

## CELIBACY IN JUDAISM AT THE TIME OF CHRISTIAN BEGINNINGS

HARVEY McARTHUR  
Wilmington, Vermont 05363

In view of the fact that ancient Judaism seems to have regarded it as a religious obligation for a man to marry and raise a family, it is startling that three of the best-known Jews of the first century C.E. appear to have been unmarried—three Jews, moreover, who were prominent in connection with the beginnings of the Christian movement: John the Baptist (forerunner), Jesus (founder), and Paul (Saul) of Tarsus (a chief apostle). Various hypotheses have, of course, been raised concerning the data (which are especially scant in the case of John the Baptist, and, generally speaking, are inconclusive). The purpose of this study is not to explore any of the current hypotheses, but instead to investigate the information available concerning marriage of Jewish males in the first century and to evaluate the conclusions which may be drawn from that information. This investigation in no way challenges the picture which has been drawn of rabbinic Judaism's attitude toward marriage, but it does raise questions about the applicability of that picture to the situation in pre-70-c.e. Palestine.

The first main section of this article summarizes the attitude of rabbinic Judaism, which may be expressed in three statements: (1) Every Jewish male is under a religious obligation to marry. (2) Within marriage every Jewish husband has an obligation to fulfill the marital relation in order to propagate the race and to restrain immorality. (3) Early marriage is strongly recommended (that is, by the time the man is in his late teens or early twenties).

The second main section of this article raises certain questions about the universality of this pattern during the first century C.E. Although in setting forth such questions there may be some overlap, five may be conveniently distinguished: (1) How numerous were unmarried males, even among members of the "establishment"? (2) What was the significance of the stress on abstinence from sexual relations under special circumstances? (3) Was the concern for marriage and propagation of the human race as prominent before 70 C.E. as it was in the rabbinic literature of the second

century C.E. and later? (4) Was marriage as universal outside of "establishment" circles as within the latter? (5) What evidence is there for males being married only at 25 years of age or later?

It will be noted from the foregoing that the three items summarizing the attitude of rabbinic Judaism are put in the form of positive statements, while the five items relating to actual practice are formulated as questions. This difference in formulation is not a stylistic accident. The first main section of the article deals with easily documented views of the rabbinic tradition—though questions may arise about the applicability of that evidence to the pre-70-C.E. period. The second section actually deals with questions—specifically, questions that relate to the life-styles of persons or groups who may not have conformed to the pattern portrayed in the rabbinic literature. This is a matter where the evidence is fragmentary and sometimes even in the form of evidence from silence. Such evidence obviously is notoriously difficult to evaluate.

### 1. *The Pattern in Rabbinic Literature*

#### *Obligation to Marry*

The basic statement on the religious obligation of every Jewish male to marry is found in *m. Yebam.* 6:6:

No man may abstain from keeping the law *Be fruitful and multiply*, unless he already has children: according to the School of Shammai, two sons; according to the School of Hillel, a son and a daughter, for it is written, *Male and female created he them. . . .* The duty to be fruitful and multiply falls on the man but not on the woman. R. Johanan b. Baroka says: Of them both it is written, *And God blessed them and God said unto them, Be fruitful and multiply.*<sup>1</sup>

<sup>1</sup>Quotations from rabbinic or other Jewish sources are taken from the following translations: *APOT*; *Josephus*, trans. H. St. J. Thackeray, *et al.*, 9 vols., LCL (Cambridge, Eng., 1926-1965); *The Mishnah*, trans. H. Danby (London, 1933); *The Tosefta*, ed. and trans. J. Neusner, 6 vols. (New York, 1977); *Mekilta de-Rabbi Ishmael*, trans. J. Z. Lauterbach, 3 vols. (Philadelphia, 1933-1935); *The Babylonian Talmud*, ed. and trans. Rabbi I. Epstein, 18 vols. (London, 1961); *The Minor Tractates of the Talmud*, ed. and trans. A. Cohen, 2 vols. (London, 1965); *The Fathers According to Rabbi Nathan*, Version B., trans. A. J. Saldarini (Leiden, 1975); *The Midrash Rabbah*, ed. H. Freedman and M. Simon, 5 vols. (London,

The same motif appears in the corresponding passage in the Tosefta—"The man is not allowed to be without a wife; however, the woman is permitted to live without a husband" (*t. Yebam.* 8:4)—and in the Babylonian Talmud (*b. Yebam.* 61b), as well as in other rabbinic passages.<sup>2</sup> In addition to these statements are the well-known rhetorical comments about marriage: e.g., "R. Tanhum stated in the name of R. Hanilal: Any man who has no wife lives without joy, without blessing, and without goodness" (*b. Yebam.* 62b), and also "R. Eleazar said: Any man who has no wife is no proper man; for it is said, *Male and female created He them and called their name Adam*" (*b. Yebam.* 63a).

### *Obligation to Fulfill Marital Relation*

Furthermore, it was insisted that within marriage the marital relation should be exercised regularly in the interests both of the propagation of the race and of controlling immorality. The Mishnaic passage on this point is found in *m. Ketub.* 5:6 (cf. *t. Ketub.* 5:6):

If a man vowed to have no intercourse with his wife, the School of Shammai say: [She may consent] for two weeks. And the School of Hillel say: For one week [only]. Disciples [of the Sages] may continue absent for thirty days against the will [of their wives] while they occupy themselves in the study of the Law; and labourers for one week. The *duty of marriage* enjoined in the Law is: every day for them that are unoccupied; twice a week for labourers; once a week for ass-drivers; once every thirty days for camel-drivers; and once every six months for sailors. So R. Eliezer.

