righteousness, like the stars for ever and ever. (...) 13 But you, go your way, and rest; you shall rise for your reward at the end of the days (*le-qetz ha-yamim*).

The astral imagery (of Mesopotamian and Iranian origin) informing this passage re-

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<sup>34</sup> If one accepts A. Pinker's ingenious emendation of v. 9:3b “after that (*abaraw*) they go to the dead” in “his ways (*orhaw*) lead toward the dead”, then Qohelet would also have been skeptically critic of the practice of necromancy (A. Pinker, *Qohelet 9:3b-7 – A Polemic against Necromancy*, “Journal of Jewish Studies”, 63 (2012), pp. 218-237.

curs quite often in Jewish non-canonical literature from the Second Temple period. The stars, for a long time thought of and worshiped as divine beings and therefore abominated and condemned by the Israelite yahwist hierocracy, are here reevaluated to the extent that they serve as a term of comparison for the righteous.

This motif found full expression in *2 Maccabees*, a text dating from about a century later than *Daniel*, equally related to the war against Antiochus IV, but originating in the Hellenistic diaspora and not part of the rabbinic canon of the Hebrew Bible. In chapter 7, seven Israelite brothers are forcibly confronted with the choice between transgressing dietary laws or having atrocious tortures inflicted upon them and dying as martyrs. They choose to respect Mosaic law; their mother, facing their horrible suffering, proclaims her belief in the afterlife:

20 The mother was especially admirable and worthy of honorable memory. Although she saw her seven sons perish within a single day, she bore it with good courage because of her hope in the Lord. 21 She encouraged each of them in the language of their ancestors. Filled with a noble spirit, she reinforced her woman's reasoning with a man's courage, and said to them, 22 'I do not know how you came into being in my womb. It was not I who gave you life and breath, nor I who set in order the elements within each of you. 23 Therefore the Creator of the world, who shaped the beginning of humankind and devised the origin of all things, will in his mercy give life and breath back to you again, since you now forget yourselves for the sake of his laws.' 24 Antiochus felt that he was being treated with contempt, and he was suspicious of her reproachful tone. The youngest brother being still alive, Antiochus not only appealed to him in words, but promised with oaths that he would make him rich and enviable if he would turn from the ways of his ancestors, and that he would take him for his Friend and entrust him with public affairs. 25 Since the young man would not listen to him at all, the king called the mother to him and urged her to advise the youth to save himself. 26 After much urging on his part, she undertook to persuade her son. 27 But, leaning close to him, she spoke in their native language as follows (...): 29 'Do not fear this butcher, but prove worthy of your brothers. Accept death, so that in the moment of mercy I may get you back again along with your brothers.'

Further on in the same text, the priest Judah Maccabee, leader of the revolt against Antiochus, orders that the corpses of his dead soldiers be recovered from the battlefield. When pagan idols are found on them, he resorts to a sacrificial practice of intercession on behalf of the dead, so that their sin can be forgiven in the afterlife:

12:43 He also took up a collection, man by man, to the amount of two thousand drachmas of silver, and sent it to Jerusalem to provide for a sin-offering. In doing this he acted very well and honourably, taking account of the resurrection. 44 For if he were not expecting that those who had fallen would rise again, it would have been

superfluous and foolish to pray for the dead. 45 But if he was looking to the splendid reward that is laid up for those who fall asleep in godliness, it was a holy and pious thought. Therefore he made atonement for the dead, so that they might be delivered from their sin.

*2 Maccabees* thus presents a very precise doctrine of otherworldly retribution and bodily resurrection, which also contemplates the possibility that the living intercede for the dead. In contact with such new ideas, the nihilistic image of the other world that the sapiential tradition had sanctioned not long before (the book of *Qoheleth* was only one century older than *2 Maccabees*) entered a crisis. It is made the object of radical criticism and reversal in the opening chapters of the *Book of Wisdom*, a Jewish sapiential text composed in Egypt in the Augustan period and pseudepigraphically ascribed to King Solomon, a mythical figure for the ancient Israelite wisdom tradition. Not only does the author of *Wisdom* keep his distance from the Jewish wisdom tradition about death and the netherworld; he also – and above all – rejects the conception of the origin of human mortality as it was canonically recounted in the yahwist-priestly myth of *Genesis*. According to the author of *Wisdom*, death was not originally a part of the nature of the human being, who was “created for incorruption” (*ep’aphtharsíai*) in God’s image; on the contrary, it entered the world “because of the devil’s envy” (*phthónōi dè diabólou*) (2:23-24), and because of it, those who have been righteous in their lives will remain under God’s protection, whereas the wicked will be adequately chastised. It was largely because of their insistence on otherworldly retribution – in conflict with the Biblical texts that had already long been canonized – that the *Book of Wisdom* and the *Books of Maccabees* were refused canonical status by the rabbinic movement, while they achieved popularity in the Hellenized diaspora and thus among the early Christians, many of whom, even in Palestine, came from that diaspora.