The differences between various occupations reflect, in part, a recognition that some trades required longer absences from home. The penalties for failure to fulfill the marital obligation are developed in detail in *m. Ketub.* 5:7 and 7:2-5. Both husband and

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1977); *Pirḳê de Rabbi Eliezer*, trans. G. Friedlander (London, 1916; reprint ed., New York, 1971); *Pēsiḳta dē Raḅ Kahāna*, trans. W. G. Braude and I. J. Kapstein (Philadelphia, 1975); and *The Midrash on Psalms*, trans. W. G. Braude (New Haven, Conn., 1959).

<sup>2</sup>*M. Ed.* 1:13; *b. Šabb.* 31b; *b. Pesah.* 113b; *b. Yebam.* 63b; *b. Qidd.* 29a; *b. B. Bat.* 13a; *Mek. Nezikin* 3: 112-115; *Mek. Pisha* 18: 110-112; *Gen. Rab.* 17:2, 34:14, and 60:16.

wife were under the same obligation in this matter, though the penalties for each varied slightly for failure to meet the obligation. The penalties were primarily financial, but in extreme cases divorce was mandatory. The motifs articulated in this section of the Mishnah are repeated elsewhere in rabbinic literature.<sup>3</sup> While stress on the fulfillment of the sexual relation was related to the biblical command of Gen 1:28 ("Be fruitful and multiply"), there is evidence also of a realistic awareness that the role of sex within marriage was to prevent immorality and thoughts of immorality.<sup>4</sup>

### *Recommendation of Early Marriage*

In the light of this concern to prevent immorality, it is understandable that early marriages were preferred in rabbinic Judaism. The Mishnaic passage relating to the proper age for marriage is attributed to R. Judah ben Tema, who lived toward the end of the second century C.E. It occurs in *m. Abot* 5:21:

He used to say: At five years old [one is fit] for the Scripture, at ten years for the Mishnah, at thirteen for [the fulfilling of] the commandments, at fifteen for the Talmud, at eighteen for the bride-chamber, at twenty for pursuing [a calling], at thirty for authority, at forty for discernment, at fifty for counsel, at sixty for to be an elder, at seventy for grey hairs, at eighty for special strength, at ninety for bowed back, and at a hundred a man is as one that has [already] died and passed away and ceased from the world.

One notes in the above passage that the age for marriage is not in the form of a *halakah* or commandment, but is part of a description of the "ages of man." The strong rabbinic preference for early marriage is confirmed by a collection of statements in *b. Qidd.* 29b-30a:

R. Huna [third century C.E.] was thus in accordance with his views. For he said, He who is twenty years of age and is not married spends all his days in sin. "In sin"—can you really think so?—But say, spends all his days in sinful thoughts.

<sup>3</sup>*T. Ketub.* 5:7; *y. Ketub.* 5:6(7); *b. Yebam.* 44a; *b. Ketub.* 61b-62a and 71b; *b. B. Qam.* 82a; *Mek. Nezikin* 3: 116-134; *Gen. Rab.* 52:12.

<sup>4</sup>*B. Qidd.* 29b-30a; *b. Sanh.* 76a-b; *Shulchan Aruk* 1:4.

Raba said, and the School of R. Ishmael taught likewise: Until the age of twenty, the Holy One, blessed be He, sits and waits. When will he take a wife? As soon as one attains twenty and has not married, He exclaims, "Blasted be his bones!" R. Hisda said: The reason that I am superior to my colleagues is that I married at sixteen. And had I married at fourteen, I would have said to Satan, An arrow in your eye. Raba said to R. Nathan ben Ammi: Whilst your hand is yet upon your son's neck, [marry him], viz. between sixteen and twenty-two. Others state, Between sixteen and twenty-four. This is disputed by Tannaim. *Train up a youth in the way he should go*: R. Judah and R. Nehemiah [differ thereon]. One maintains, ["Youth" means] between sixteen and twenty-two; the other affirms, Between eighteen and twenty-four.

*B. Sanh.* 76a-b, while arguing that a young girl should not be married to an old man or to an infant son, urges that daughters should be married when they reach puberty, and the same position is taken with respect to sons. In *Mek. Nezikin* 3:112-114 it is stated that a father should have his son married early in order to ensure grandchildren and thus be able to fulfill the injunction of Deut 4:9, "And make them known unto thy children and thy children's children." (Cf. also *Der. Er. Rab.* 2:16.)

It is fair to conclude that while early marriages were strongly recommended, a precise age was not established by an explicit *halakah*.

All evidence quoted above is from the body of rabbinic literature of which the earliest document, the Mishnah, did not reach its present form until about 220 C.E. The remainder of this extensive library developed and was redacted during the following several centuries. All of this literature contains statements attributed to authorities from periods well before the time of the final redaction, but it is clear that these attributions cannot always be trusted. Recently, major efforts have been made to establish the dates of various traditions and to trace their development in later periods.<sup>5</sup>

<sup>5</sup>Groundbreaking work has been done in this field by Jacob Neusner and others associated with him. His many writings develop a methodology. A convenient introduction to his views may be found in his *Judaism: The Evidence of the Mishnah* (Chicago and London, 1981). The "Introduction," pp. 1-24, presents his general approach to the Mishnaic materials and to his thesis that the Mishnah's regulations may be classified chronologically into four periods: (1) before 70 C.E., (2) between 70 and 135 C.E., (3) the generation after 135, and (4) the end of the 2d

The attitude toward marriage, however, seems to have remained the same throughout the rabbinic period, and therefore a more precise chronological analysis has not been attempted. Nevertheless, I have taken the basic quotations from the early documents, the Mishnah and the Tosefta. In the next section, the question of chronology will become significant, especially so in regard to "Question Three."

## 2. Departures from the Pattern of Rabbinic Literature

**Question One:** "How numerous were the unmarried even among members of the 'establishment,' i.e., the rabbis?"

It is stated by Immanuel Jakobovits in his article on "Celibacy" in the *Encyclopedia of Judaism* (vol. 5, cols. 268-269) that no medieval rabbi is known to have been a celibate and that only Simeon ben <sup>2</sup>Azzai was unmarried from all of the Tannaitic or Amoraic rabbis. Ben <sup>2</sup>Azzai was from the third generation of the Tannaim and lived early in the second century C.E. An early reference to his unmarried state appears in *t. Yebam.* 8:7:

Ben <sup>2</sup>Azzai says, Whoever does not engage in reproductive sexual relations, lo, such a one sheds blood and diminishes the divine image, since it says, *For in the image of God he made man.* And it says, *And you be fruitful and multiply* (Gen 9:6, 7). Said to him R. Eleazar b. <sup>2</sup>Azariah, "Ben <sup>2</sup>Azzai, words are nice when they come from someone who does what they say. . . . Ben <sup>2</sup>Azzai expounds nicely but does not nicely do what he says." He said to him, "What shall I do? My soul thirsts after Torah, let other people keep the world going." (Cf. *b. Yebam.* 63b and *Gen. Rab.* 34:14.)

Ben <sup>2</sup>Azzai was never ordained, but there is no suggestion that it was his unmarried state which prevented ordination. He was

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century into the 3d century. However, Neusner states that in practice it is not possible to differentiate clearly between the last two periods in dealing with the Mishnaic materials. His book next works through the Mishnah, classifying the regulations and tracing the development through the periods. Neusner's methodology is only beginning to be debated by those with expertise sufficient to contribute to the discussion. If Neusner is correct, the attribution of sayings or actions to named authorities cannot always be taken at face value.

held in high repute as a scholar, he was quoted frequently in the Mishnah and later documents, and he was remembered in the tradition as an outstanding scholar and saint. Thus, *m. Sota* 9:15 says, "When Ben <sup>2</sup>Azzai died there were no more diligent students," and *B. Ber.* 57b says, "If one sees Ben <sup>2</sup>Azzai in a dream he may hope for piety." (Similar expressions occur in *t. Qidd.* 3:9, *b. Qidd.* 49b, and *ʿAbot R. Nat.* 40:12.<sup>6</sup>)

It is sometimes assumed that the story about Ben <sup>2</sup>Azzai was recorded because he was the only unmarried Tannaitic rabbi. This may be true, but the assumption goes beyond the evidence provided by the story itself. The story was recorded because Ben <sup>2</sup>Azzai placed himself in the paradoxical situation of condemning celibacy while himself remaining unmarried. Had he remained silent, there might have been no reference in the tradition to his single status. This does not prove that there were other unmarried Tannaitic or Amoraic rabbis, but what it does make clear is that the story is not of itself adequate evidence that Ben <sup>2</sup>Azzai was unique.

There were perhaps 150 Tannaitic rabbis, and there may have been over 1,000 Amoraic. In only a few cases can even a minimal biography be created from the available data. Thus, caution is required in making statements about the marital status of these men.<sup>7</sup>

Comment should be made about one other Talmudic scholar, R. Hamnuna, who, though he had apparently received ordination as a rabbi, was still unmarried. He was a Babylonian Amora who lived at the end of the third century c.e., and is referred to in *b. Qidd.* 29b, as follows:

<sup>6</sup>Some references suggest that Ben <sup>2</sup>Azzai did finally marry, such as *b. Keth.* 63a, which implies that he married the daughter of R. Akiba. The general verdict of Jewish scholars, however, is that Ben <sup>2</sup>Azzai remained unmarried. J. Massyngberde Ford, *A Trilogy on Wisdom and Celibacy*, p. 50, argues, on the other hand, that he was not permanently celibate. But one notes that Ford resolves every bit of ambiguous evidence against celibacy! Thus, she argues that despite Jer 16:1-2, Jeremiah married at some later period (p. 24); that the Essenes were not celibates, but practiced continence for periods of time (pp. 28-34); that the same was true of the Therapeutae (pp. 34-36); and that Paul was a widower (pp. 70-71). (Admittedly, my passing comment here does not do justice to her very careful investigation of these matters.)

<sup>7</sup>It must be conceded, however, that for the great majority of Tannaitic scholars it is possible to find at least a passing reference to a wife, son, daughter, or in-law, proving that these Tannaim were married.