1:12 Do not invite death by the error of your life, or bring on destruction by the works of your hands; 13 because God did not make death, and he does not delight in the death of the living. 14 For he created all things so that they might exist; the generative forces of the world are wholesome, and there is no poison of destruction in them, and the dominion of Hades is not on earth. 15 For righteousness is immortal. 16 But the ungodly by their words and deeds summoned death; considering him a friend, they pined away and made a covenant with him, because they are fit to belong to his company.

There follows a lengthy polemic (2:1-22) against the earlier wisdom tradition, as represented by *Qoheleth* and the others who opposed the belief in otherworldly retribution. Then, drawing on *Genesis* 1:26-27 (the creation of man in the image of God)

but repressing *Genesis* 3:22 (the divine fear that man might acquire immortality), the author of *Wisdom* states:

2:23 for God created us for incorruption, and made us in the image of his own eternity,  
24 but because of the devil's envy death entered the world, and those who belong to his company experience it.

3:1 But the souls of the righteous are in the hand of God, and no torment will ever touch them. 2 In the eyes of the foolish they seemed to have died, and their departure was thought to be a disaster, 3 and their going from us to be their destruction; but they are at peace. 4 For though in the sight of others they were punished, their hope is full of immortality (*athanasia*). (...)

The author goes so far as to reverse the traditional point of view that barrenness was an even worse misfortune than death:

3:13 Blessed is the barren woman who is undefiled, who has not entered into a sinful union; she will have fruit when souls are examined. 14 Blessed also is the eunuch whose hands have done no lawless deed, and who has not devised wicked things against the Lord; for special favour will be shown him for his faithfulness, and a place of great delight in the temple of the Lord. (...)

Then the author of *Wisdom* takes another stand against a canonized tradition, the one that Ezekiel affirmed when stating that the sons do not bear responsibility for their parents' guilt (*Ezekiel* 18:2-4). This the author achieves by recovering and newly legitimating the archaic popular moral principle – which Ezekiel had criticized – according to which “The parents have eaten sour grapes, and the children's teeth are set on edge” (*ibid.*, v. 2).

3:16 But children of adulterers will not come to maturity, and the offspring of an unlawful union will perish. 17 Even if they live long they will be held of no account, and finally their old age will be without honour. 18 If they die young, they will have no hope and no consolation on the day of judgement. (...) 4:1 Better than this is childlessness with virtue, for in the memory of virtue is immortality, because it is known both by God and by mortals.

Thus the author of the *Book of Wisdom* adopted the literary genre of wisdom texts, an ancient and authoritative tradition both internationally and within Judaism, but rejected the empirical and rationalistic contents of that tradition while unequivocally formulating a doctrine of I) rebirth after death II) in the fullness of health and potentiality III) for eternity IV) depending on the merits achieved during one's lifetime. In this manner, the ideas of the immortality of the soul and bodily resurrection and

the possibility of atoning through offerings and prayers on behalf of the dead were largely accepted, at least in diaspora Judaism. When did they become accepted in Palestinian Judaism too?

### **Josephus and the belief in the afterlife and resurrection in the first century CE**

In his presentation of Judaism to the educated readers of the Hellenistic-Roman empire, the first century CE historian Flavius Josephus uses views of the other world as his main argument on behalf of the differences among what he presented as the main schools of thought within the Judaism of his age: Essenes, Pharisees, and Sadducees<sup>35</sup>. In an excursus contained in Book II of his *Jewish War*, an account of the Jewish rebellion of 66-73 CE against Rome, he relates the following<sup>36</sup>:

2:151 [The Essenes consider] death – if it arrives with glory – better than deathlessness. 152 The war against the Romans proved their souls in every way: (...) 153 smiling in their agonies and making fun of those who were inflicting [them] the tortures, they would cheerfully dismiss their souls, knowing that they would get them back again. 154 For the view has become tenaciously held among them that whereas our bodies are perishable and their matter impermanent, our souls endure forever, deathless: they get entangled, having emanated from the most refined ether, as if drawn down by a certain charm into the prisons that are bodies. 155 But when they are released from the restraints of the flesh, as if freed from a long period of slavery, then they rejoice and are carried upwards in suspension. For the good, on the one hand, sharing the view of the sons of Greece they portray the lifestyle reserved beyond Oceanus and a place burdened by neither rain nor snow nor heat, but which a continually blowing mild west wind from Oceanus refreshes. For the base, on the other hand, they separate off a murky. Stormy recess filled with unending retributions. 156 It was according to the same notion that the Greeks appear to me to have laid on the Islands of the Blessed for their most courageous men, whom they call heroes and demi-gods, and for the souls of the evil the regions of the impious in Hades (...).158 These matters, then, the Essenes theologize with respect to the soul, laying down an irresistible bait for those who have once tasted of their wisdom<sup>37</sup>. (...) 162 Of the former two, Pharisees, who are reputed to interpret the legal matters with precision, and who constitute the first school, attribute everything to Fate and indeed to God (*heimarmenēi te kai theōi*): 163 although doing and not doing what is right rests mainly with the human

<sup>35</sup> In his *Jewish War* (2:119) Josephus defines the three schools as “three forms of doing philosophy” (*tria... eidē philosophēitai*) and their followers as “those who choose a trend” (*hairesistai*).

<sup>36</sup> I quote Josephus according to Steve Mason’s translation in Id. (ed.), *Flavius Josephus. Translation and Commentary*, vol. 1B, *Judean War 2*, Leiden/Boston 2008, pp. 121-135, with adaptations.

<sup>37</sup> As Josephus himself acknowledges to have done in his youth (*Life*, 2).

beings, Fate also assists in each case. Although every soul is imperishable, only that of the good passes over to a different body, whereas those of the vile are punished by eternal retribution. 164 Sadducees, the second order (*tagma*), do away with Fate altogether and place God beyond both the committing and the contemplating of evil: 165 they claim that both the honorable and the despicable reside in the choice of human beings, and that it is according to the judgment of each person to embrace either of these. The survival of the soul, the punishments and rewards in Hades – they do away with them.

In Jewish literary sources from the late Second Temple period (especially the Pseudepigrapha and the Dead Sea texts) the problem of individual salvation is less relevant than broader eschatological doctrines in general. It nonetheless becomes centrally relevant in Josephus' presentation of Jewish schools of thought precisely because it was so relevant for the Hellenistic-Roman audience he was addressing. Thus, for instance, he stresses the similarities between the otherworldly beliefs of the Greeks and those of the Essenes and Pharisees, and describes the latter according to models found in Hesiod and the Orphic and Middle and Neo-Platonic traditions (§ 155)<sup>38</sup>. As assumed by Alan F. Segal, faith in immortality itself could be a feature of Platonic tradition that the Pharisees in particular imported from Hellenistic culture, along with other key elements of their doctrine and practice, such as their ideal of the transmission of beliefs through a discipleship that transcended the classes and castes into which Jewish society was divided<sup>39</sup>. Yet, as can be seen in *Daniel*, *2 Maccabees* and the New Testament, the idea of resurrection was not – or not just – a feature of individual spirituality; rather, it was often preached (e.g., by the Christians) in messianic eschatological contexts supporting Israel's political independence. Possibly because of its political context, after the devastating defeats in the wars against Rome this idea became suspect in the eyes of Israel's new rabbinic leadership; and possibly for the same reason, the text and canon of Hebrew Scripture as stabilized by the rabbis eliminated almost every hint at resurrection from the Hebrew Bible. Thus it stands today – with the exception of the aforementioned passage in *Daniel*<sup>40</sup>.

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<sup>38</sup> On Josephus' account of Jewish doctrines about afterlife see C.D. Elledge, *Life after Death in Early Judaism: The Evidence of Josephus*, Tübingen 2006. On afterlife in Essene doctrine see E. Puech, *La croyance des Esséniens en la vie future: Immortalité, résurrection, vie éternelle? Histoire d'une croyance dans le judaïsme ancien*, 2 vols., Paris 1993.