R. Ḥisda praised R. Hamnuna before R. Huna as a great man. Said he to him, "When he visits you, bring him to me." When he [R. Hamnuna] arrived he saw that he wore no [head] covering. "Why have you no head-dress?" asked he. "Because I am not married," was the reply. Thereupon he [R. Huna] turned his face away from him. "See to it that you do not appear before me [again] before you are married," said he. R. Huna was thus in accordance with his views. For he said, He who is twenty years of age and is not married spends all his days in sin. "In sin"—can you really think so?—But say, spends all his days in sinful thoughts.

It would be helpful for the present argument if it could be claimed that R. Hamnuna remained unmarried, and I have not found any reference to his wife or children. But R. Hamnuna appears later in a respectful relation with R. Huna (*b. Erub.* 63a), and it is easier to believe that R. Hamnuna married than that R. Huna withdrew his objection to an unmarried Rabbi.<sup>8</sup> Yet, the story is relevant for the present issue. R. Huna's attitude reflected the official view with respect to marriage, but it is equally significant that R. Ḥisda expressed great admiration for R. Hamnuna despite the latter's unmarried condition and that R. Ḥisda had not even thought to alert R. Huna when recommending R. Hamnuna. Furthermore, if R. Hamnuna was already ordained at that time, it means that his peers had not objected to his unmarried state. Thus, the response of R. Huna seems to indicate that R. Hamnuna's unmarried status was an exception to the rule, but the attitude of the others demonstrates that R. Hamnuna could hardly have been an absolutely unique exception.

So far as I am aware, no Talmudic scholars other than the two mentioned above—Ben Ḥazzai and R. Hamnuna—were discussed because of their unmarried status, and it is possible that there were no other such rabbis. But is it not possible that Ben Ḥazzai was mentioned, not as a solitary exception, but rather as the outstanding representative of a small group who were to be exempted from the normal marriage obligation?<sup>9</sup>

<sup>8</sup>It is possible, however, that the R. Hamnuna of *b. Erub* 63a is not the same as the one under discussion. There were more than one R. Hamnuna roughly contemporary with R. Huna, and therefore there is disagreement as to which one is intended in some passages.

<sup>9</sup>Cf. *Shulchan Aruch* 1:4, where a concession is made that celibacy may be condoned for cases like Simeon ben Ḥazzai.

**Question Two:** "What was the significance of the stress on abstinence from sexual relations under special circumstances?"

It is often contended that Judaism had a holistic anthropology and a healthy attitude toward sex, unlike the Greek body-spirit dualism and the asceticism which characterized segments of Christianity. This may be a useful generalization, but it must not obscure the fact that in Judaism, as in other religious traditions, there was a recognized tension between sex and the sacred.<sup>10</sup> Abstention from sexual relations was a prerequisite for reception of the divine message and for participation in certain sacred rites.

The basic passage in this connection is the Sinai story in Exod 19, particularly vs. 10-15. Moses was instructed to prepare the people for the Sinai experience, and he said to the people (vs. 15), "Be ready by the third day; do not go near a woman." This narrative is important, not only because of its centrality in the consciousness of Israel, but also because it became the basis for further elaboration of the abstinence-from-sex motif. In various comments on the narrative in the ancient sources, it is argued that Moses determined on his own initiative that if the people were to refrain from sexual intercourse for a brief period when God was to speak to them at a definite time, how much more he (Moses) should abstain permanently, since God spoke to him directly on numerous occasions and without any fixed schedule (*b. Yebam.* 62a; *b. Sabb.* 87a; *b. Pesah.* 87b). That this interpretation existed before the rabbinic period is evidenced by its appearance in the writings of Philo (*Life of Moses* 2:68).

Apparently Moses' wife, Zipporah, was most unhappy with this new development. According to the tradition in *ʿAbot R. Nat.* 9:2, Zipporah shared her complaint with Miriam, who in turn passed it on to Aaron, and thus it became a factor in Aaron's and Miriam's speaking against Moses—though Num 12 provides no basis for this gossip. In *Sifre*, the early Tannaitic commentary on Numbers, it is reported that when Eldad and Medad began to prophesy because the Spirit was on them (Num 11:26-30), Zipporah exclaimed, "Woe to their wives"—presumably because she believed they would now experience her frustrations. The same commentary

<sup>10</sup>The recognition of this tension does not of itself involve the assumption that the body or sex is *per se* evil. In Judaism, sexual intercourse resulted in temporary, ritual impurity, but this clearly does not mean that sex was regarded as evil.

states too that the seventy elders of the book of Numbers also abstained from sexual intercourse, at least for a time.

What is significant here is that despite the dominant emphasis on the obligation to marry, Exod 19:15 is amplified and expanded in extensive fashion. Again, the statement in Gen 5:3 that Seth was not born until his father was 130 years old was interpreted to mean that Adam abstained from intercourse with his wife after the conception of Cain and Abel. But the reasons given for this are not the same as those for Moses' abstinence (*b. Erub.* 18b; *Gen. Rab.* 20:11, 21:9, 23:4).

Also, according to rabbinic tradition, there was to be no sexual intercourse during the time when animals and people were in the ark (*b. Sanh.* 108b; *y. Ta'an.* 1:6; *Gen. Rab.* 31:12, 34:7; *Pirqê R. El.* 23), although there were reportedly violations of this injunction (*b. Sanh.* 108b; *y. Ta'an.* 1:6). This period of abstinence might be regarded simply as a concern to avoid a population explosion that would overcrowd the ark. But in *Gen. Rab.* 31:12 and 34:7 a comment of R. Abin implies that such abstinence was appropriate in every time of want or famine.

A further recognition of the tension between sex and the sacred appears in the Midrash on Ps 146, paragraph 4, where it is asserted that sexual intercourse will be forbidden in the time-to-come. This is explained as an application of the command in Exod 19:15:

Still others say that in the time-to-come sexual intercourse will be entirely forbidden. You can see for yourself why it will be. On the day that the Holy One, blessed be He, revealed Himself on Mount Sinai to give the Torah to the children of Israel, He forbade intercourse for three days, as it is said. . . . Now since God, when he revealed Himself for only one day, forbade intercourse for three days, in the time-to-come, when the presence of God dwells continuously in Israel's midst, will not intercourse be entirely forbidden?

Thus, the ramifications of the account in Exod 19 are very great. Marriage and the regular exercise of the marital duty are the basic norm, but a counter-motif stresses the incompatibility of sexual intercourse with a response to God's presence and participation in his service. Accordingly, it is not a surprise to find that sexual intercourse was forbidden on the Day of Atonement (*m. Yoma* 8:1; *b. Yoma* 74a; *y. Ber.* 5:4), at certain times of fasting for the fall rains (*m. Ta'an.* 1:6; *t. Ta'an.* 1:5), and during years of

famine (*b. Ta'an.* 11a), although in the last-mentioned situation some held that childless couples did not need to abstain. Furthermore, there were restrictions on sexual relations in a room containing the Torah scrolls (*y. Ber.* 3:5); and since any emission of semen constituted temporary ritual impurity, presumably soldiers in situations of Holy War were required to abstain from sexual relations.<sup>11</sup>

Certainly, abstinence from sexual relations on a temporary basis is one thing and complete celibacy is another. But this recognition of the tension between sex and the sacred provides a foundation which makes intelligible the celibacy of Simeon ben <sup>2</sup>Azzai (and possibly others).

**Question Three:** "Was the concern for marriage and the propagation of the race as intense before 70 C.E. or 135 C.E. as it was subsequently?"

It has already been noted that the insistence on marriage as a religious obligation characterizes the rabbinic literature in a consistent fashion. But the earliest document of that literature was not codified until the beginning of the third century C.E. Biblical passages such as Gen 1:28 ("Be fruitful and multiply . . ."), Gen 5:2 ("Male and female he created them . . ."), Gen 9:7 ("And you, be fruitful and multiply . . ."), and Isa 45:18 ("he did not create it a chaos, he formed it to be inhabited . . .") are general statements about the whole human race, and they are not automatically translatable into the dictum, "Every Jewish male must marry and have children!"

Probably the earliest rabbis quoted on this issue are from the second generation of the Tannaim, i.e., from the end of the first century and the beginning of the second. They are Eliezer ben Hyrcanus (*m. Ketub.* 5:6; *b. Yebam.* 63b), Joshua ben Hananiah (*Abot R. Nat.* 3:6), and Eleazar ben <sup>2</sup>Azariah (*Gen. Rab.* 34:14). While the attributions in this literature are not always reliable,<sup>12</sup> the cumulative effect suggests that the motifs were present before

<sup>11</sup>See the Excursus on "Prophetic Celibacy" in Geza Vermes, *Jesus the Jew* (New York, 1973), pp. 99-102.

<sup>12</sup>See Neusner, p. 14, in criticism of G. F. Moore on this point.

the second Jewish-Roman War, i.e., before 135 C.E. This conclusion concerning the time frame is supported by the anonymous passage in *m. Yebam.* 6:6 which affirms the religious obligation to marry and have children but then reports the dispute between the Schools of Shammai and Hillel as to whether two sons or a son and daughter fulfilled the obligation. Although the discussion cannot be precisely dated, it is plausible that the decision about the obligation to marry and have children came first and that subsequently the two Schools argued about the details.<sup>13</sup>

Thus, it is highly probable that the stress on marriage as a religious obligation was present by the end of the first century C.E. Since cultural change was slower then than it is in the hectic modern world, it might be assumed that the prevalence of this motif could be retrojected back at least into the first century C.E. There are two problems with this assumption, however. First, the traumatic impact of the Jewish-Roman War of 66-73 C.E. forced a total reorganization of Judaism, and this was begun by those who gathered in Jamnia with R. Jochanan ben Zakkai. Second, the question arises: Did those who began the task of reorganization represent the mainstream of pre-70-C.E. Judaism? One can note the significant difference in concerns between the post-70 writings of rabbinic Judaism and two other documents produced toward the end of the first century—2 Baruch and the Apocalypse of Ezra.