<sup>39</sup> A.F. Segal, *Life after Death: A History of the Afterlife in the Religions of the West*, New York 2004, chap. 9. See also E.J. Bickerman, *La chaîne de la tradition pharisaïque*, "Revue Biblique", 59 (1952), pp. 44-54, repr. in Id., *Studies in Jewish and Christian History*, vol. 2, Leiden 1980, pp. 256-269; O. Cullmann, *Immortality of the Soul or Resurrection of the Dead? The Witness of the New Testament*, London, 1958.

<sup>40</sup> On Rabbinic views of afterlife see Segal, *Life after Death*, chap. 14; J. Costa, *L'au-delà et la résurrection dans la littérature rabbinique*, Louvain 2004.

The sociologist Zygmunt Bauman explains the themes of death and life after death in the history of mentalities as “approved and practised life strategies”: “mortality and immortality (as well as their imagined opposition, itself construed as a cultural reality through patterned thoughts and practices)” are a key element in the construction of society and of the behavioral patterns through which society reproduces itself<sup>41</sup>. The ancient Jewish discussion of death and resurrection was not some narrow disputation on the sex of angels: rather, it was a theme of major theological-political relevance, and the answers it elicited were markers of ideological belonging and of shared group identities. Thus, the divergences described by Josephus in belief about the existence of *She'ol* vs. resurrection or the netherworld vs. the afterworld were indeed differences within a wider “Jewish identity” that was still in the making and is therefore still hard for us to define for the Second Temple period.

### **Archaeological and literary sources on death in the early rabbinic period**

From the second half of the second century CE onward, after the momentous defeats at the hands of Rome, the rabbinic movement gradually came to constitute the new mainstream ideology – and the leading class – within the remains of Jewish Palestinian society, and all the more so within the Mesopotamian diaspora. How much information can we derive from the archaeology and literature of the early rabbinic period about how death was perceived, narrated and preached in the formative centuries of rabbinic Judaism?

As Seth Schwartz has observed, the Bible provided precise normative indications about mourning rituals but not about burial practices, which apparently were “a surprisingly marginal issue in Jewish law in antiquity”<sup>42</sup>. Notwithstanding the emergence (and abandonment) of new burial customs in the Hellenistic-Roman age, no intervention on this issue is to be found in rabbinic texts from the second century CE forward. The rabbis seemingly, if *e silentio*, accepted that Jewish burial practices were no different from those adopted by pagans in the eastern Mediterranean, not even when such practices implied contacts that generated or transmitted impurity (as was the case, e.g., with the collection of bones and their secondary burial in ossuaries). Iconographic symbols of the Jewish identity of the buried appear only in the later Roman period at Beth She'arim. Though otherworldly beliefs had an identitarian meaning (in the pre-rabbinic period at least), and though “burial was no doubt deeply significant to its practitioners and probably heavily ritualized” (Schwartz), it was not before what we call the end of late antiquity, around the seventh or eighth

<sup>41</sup> Z. Bauman, *Mortality, Immortality and Other Life Strategies*, Cambridge 1992, p. 9.

<sup>42</sup> Schwartz, *Imperialism*, p. 148.



century, that burial practice “formally entered the province of halakhah” with the redaction of *Evel Rabbati* (“Great tractate on mourning”, also called *Semakhot*, “[Tractate on] rejoicings”, a euphemism by way of antiphrasis). This tractate, though, did not fully qualify for inclusion in the canon of normative rabbinic literature, as it appears in the Talmud only starting with the *editio princeps* of 1523, and only within the deuterocanonical group of the so-called “Minor Tractates” (*Massekhtot Qetanot*). Schwartz is therefore right in seeing burial as another instance of how the judaization of social practices took place only “gradually, partially, and late”<sup>43</sup>.

This is not to deny the theological-political relevance that was ascribed to discourse on death and the afterworld in the various declinations of Judaism toward what we call the end of the ancient world. But it indeed confirms that a “mainstream Judaism” – as defined by E.P. Sanders<sup>44</sup> – existed that did not share the extremes of doctrine and practice of Pharisees, the Sadducees and the Essenes, and that ascribed no central relevance to otherworldly existence, or else continued to perceive it in keeping with the archaic conception of *She’ol*. This also means that Josephus’s sketchy subdivision of Judaism into *haireseis* or “sects” – which we often still require our undergraduates to know and repeat – was not even in its own time period an accurate representation of a much more nuanced socio-historical reality.

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<sup>43</sup> Schwartz, *Imperialism*, pp. 148-158.

<sup>44</sup> E.P. Sanders, *Judaism: Practice and Belief, 63 BCE-66CE*, London 1992.