Unfortunately, as far as the issues treated in this article are concerned, the so-called Intertestamental literature of the pre-70 period is informative chiefly by its silence on the subject of the religious obligation of Jewish males to marry. Sirach has a passage (30:1-13) discussing a father's duties towards his son, but it makes no reference to finding a wife for him. In Sir 7:24-25, fathers are encouraged to arrange marriages for their daughters, but, unluckily, the text of the preceding chap. 30 is disputed. Most translators follow the Greek and Latin readings, which urge strict discipline for sons. The Hebrew reading, however, is an explicit injunction for fathers to arrange marriages for sons while they are still young. This is widely regarded as a late revision of the text, made under

<sup>13</sup>Ibid., p. 20, where Neusner argues that on occasion views were attributed to the Schools of Hillel and Shammai which clearly presupposed perspectives which developed only after 135 C.E. He states: "Indeed, that phenomenon was sufficiently common so that it came to appear likely that the names of the Houses were often used for purposes other than historical."

the influence of the later interests.<sup>14</sup> If this is so, the text as it now stands fits perfectly into the hypothesis that rabbinic Judaism retrojected back into the earlier writings its own stress on early marriage. In any case, Sirach probably does not reflect the strand of Judaism that was most closely related to those who reorganized post-70 Judaism.

*Jubilees*, a document from the end of the second century B.C.E., is essentially a revision of Genesis, the book most frequently quoted in rabbinic literature in connection with the obligation to marry. Somewhat surprisingly, *Jub.* 2:13-14 omits the phrase "Be fruitful and multiply," which appears in the Gen 1:26-28 account of the sixth day of creation. But the phrase does occur in *Jub.* 6:5, 9—thus paralleling the double occurrence in Gen 9:1, 7—so probably no significance should be attached to the earlier omission. Again, a variant of the phrase occurs in *Jub.* 10:4, as part of a prayer of Noah, a prayer not recorded in Genesis. Although marriage is taken for granted in *Jubilees*, there does not appear to be special stress on the obligation of Jewish males to marry, though there is stress on their obligation to marry Jewish wives (*Jub.* 25:1, 5, paralleling Gen 28:1). And *Jub.* 30:7, 14 adds to the Gen 34 narrative explicit emphasis on the prohibition against marrying daughters to Gentile men. *Jub.* 50:8 includes (for the first time?) a prohibition against sexual intercourse on the Sabbath.

The argument from silence is always precarious, but the silence of Sirach and *Jubilees*, as well as 2 Baruch and the Apocalypse of Ezra, at least raises the possibility that stress on marriage was more prominent after 70 C.E. than before that time. Thus, if John the Baptist, Jesus, and Paul were indeed all unmarried, they may not have been as exceptional in their day as they would have been later.

**Question Four:** "Was marriage as universal outside 'establishment' circles as it was in those circles?"

The rabbinic literature gives the impression of a highly unified society, although one must remember that it reflects a picture of what should be done and not necessarily what actually was done in

<sup>14</sup>See the discussion of the text in T. A. Burkhill, "Ecclesiasticus," *IDB* 2: 14-15. See also the translations in JB, RSV, NEB, and NAB.

the society at large. Furthermore, it is clear that in the pre-70-c.e. period Jewish society in Palestine included a rich diversity of views. The three, or four, groups described by Josephus<sup>15</sup> reflected social and political differences as well as differing religious perspectives, and no doubt there were subdivisions within these groups.

On the subject of marriage the most distinctive group was that of the Essenes, including the people of Qumran. The evidence does not provide a completely clear picture of their stance, but it is widely agreed that some branches of this movement were celibate.<sup>16</sup> For the present purpose it is not necessary to discuss various theories which seek to explain this distinctive attitude toward marriage, though some questions emerge: Had these celibate Essenes been influenced by Hellenistic dualism? Were they applying in a more universal manner the restrictions on sexual activity that had previously been intended for priests when on duty? Were they soldiers in the Holy War? Or were they training for the Age-to-Come? In any event, the attitude toward marriage of some within the Essene movement must have given a degree of respectability to celibacy, not only within the movement, but also—judging by the language of Josephus and Philo—among Jews generally.

Even in the rabbinic literature itself there is recognition of the presence of unmarried men in the society, although this recognition takes the form of regulations restricting the activities of these persons. For example, they were excluded from being schoolteachers, as indicated in *m. Qidd.4:13-14*:

An unmarried man may not be a teacher of children, nor may a woman be a teacher of children. R. Eliezer says: Even a man that has no wife [with him] may not be a teacher of children.

(14) R. Judah says: An unmarried man may not herd cattle, nor may two unmarried men sleep under the same cloak. But the Sages permit it.

<sup>15</sup>See Josephus, *War* 2: 119-166, and *Ant.* 18: 11-25.

<sup>16</sup>See Vermes, pp. 99-100; and Matthew Black, *The Scrolls and Christian Origins* (New York, 1961), pp. 27-32. Some scholars have argued strongly that celibacy among the Essenes, insofar as it existed, was not on account of asceticism, i.e., a dualistic rejection of the flesh as evil. See A. Steiner, "Warum lebten die Essener asketisch?" *BZ* 15 (1971): 1-28; and H. Hübner, "Anthropologischer Dualismus in den Hodayoth?" *NTS* 18 (1972): 268-284. In fact, Hübner feels that scholars may have exaggerated the role of celibacy at Qumran, and that perhaps there were only periods of continence for special reasons ("Zölibat in Qumran?" *NTS* 17 [1971]: 153-167). Cf. Ford, pp. 28-34.

All or part of this material reappears in the parallel passages in the Tosefta (*Qidd.* 5:10), the Palestinian Talmud (*Qidd.* IV 12-14), and the Babylonian Talmud (*Qidd.* 82a). In the last-mentioned source, the explanation is given that the restriction on school-teachers was not because of a fear of pederasty, since "Israel are not suspected of either pederasty or bestiality." It is indicated that the regulation existed because of the contact an unmarried male teacher might have with the mothers who brought their children to school.

In the *Pesiq. Rab Kah.* 9:2, R. Tanhuma interprets Job 41:11-12[E] to mean that if an unmarried man living in a community without schools provided funds to pay teachers of Scripture and Mishnah elsewhere, he would find his prayers for male offspring answered when he married. Of course, this assumes that he would marry, but it also recognizes that there might be unmarried adult males in a proper Jewish community.

In short, the evidence relating to this "Question Four" is limited; but clearly, even after 70 c.e., in the rabbinic period, there were enough unmarried adult males for the codified Oral Law to contain regulations concerning them.

**Question Five:** "What is the evidence for men who married only after the age of twenty-five, i.e., after the deadline approved in the rabbinic literature?"

If it is difficult to ascertain much about the marital status of named Jews during the first century c.e., it is even more difficult to know at what age they married. For our purpose it is not essential to know whether the ages given in various records are strictly accurate, since even folk-tale incidents reflect the expectations and assumptions of their creators.

We begin our survey with Joseph ben Matthias, or Josephus, as he is more commonly known. In his *Life* (414-427) he describes the details of his first, second, and third marriages.<sup>17</sup> The first occurred after the siege of Jotapata, when he was captured by the Romans and then kept as an honored guest of Vespasian. The siege

<sup>17</sup>The article on "Josephus" by A. Schalit in *Enc. Jud.* (10, col. 254) states that Josephus married four times and that his first wife died during the siege of Jerusalem. This seems to contradict the explicit statements of Josephus himself. Vol. 9 of the LCL text and translation of Josephus contains an extensive "General Index" which supports the three-wife interpretation of Josephus.

must have occurred in June-July of 67 c.e., and since he reports that he had been born in the year that Gaius became the emperor (*Life*, 5), i.e., 37-38 c.e., he must have been 29 or 30 years old at the time of the siege. These calculations are confirmed by Josephus' comment when discussing developments in his campaign in Galilee shortly before the siege of Jotapata: "I was now about thirty years of age" (*Life*, 80). Some time later, and at the command of Vespasian (according to Josephus' report), he married one of the Jewish women who had been taken captive at Caesarea. We do not know how long after the siege the marriage occurred, but clearly Josephus was at least 30 years of age.

Almost certainly R. Akiba is another outstanding illustration of a late marriage, although the details of his life have been covered over with legend. It is reported that he came from a poor family, was unlearned, and worked as a shepherd for a wealthy family. He fell in love with the daughter in that family, who agreed to marry him provided that he became a scholar of Torah. He agreed and studied for many years, becoming one of the outstanding scholars of the early second century c.e. In fact, he is one of those most-frequently quoted rabbis in the Mishnah and may have begun the process which led to the codification of Jewish Law in the Mishnah.

According to one version of his romance, Akiba was 33 years old (or older) when he married.<sup>18</sup> But his age is not indicated in the basic passages in the Talmud (*b. Ketub.* 62b-63a; *b. Ned.* 50a), and even these passages contain material that is partially legendary. It is generally agreed, however, that Akiba was well beyond the usual age when he married. This is asserted, for example, by Louis Finkelstein in his biography of Akiba.<sup>19</sup> Finkelstein goes out of his way to argue that for the poorer classes the early marriage as advocated by the rabbis was completely impractical, and he also includes a special note to argue that for "plebeians," whether Jewish or Hellenistic, late marriage was the rule.<sup>20</sup>

Another distinguished rabbi who apparently married late was Eliezer ben Hyrcanus, a Tanna of the second generation, i.e., at the

<sup>18</sup>A. J. Kolatch, *Who's Who in the Talmud* (New York, 1964), p. 168, implies that the age "33" appears in the Talmudic record. I suspect it is from one of the later traditions.

<sup>19</sup>Louis Finkelstein, *Akiba: Scholar, Saint and Martyr* (New York, 1936), pp. 21-23.

<sup>20</sup>*Ibid.*, p. 304.

end of the first century c.e. According to the account in *ʿAbot R. Nat. b.* 13, Eliezer wept when he was plowing the fields of his wealthy father. When questioned by his father about his tears, he explained that he wanted to study Torah. His father responded, "You are 28 years old, and you want to study Torah? Go, instead, and take for yourself a wife and beget children and send them to school. . . ." But Eliezer persevered and became a distinguished scholar. This version of the story is supported broadly by *Pirqê R. El.* 1; but in *ʿAbot R. Nat. a.* 6, the narrative gives Eliezer's age as 22, and *Ber. Rab.* 42 (41):1 makes no reference to Eliezer's age. In none of the versions is it stated that Eliezer married before beginning his studies, though there are subsequent references to his wife and a son.<sup>21</sup>

There are other instances in which marriage was delayed beyond the approved deadline, but the exact age of marriage is not stated. Thus in *b. Qidd.* 71b it is reported that Rab Judah (late third century in Babylon) was criticized because he had not arranged a marriage for his son who was already fully grown and a rabbi. Rab Judah responded by saying, in effect, that he wished to maintain the genealogical purity of his family but was uncertain about the genealogies of the available young women in Babylonia. The critic, though himself a Palestinian rabbi, then quoted Lam 5:11 ("They ravished the women in Zion, the maidens in the cities of Judah"), with the implication that even Rab Judah could not be certain of the purity of his own genealogy, since his ancestors had been in Palestine at the time the Babylonians captured Jerusalem and ravished the countryside.

The biblical tradition itself provided some counterweight to the rabbinic stress on early marriages, since according to that tradition there were some relatively late marriages among the founding fathers. Gen 25:20 reports that "Isaac was forty years old when he took to wife Rebekah," and Gen 26:34 reports that Esau also was 40 years old when he married. *Gen. Rab.* 65:1 comments on this concurrence in age at the time of marriage, saying that Esau led a promiscuous life throughout his youth, but then compared himself with his father: "As my father was forty years old when he married, so I will marry at the age of forty." When the Bible is not explicit about the age at the time of marriage, the later

<sup>21</sup>See *b. Sanh.* 68a; *b. Menah.* 35a; and *b. Shab.* 147a.

tradition sometimes provided that information. *Gen. Rab.* 68:5, after rather intricate calculations, announces that Jacob was 84 when he married. This is then compared with Esau's marrying at age 40, and the comment is made: "Thus we learn that the Holy One, blessed be He, hastens [the happiness of] the wicked and delays that of the righteous." Somewhat surprisingly, *Gen. Rab.* 53:13 states that Ishmael was 27 when he and his mother Hagar were cast out by Abraham. Since his marriage was subsequent to this (*Gen* 21:21), he was older than 27 when he married.

The *Testaments of the Twelve Patriarchs* is a further document of interest at this juncture. These "testaments" probably originated during the Maccabean period in the second century B.C.E., but in their present form they may contain materials added at a later stage in Jewish history. In *T. Levi* 11:1 Levi states that he married at 28 years of age. A comparison of *T. Levi* 11:8 with 12:4 indicates that Levi's daughter at age 30 married Amram, who was exactly the same age, i.e., 30. According to his own report, Issachar did not marry until he was 35, although some texts read "30" (*T. Issachar* 3:5). The foregoing represent three instances of "late" marriages mentioned in the Testaments, but they are the only instances thus far noted in which the document mentions ages at the time of marriage. (There is one possible exception in that *T. Judah* 7:10-8:3, where no exact age is given, does refer to Judah's marriage almost immediately after a statement that Judah was 20 years of age. The natural assumption would be that Judah was no older than his early 20s at the time of his marriage.)

There is, of course, no strong reason to trust the accuracy of these statements in the *Testaments of the Twelve Patriarchs* regarding the ages of individuals at the time of marriage. But one must assume that the authors, or editors, of that document did not themselves find these ages abnormal. The impression created by the document is that men were marrying in their 30s or thereabout.

### 3. Conclusion

On the matter of marriage, there is no question about the thrust of the rabbinic teaching on the part of those who reorganized Judaism after 70 C.E.: A Jewish male was under a religious obligation to marry and to have children; and furthermore, it was best for him if he married while in his teens, or, at the latest, in his early twenties.

On the other hand, even after 70 C.E., when this pattern was explicitly promulgated, there were significant exceptions to the general rule. It is true that Simeon ben <sup>3</sup>Azzai is the only Tannaitic scholar of whom it can be said with relative certainty that he remained unmarried throughout his life. But there were regulations governing the behavior of unmarried men—an indication that such a group existed and that it was honorably recognized, even during the period of dominance by the “rabbinic pattern.” There is evidence, too, of late marriages during this period, although such were exceptional enough to occasion comment among the rabbis, e.g., Eliezer ben Hyrcanus. It is likely that during this period late marriages were common in the lower economic and social segments of society, but they do not appear in the records.

The absence in the pre-70-C.E. literature of any explicit stress on the religious obligation to marry suggests that this motif developed—or at least intensified—after 70, during the restructuring of Jewish life. It is striking that Josephus did not marry before he was 30. A single instance does not, of course, establish a pattern. Exceptions are sometimes said to prove the rule, but there is not explicit evidence of a rule in the pre-70 period! Presumably during this earlier period, as was the case later, males in the lower social classes married late and some did not marry at all.

Since John the Baptist and Jesus died at a comparatively early age, it is unlikely that their unmarried state, if such it was, created particular comment. The situation with Paul is somewhat different, since he lived to at least a moderate old age and, according to Acts 22:3, had been a disciple of Gamaliel, moving in “establishment” circles! But in the pre-70 period he was probably not as unique as Simeon ben <sup>3</sup>Azzai, though he may have given a similar defense of his behavior. (This is assuming, of course, that Paul was unmarried rather than a widower, which seems to me to be the more likely case.)

Since, so far as is known, the Essenes were the major organized group in Palestinian Judaism with an ambivalent attitude toward marriage, it is tempting to suggest a link between them and John the Baptist or Jesus or Paul. But since it is not clear that an unmarried man was as abnormal in first-century Palestine as might be assumed from rabbinic literature, the temptation should be resisted unless there are other strong links between these individuals and the Essene-Qumran community.